LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
APRIL 23, 2019

MEMBERS PRESENT: Chairman Brett Nilsson, Commissioners Brian Allen, Dawn Fitzpatrick, Clint Morris, Robert Van Drunen, Daniela Harding, and George Wilson

MEMBERS ABSENT: Vice Chair Tricia Pilny, Commissioner Wynn Hansen

OTHERS PRESENT: Staff: City Attorney Mason Kjar, CED Director Chad Wilkinson, City Planner Tim Watkins, Planner II Kem Weaver, UTA Representatives Alex Bein and Kerry Doane, and Interim Secretary Kendall Welch

City Council Member: Tom Day

The work meeting was held in the Chambers Conference Room of the Layton City Center. Chairman Nilsson called the work meeting to order at 5:32 PM.

1. PRESENTATION BY UTAH TRANSIT AUTHORITY (UTA): BUS SERVICE CHOICES (5:33 PM)
Chairman Nilsson asked Tim Watkins, City Planner, to provide a brief introduction for this agenda item. Mr. Watkins stated that UTA is currently involved in a public outreach process, looking for ways to expand bus services along the Wasatch Front. Mr. Watkins stated that this means UTA is looking to coordinate their future service plans with other community plans along the Wasatch Front. Mr. Watkins stated that he felt this was a good opportunity to share portions of the City’s Draft General Plan (i.e. transportation, and other similar elements).

Alex Bein, from the UTA Planning Department, introduced himself to the Commission and stated that he was the Internal Project Manager for this particular project. Mr. Bein introduced Kerry Doane, also from the UTA Planning Department, who is the Manager of Long Range/Strategic Planning.

Commissioner Allen and Councilmember Tom Day joined the meeting at 5:36 PM.

Mr. Bein stated that Service Choices is a community engagement planning process, and that UTA is seeking community guidance on how best to chart the future course for bus services. Mr. Bein added that bus services accounts for approximately fifty percent (50%) of services provided by UTA. Mr. Bein stated that feedback is being solicited from a variety of sources including: online surveys, public events, open houses, and community leader workshops. Mr. Bein gave a brief summary of the anticipated timeline for this project that included public outreach beginning in early 2019, followed by a draft network plan and route definition in fall of 2019, and draft network bus plan public outreach in early 2020, with a network bus plan implementation anticipated in 2021.
Mr. Bein then provided a brief presentation to the Commission outlining the main goals of UTA, as well as the main differences between “Ridership” based plans and “Coverage” based plans. Ridership plans were described as: focusing on service that generates the most ridership at the least cost per rider; provides more frequent service, but only in areas that have the characteristics to support high ridership; and high frequent with reduced coverage. Coverage plans were described as: focusing on ensuring access to the transit system is available in as many places as possible with an increased cost per rider; provides service in more areas, but spreading the service out means spreading it thin, so buses don’t run very often; and low ridership and frequency. Mr. Bein explained that when ridership plans are created, land use issues such as density, walkability, linearity, proximity are reviewed and considered, while with coverage based plans goals vary based on what the specific community wants to be achieved. Mr. Bein stated the existing ridership/coverage split in the Northern Region (Davis, Box Elder, and Weber Counties) is approximately forty percent (40%) ridership and sixty percent (60%) coverage.

Mr. Bein closed by directing the Commission and members of the public to take the online survey found at http://www.rideuta.com/service-choices to answer the following questions: 1. What should the percentage (%) of funding split be between ridership and coverage service using existing funding? 2. What should the percentage (%) of funding split be between ridership and coverage service if new funding becomes available? 3. If public feedback supports an increase in coverage service, what should be the priority for how it should function? (i.e. service for people who can’t drive; service to those who pay taxes for UTA service; or service to newly developing areas.)

Commissioner Fitzpatrick asked if UTA had any additional statistical data on riders. Mr. Bein responded that UTA does an on-board survey periodically, adding that the next survey would be conducted in the fall of 2019. Ms. Doane stated that demographic data is also obtained through American Community Survey and U.S. Census databases.

Commissioner Wilson asked if shuttle services could be provided to areas that do not have easy bus access. Mr. Bein stated that a shuttle service providing that type of coverage/access to bus lines would be considered part of a coverage based plan.

Commissioner Harding stated she felt that unless you currently live along Main Street or care to stand on an extremely busy street, access to existing bus services is limited. Commissioner Harding also noted that she felt the bus lines to and from ski resorts are important. Mr. Bein noted that bus services to and from the ski resorts are partially funded by the ski resorts, and commented that expanding services east to west is challenging due to geographic constraints.

Commissioner Van Drunen commented that bus services along Highway 89 are primarily express services, adding that there also free shuttle service available from FrontRunner to Hill Air Force Base.
Chairman Nilsson asked if UTA had already reviewed the City’s Draft General Plan, and asked if one of their goals was to start interconnecting cities. Mr. Bein stated that UTA will be working with cities to understand the types of densities and other items required in order to offer more ridership based services. Mr. Watkins shared a copy of the City’s Draft Future Land Use Map, and highlighted various town center locations, noting that the draft plan supports the convergence of trails and other similar items at these town center locations, as well as connectivity between town centers.

Commissioner Van Drunen commented that he felt the density of West Layton would not be able to support transit for quite some time. Commissioner Morris stated that he felt the West Davis Corridor project could trigger new development and the need for transit services. Commissioner Van Drunen he stated that likely the transit need in West Layton would be centered around the new hospital and Main Street areas.

Chairman Nilsson thanked UTA for the presentation and encouraged the Commissioners to participate in the survey.

Before moving onto the next agenda item, Mr. Watkins requested a change in the order of the work meeting agenda in order to accommodate the applicants present for the Taylor/Sessions rezone. Chairman Nilsson stated that he would like to give Commissioner Harding a few minutes to speak, adding that the Taylor/Sessions rezone item could be heard after that.

Commissioner Harding announced that two weeks ago she was elected the Davis County Republican Party Chair. Commissioner Harding stated that she will be resigning her position on the Planning Commission, adding that her term on the Commission would have ended in July. Commissioner Harding stated that while she will miss working with the Commission, she is excited to purse this new opportunity. The Commission congratulated Commissioner Harding.

Mr. Watkins took a brief moment to introduce the City’s new Community and Economic Development Director, Chad Wilkinson. Mr. Wilkinson stated that he came to Layton from Bountiful City, and was at Murray City prior to that. Mr. Wilkinson stated that he has approximately twenty years experience as a planner, and added that he is happy to be here.

2. **TAYLOR/SESSIONS REZONE – A TO R-1-6 (WORK MEETING ONLY) (6:09 PM)**

Mr. Watkins stated that this item is a work meeting item only, adding that the public hearing has not been scheduled yet. Mr. Watkins introduced the applicants for the rezone request, Bart Hyde and Kevin Peterson.

Mr. Watkins explained that the rezone request is for properties located at 1971 North Church Street and 1098 East Antelope, which consist of approximately 3.607 acres. Mr. Watkins stated that the rezone request is for R-1-6 (Single Family Residential) zoning and noted that the properties are adjacent to the Accident Potential Zone (APZ) of Hill Air Force Base. Mr. Watkins explained that there is a heavy arterial street (Antelope) as well as a heavy collector street (Church) adjacent to these properties. Mr. Watkins explained that there is currently R-1-6 zoning...
to the south and west of the subject properties. Mr. Watkins shared that the City’s current General Plan Land Use Map indicates a density of two to four (2-4) units per acre, adding that there is also language contained within the current plan which supports medium density projects adjacent to arterial streets.

Commissioner Van Drunen asked if access would be restricted from Antelope Drive. Mr. Hyde responded that access would be provided from Church Street. Mr. Hyde stated the existing home at 1971 North Church Street is planned to be demolished, while the existing home at 1098 East Antelope Drive would likely remain. Mr. Hyde added that they are currently leaning towards a development model similar to the age restricted (55+ years or older) cottage home development to the south.

Commissioner Wilson asked if the developer was planning on making any improvements to Church Street. Mr. Hyde stated that there would not be any improvements made to Church Street. Commissioner Harding stated that she is very concerned about rezoning the properties to a higher density given the current pavement condition of Church Street, as well as the existing traffic conditions near the round-a-bout at Antelope Drive/Church Street, including the lack of a lighted intersection and Fairfield Road/Church Street. Mr. Watkins stated that from an engineering perspective the proposed development would not trigger the requirement for any street improvements. Commissioner Harding stated that she felt additional street lighting also needs to be added, considering Church Street is generally a very dark street.

Commissioner Fitzpatrick asked about the future street light at Fairfield Road/Church Street, stating that she remembered the Frost/Ovation development bonding for a portion of the improvements. Councilmember Day stated the street light has been budgeted for and should be installed soon. Commissioner Fitzpatrick stated the installation of the light is her biggest concern. Commissioner Morris asked for clarification of the proposed street light, then agreed with Commissioner Fitzpatrick. Commissioner Van Drunen commented that curb and gutter will be installed along with future development.

Chairman Nilsson stated that the purpose of discussing this item in a work meeting allows the Commission to express their concerns to the applicant. Mr. Watkins also added that City Staff has discouraged townhomes at this particular location, except for where a PRUD (Planned Residential Unit Development) might be able to successfully integrate them due to the context of surrounding properties, and the adjacency to the APZ. Chairman Nilsson asked how many homes could potentially be built under the R-1-6 zoning. Mr. Watkins stated somewhere between fifteen to eighteen (15-18) homes.

Commissioner Fitzpatrick asked if the development would be for residents 55+ years or older. Mr. Hyde indicated yes, stating that this was their current thought. Commissioner Fitzpatrick added that there needs to be more developers for residents in the 55+ years or older age range.
Commissioner Van Drunen commented that the units should propose some color variation, as most are too monochromatic. Chairman Nilsson asked if the units would be slab on grade foundations, or if there would be basements. Mr. Hyde stated that he has received several requests for basements. Commissioner Harding commented that the applicant should look into the installation of drains if basements will be proposed. Mr. Peterson asked if there were any known groundwater issues. Commissioners Harding and Van Drunen stated yes.

Chairman Nilsson asked if there were any further comments or questions on this item. Commissioner Van Drunen asked why the Commission is seeing this in a work meeting only. Mr. Watkins stated that Staff felt that the nuances and changing conditions of the area warranted a work meeting only prior to the scheduling of a public hearing.

Commissioner Fitzpatrick asked if the developer had considered a PRUD (Planned Residential Unit Development). Mr. Hyde stated that the last few developments that he has been involved with in other communities have been PRUDs. Mr. Hyde added that while they did consider a PRUD at this location, he was too unsure of how the proposal would be received by the Commission, as well as overall timing of the project. Commissioner Harding asked if the property had already been sold. Mr. Hyde stated that Mr. Peterson is the realtor for the Session’s property, adding that he is the buyer, as well as the current owner of the adjacent lot.

3. SUBDIVISION AMENDMENT – LAYTON PARKE ESTATES PHASE 1 – FIRST AMENDED (6:26 PM)
Kem Weaver, Planner II, asked the Commission if there were any questions on this item. Mr. Weaver stated that the proposal is to remove the temporary turn-around on the Lot 122-R and replace it with easement which will allow for a hammer-head style turn-around in order to avoid holding the lot hostage. Mr. Weaver stated that the City’s Planning, Engineer, Fire and Legal Departments are in favor of this option as it will allow the builder to pull a permit to construct a new single family residence on the lot.

Commissioner Fitzpatrick asked if the easement will go away once the adjacent property is developed. Mr. Weaver stated yes. Commissioner Fitzpatrick stated that construction in the subdivision is happening very quickly. Chairman Nilsson stated that over seventeen (17) homes have been sold. Commissioner Van Drunen asked who the developer of the subdivision is. Commissioner Fitzpatrick stated Castle Creek primarily, with some homes being constructed by Ed Green.

4. 7-ELEVEN SITE PLAN – LANDSCAPE BUFFER MODIFICATION (6:28 PM)
Mr. Weaver stated that the City has received a request for a landscape buffer modification on the proposed 7-Eleven site located at 1285 North Main Street, located at the new Midtown Crossing, across the street from Kohls. Mr. Weaver stated that the City’s code requires a thirty foot (30’) landscape buffer on the south side of the property, where the proposed use will be adjacent to single family residential homes.
Commissioner Allen asked if the site will be a full service gas station. Mr. Weaver responded yes. Mr. Weaver stated that the property had previously been used as a car dealership, adding that the dealership operated with only an eighteen foot (18’) landscape buffer adjacent to the single family residences.

Chairman Nilsson asked for clarification on the location of the existing retaining wall. Mr. Weaver pointed out that the wall does not sit on the property line, rather is pushed inside the lot approximately six feet (6’) from the property line. Chairman Nilsson asked for clarification on the retaining wall and cleanup of the existing landscaping. Mr. Weaver stated that 7-Eleven will be cleaning up the existing landscaping as well as reconstructing a new masonry wall on the property line.

Commissioner Fitzpatrick asked for clarification on the entrance to the property. Mr. Weaver responded that there would be access off of Main Street as well as Angel Street. Commissioner Fitzpatrick commented that there is a huge elevation difference (rise) on Angel Street due to the reconstruction for Midtown Crossing. Commissioner Fitzpatrick also commented that during the original conditional use approval for the former car dealership there was lots of discussion regarding proposed lighting and the impacts to adjacent property owners. Mr. Weaver stated that lighting plans are currently being reviewed and shared that while the 7-Eleven photometric plan shows a zero (0) foot-candle reading at property lines, the plan does indicate too many light poles on the property, which will need to be resolved. Commissioner Fitzpatrick asked Mr. Weaver if he felt there would be any issues with the reduction of the landscape buffer in terms of lighting concerns for adjacent properties. Mr. Weaver stated that adjacent properties sit quite a bit lower in elevation, adding that he didn’t anticipate there being an issue given the new masonry wall and existing landscaping.

Commissioner Wilson asked if 7-Eleven is closing any existing locations within Layton in order to build this new location. Mr. Weaver responded no. Commissioner Allen expressed concerns on the proposed Angel Street entrance. Commissioner Fitzpatrick agreed with Commissioner Allen citing the elevation change.

Chairman Nilsson asked if there were any further questions of this item. Commissioner Van Druen asked if this is going to be a corporate or franchise location. Mr. Weaver stated that he did not know. Commissioner Fitzpatrick asked if a rendering had been provided showing the building elevations. Mr. Weaver stated that he thought the building was going to be brick. Commissioner Harding asked if any signage is being proposed for this location. Mr. Weaver stated that signage has not been proposed at this time.

5. **C-TH TEXT AMENDMENTS (WORK MEETING ONLY)** (6:35 PM)
Mr. Watkins explained that in late February a public hearing was held on the proposed C-TH amendments, noting that the item was tabled so that further refinements could be made. Mr. Watkins stated that Staff has been working on these refinements as time permitted over the course of the past few months. Mr. Watkins added that while Staff works on further refinement
of the draft General Plan to address feedback received, it was thought that discussion could be resumed on the proposed C-TH refinements.

Mr. Watkins presented a series of townhome images to the Commission which illustrated various designs options, with the garages generally located to the rear, all of which front onto a street, green court, or other open space amenity. Mr. Watkins shared the Midtown Courts site plan which is a townhome project currently under construction in Layton, which follows this same design pattern.

Commissioner Allen asked for clarification of topic of discussion. Mr. Watkins stated that this item is to review proposed refinements to the C-TH text amendment, and should not be confused with the PRUD (Planned Residential Unit Development) draft refinements.

Mr. Watkins stated that Staff has started to receive feedback from developers, prospective buyers, and similar on the rear loaded townhome products. Mr. Watkins stated that a desire for semi-private front yard spaces has been expressed, therefore, Staff has come up with some example renderings of what limited-common area features may look like.

Commissioner Van Drunen asked if the space could still be considered common area if it is fenced off and only for private use. Mr. Watkins stated yes, adding that it is defined as limited-common area. Mr. Watkins stated that Staff has proposed additional text which would require the limited-common area to be fenced with a minimum six foot (6’) wood fencing, or comparable material (no vinyl). Mr. Watkins asked the Commission for their thoughts on if vinyl should be completely excluded, or if the Commission would be open to a vinyl fencing material which resembles wood fencing. Mr. Watkins shared a simple cost analysis between some of the more common fencing materials.

Commissioner Harding asked if legally the Commission can enforce the requirement of the use of certain colors or building materials. City Attorney, Mason Kjar, stated that if the requirements are outlined in the ordinance the Commission can enforce the requirements. Commissioner Harding asked why others felt that white vinyl fences should not be allowed. Mr. Watkins stated that the Commission has previously expressed a dislike of white vinyl fences, adding that certain types of white vinyl can cast reflective glares. Chairman Nilsson added that deterioration, and peeling of the finish can also be an issue.

Commissioner Fitzpatrick stated that perhaps the proposed language is too restrictive, given all of the various fencing materials available. Chairman Nilsson asked if it would be better to revise the draft text to only read “or comparable material” so that the decision on materials used can be made by the Commission. Commissioner Van Drunen asked for clarification on “Layton City” and if the Commission would be the decision making body, or if it would be Staff. Chairman Nilsson agreed with Commissioner Van Drunen that the decision making body would need to be clarified. Mr. Watkins suggested it could be worded so that the decision is left up to the Land Use Authority.
Commissioner Wilson stated that he liked the vinyl wood alternative Mr. Watkins had shared. Mr. Watkins stated that the product is produced in Utah.

Before adjourning the work meeting, Chairman Nilsson asked if there were any questions/comments on the meeting minutes from March 12 Work Meeting, and March 26, Work/Regular Meeting. There were no comments from the Commission on this item.

The work meeting was adjourned at 6:54 PM.

Kendall Welch,
Interim Planning Commission Secretary
LAYTON CITY PLANNING COMMISSION MEETING MINUTES
APRIL 23, 2019

MEMBERS PRESENT: Chairman Brett Nilsson, Commissioners Brian Allen, Dawn Fitzpatrick, Clint Morris, Robert Van Drunen, Daniela Harding, and George Wilson

MEMBERS ABSENT: Vice Chair Tricia Pilny, Commissioner Wynn Hansen

OTHERS PRESENT: Staff: City Attorney Mason Kjar, CED Director Chad Wilkinson, City Planner Tim Watkins, Planner II Kem Weaver, and Interim Secretary Kendall Welch

City Council Member: Tom Day

The meeting was held in the City Council Chambers of the Layton City Center. Chairman Nilsson called the meeting to order at 7:02 PM. The Pledge of Allegiance was recited and an invocation was given by Commissioner Morris.

APPROVAL OF MINUTES: MARCH 12, 2019: WORK MEETING, AND MARCH 26, 2019: WORK/REGULAR MEETING (7:04 PM)
Chairman Nilsson asked the Commission if there were any questions or comments on this item. Hearing none, Chairman Nilsson called for a motion to approve the meeting minutes for the March 12, 2019: Work Meeting, and the March 26, 2019: Work and Regular Meeting.

Commissioner Van Drunen moved that the Planning Commission approve the meeting minutes for the March 12, 2019: Work Meeting, and the March 26, 2019: Work and Regular Meetings as written. Commissioner Wilson seconded the motion. All Commissioners were in favor and the motion passed unanimously.

PUBLIC REVIEW
Chairman Nilsson called for a motion to open Public Review. Commissioner Fitzpatrick moved to open Public Review. Commissioner Harding seconded the motion. All Commissioners were in favor and the motion passed unanimously.

1. LAYTON PARK ESTATES PHASE 1 – FIRST AMENDED (7:05 PM)
The applicant, Bryce Thurgood of Castle Creek Homes, is requesting to amend the final plat of the Layton Parke Estates Phase 1 Subdivision, located at approximately 1852 West 850 South in the R-S (Residential Suburban) zoning district. The proposed amendment is to remove the temporary turn-around on Lot 122-R.
Kem Weaver, Planner II, stated that this item is a request for an amended subdivision plat regarding Lot 122-R of the Layton Park Estates Phase 1 Subdivision. Mr. Weaver explained the proposal is to remove the temporary turn-around located at the front of the lot, and replace it with an easement, which will provide a hammerhead style turn-around to accommodate fire/emergency vehicle apparatus. Mr. Weaver added that the material for the turn-around at minimum would need to be compacted road base capable of supporting fire/emergency vehicle apparatus. Mr. Weaver also stated that signage and red paint along the curb would be required to prevent parked vehicles from blocking the easement/turn-around. Mr. Weaver stated the request allows the builder to move forward with the construction of a residence on the lot, rather than hold the lot hostage. Mr. Weaver noted that the builder would not be required to locate the driveway for the new residence within the easement.

Mr. Weaver closed by stating that Staff’s recommendation is the Planning Commission should forward a positive recommendation to the City Council to approve the amended plat for Layton Parke Estates Phase 1 Subdivision – First Amended, subject to meeting all Staff requirements as outlined in Staff memorandums.

Chairman Nilsson opened the item for questions from the Planning Commission.

Commissioner Fitzpatrick stated that she felt the easement should not be used as driveway for the residence as there could be potential conflicts with parked vehicles restricting fire/emergency from accessing the turnaround. Commissioner Fitzpatrick also stated that she was concerned about a second curb cut, wanting to ensure the property would not inadvertently become non-compliant with the City’s ordinances. Mr. Weaver clarified that since the easement would be temporary, the City would allow an additional curb cut for a driveway. Mr. Weaver also noted that properties with at least one hundred feet (100’) of frontage are allowed a second curb cut.

Commissioner Allen asked for an explanation of the easement process. Mr. Weaver stated that once the street is extended to the east and additional development occurs, the easement goes away, and the property is quit-claimed back to the property owner.

Commissioner Fitzpatrick asked if the lot was restricted. Mr. Weaver stated no.

Chairman Nilsson opened the item to the public for questions or comments. There were no questions or comments from the public.

MOTION: Chairman Nilsson called for a motion on the item. Commissioner Harding moved that the Planning Commission forward a positive recommendation to the City Council to approve the amended plat for Layton Parke Estates Phase 1 Subdivision – First Amended, subject to meeting all Staff requirements as outlined in Staff memorandums. Commissioner
Fitzpatrick seconded the motion. All Commissioners were in favor and the motion passed unanimously.

2. **7-ELEVEN SITE PLAN – LANDSCAPE BUFFER MODIFICATION** (7:10 PM)

   The applicant, Justin Dabb of Center Point Construction, is requesting a landscape buffer modification on the 7-Eleven site located at 1285 North Main Street in the C-H (Planned Commercial Highway) zoning district. The proposed modification is to reduce the landscape buffer along the south property line from thirty feet (30’) to fifteen feet (15’).

   Mr. Weaver stated this request is to amend the landscape buffer requirement along the south property line of vacant commercial property, which is proposed for development as a service station (future 7-Eleven). Mr. Weaver explained that the code requires a thirty foot (30’) landscape buffer be provided between this type of proposed use and the existing single family residential neighborhood. Mr. Weaver added that due to the size of the lot and the previous use of the lot as a car dealership, which operated with an eighteen foot (18’) landscape buffer, Staff is in support of the request.

   Mr. Weaver highlighted Staff’s findings, which are as follows:
   - Due to the shape of the parcel it proves difficult to have a thirty foot (30’) landscape buffer on the south property line and still meet the required setbacks of the zone while maintaining a functioning commercial parcel;
   - The previous land use operated with an eighteen foot (18’) landscape buffer with no known negative impacts to the single-family residents;
   - By reducing the buffer from thirty feet (30’) to fifteen feet (15’) along the south property line, the site will have thirty-four percent (34%) landscaping. The minimum requirement is ten percent (10%);
   - The proposed buffer modification will retain the existing mature trees, which provide a dense curtain of foliage between the proposed service station and the residents. Should any trees die or be removed, the tree(s) will need to be replaced with new tree(s);
   - With the proposed store/building and gas canopy location towards Main Street, additional impact is not anticipated to the single-family residents;
   - The proposed drive access between the store/building and the landscape buffer will provide additional separation between the commercial use and residents;
   - A minimum six foot (6’), solid vinyl fence will need to be installed along the common property line with the single-family homes.

   Mr. Weaver noted that the applicant has indicated that a six foot (6’) masonry fence/wall will be provided at the property line, which will replace the existing block wall, and that the existing trees will be pruned with undergrowth removed.
Mr. Weaver stated that Staff’s recommendation is for the Planning Commission to approve the landscape buffer modification from thirty feet (30’) to fifteen feet (15’) subject to meeting all planning requirements.

Chairman Nilsson opened the item for questions from the Planning Commission. Commissioner Fitzpatrick asked for clarification on the symbols used on the landscape plan, and also recommended the applicant take the time to clean the existing landscaping up off of the existing utility lines. Commissioner Fitzpatrick also asked how Staff would monitor the trees after maintenance, to ensure dead landscaping is replaced. Mr. Weaver recommended that it be made part of the motion, adding that he will also inspect the property once construction on the new site has been completed. Commissioner Fitzpatrick asked if there was a photo of what the existing trees look like when they are in bloom, as they currently are not in bloom, in order to see if there are any trees which are thin or unhealthy looking. Mr. Weaver responded no, adding that he will look at them during inspection.

Commissioner Allen asked if the proposed access onto Main Street was going to be a right in, right out configuration only. Mr. Weaver stated that it appeared to be full access. Commissioner Allen asked if the applicant needs the access onto Angel Street. Mr. Weaver stated that the Fire Department was requesting full access to the property.

Chairman Nilsson stated that he felt language should be added to the motion or to a development agreement to address the masonry wall, as well as Commissioner Fitzpatrick’s concerns regarding replacement of existing landscaping.

Chairman Nilsson opened the item to the public for questions or comments.

Mitchell Christiansen, 1216 West 1200 North, stated that he had expressed several concerns to Planning Department Staff. Mr. Christiansen stated that his bedroom faces the development and added that the existing traffic light shines into his bedroom. Mr. Christiansen stated that he felt any lighting from this project will have a negative impact on surrounding properties. Mr. Christiansen also stated that he is concerned by the full access onto Angel Street, adding that he believes the access should be limited to right hand turn only. Chairman Nilsson asked Mr. Weaver to respond. Mr. Weaver explained that a lighting (photometric) plan is required to be submitted to the City for review, and that a measurement of zero footcandles is required at the property line. Mr. Weaver added that the City does required lights to be aimed downwards to prevent spillage of light onto adjacent properties.

Commissioner Allen asked Mr. Weaver to address the comment of limiting the access to right in, right out. Mr. Weaver stated that he will forward the concern on to the City’s traffic engineer for further review and discussion. Commissioner Harding asked if the access could be shifted further to the north. Mr. Weaver responded that there is a distance requirement from the existing intersection which must be met, adding that the proposed location is likely at that threshold.

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Richard Thorson, 1152 West 1240 North, stated that he is primarily concerned with ensuring that his family is protected from intrusion. Mr. Thorson asked for clarification on the location/height of the masonry wall, as well as the clean up of existing landscaping. After receiving clarification on those items Mr. Thorson stated that he had no further comments. Athleen and William Moss, 1256 North Angel Street, stated that they are both are concerned about the proposed location of the drive entrance onto Angel Street, and agreed with previous comments that the entrance should be limited to right hand turns only. Mr. and Mrs. Moss stated that school buses often pickup and drop off children at that location, adding that the street’s existing curvature will make for a dangerous situation at that location. Mr. Moss also stated that he would like to see a nicer designed fence/wall rather than just plain masonry fence/wall, as well as the removal/replacement of the large pine tree, which drops needles into his yard.

Commissioner Fitzpatrick asked if the masonry fence/wall will step down in order to accommodate clear view. Mr. Weaver stated yes. Commissioner Fitzpatrick asked if it was in the Commission’s purview note the masonry fence/wall in the motion. Mr. Weaver stated yes. Commissioner Fitzpatrick also asked if the Commission could strongly recommend the City’s traffic engineer revisit the proposed entrance onto Angel Street. City Attorney, Mason Kjar stated yes.

Commissioner Harding asked if the applicant was present. Mr. Weaver responded yes. Commissioner Harding asked if the applicant would be willing to look into different fencing materials to address some of the concerns noted by neighbors. Justin Dabb of Center Point Construction stated that the property owner has requested a masonry fence/wall, rather than vinyl, since masonry is more durable than vinyl. Commissioner Fitzpatrick asked what type of masonry the property owner has requested. Mr. Dabb stated that he didn’t know. Commissioner Fitzpatrick stated that she felt the residents had a valid concern over the aesthetics of the proposed fence/wall. Mr. Dabb stated that the intent would be to make the fence/wall aesthetically pleasing on both sides. Commissioner Wilson asked Mr. Dabb if there would be additional discussions between the property owner and neighboring residents. Mr. Dabb stated that he felt the property owner would be open to meeting with neighboring residents in order to further discuss the fence/wall.

**MOTION:** Chairman Nilsson called for a motion on the item. Commissioner Fitzpatrick moved that the Planning Commission approve the landscape buffer modification from thirty feet (30’) to fifteen feet (15’) subject to meeting all planning requirements, including the addition of the following items:

1. The requirement that the block fence/wall be of an aesthetic nature for both the tenant (7-Eleven) and neighboring residents; and
2. The existing landscaping, attempted to be kept onsite, shall be in good condition or replaced, and pruned so as to avoid contact with utility lines.
Commissioner Wilson seconded the motion. All Commissioners were in favor and the motion passed unanimously.

**ADJOURNMENT (7:42 PM)**
Chairman Nilsson called for a motion to close Public Review and adjourn. Commissioner Morris moved to close Public Review and adjourn. Commissioner Wilson seconded the motion. All Commissioners were in favor and the motion passed unanimously.

The meeting adjourned at 7:43 PM.

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Kendall Welch,
Interim Planning Commission Secretary