LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
MAY 14, 2019

MEMBERS PRESENT: Chairman Brett Nilsson, Vice Chair Tricia Pilny, Commissioners Brian Allen, Dawn Fitzpatrick, Wynn Hansen, Robert Van Drunen, Daniela Harding, and George Wilson

MEMBERS ABSENT: Commissioner Clint Morris

OTHERS PRESENT: Staff: City Attorney Mason Kjar, CED Director Chad Wilkinson, City Planner Tim Watkins, Planner II Brandon Rypien and Kem Weaver, and Interim Secretary Jocelyn Rivera

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 5:30 PM.

1. WELCOME AND GENERAL PLAN PROCESS UPDATE (5:31 PM)
Chairman Nilsson turned the meeting over to Tim Watkins, City Planner, for a brief update on the General Plan. Mr. Watkins stated that the next joint meeting with the City Council will be held on May 28, 2019, to discuss draft General Plan revisions to Chapter 6 – Neighborhood Areas with Variety and Amenities, and further refinements to the proposed PRUD (Planned Residential Unit Development) text amendment. Mr. Watkins stated the proposed PRUD text amendment would likely follow the adoption of the draft General Plan, rather than run prior to the adoption of the draft plan.

Commissioner Fitzpatrick asked if the City Council’s latest comments concerning PRUD design standards would be incorporated into the draft text provided for the upcoming meeting. Mr. Watkins stated yes, adding the purpose for the last meeting with City Council was to obtain feedback regarding the framework of the proposed amendment. Commissioner Harding asked what time the joint meeting would be held. Mr. Watkins responded 5:30 PM, adding that the meeting will likely be held in the Council Conference Room. Commissioner Fitzpatrick asked if the Commission will also hold a regular meeting that night after the joint meeting. Mr. Watkins responded yes.

Mr. Watkins explained to the Commission that he had attended a Utah League of Cities and Towns presentation earlier in the day regarding S.B. 34, which involves Moderate Incoming Housing. Mr. Watkins shared that both the Senator and Sponsor of the bill were present, in addition to other various members of the City’s Staff. Mr. Watkins stated that he received feedback from City Attorney, Gary Crane, that the top four (4) moderate income strategies that
Layton will track and report back on to the State should be further examined and refined in the draft General Plan in order to ensure compliance with S.B. 34.

Chairman Nilsson commented that to his knowledge most of the discussion and concerns from both the Commissioner and Council to date on the draft General Plan have been related to PRUDs. Chairman Nilsson asked the Commissioners if they felt comfortable continuing to further refine the proposed PRUD text amendment. Commissioner Fitzpatrick stated absolutely. Commissioner Hansen agreed with Commissioner Fitzpatrick, adding that he believes there has been good dialog between the Commission, Council, and Staff.

Commissioner Harding asked when the document would be ready for public review. Chairman Nilsson commented that feedback from the next joint work meeting with Council will be used to discuss timeline moving forward. Chairman Nilsson asked Mr. Watkins if two (2) weeks would be sufficient time to plan a public hearing in the event the Commission and Council were in agreement at the next joint work meeting on the draft General Plan. Mr. Watkins stated that a two (2) week turnaround (June 11, 2019) might be too tight of a timeline, adding that June 25, 2019, might work out better. Commissioner Fitzpatrick stated that she would like to see the draft General Plan on the agenda for a recommendation to the Council prior to the expiration of her seat on the Commission. Chairman Nilsson commented that perhaps the public hearing on June 11, 2019, could be an “issues only” hearing.

Commissioner Hansen asked for clarification on the proposed PRUD text amendment, and if it needs to be adopted on the same timeline as the draft General Plan. Mr. Watkins stated that the draft General Plan and proposed PRUD text amendment do not need to be adopted together. Commissioner Hansen asked for the tentative timeline on the proposed PRUD text amendment. Mr. Watkins shared that both documents would be worked on simultaneously, adding that the proposed PRUD text amendment would follow after the adoption of the draft General Plan. Commission Hansen asked when the documents would be distributed for the May 28, 2019, joint work meeting, adding that he would like to have sufficient time to review. Chairman Nilsson agreed with Commissioner Hansen. Mr. Watkins stated that Staff would do their best to provide the documents in a timely manner.

2. HILL FARMS REZONE – A TO R-1-10 (PRUD) (5:43 PM)
Mr. Watkins stated that the applicant, Destination Homes (represented by John Warnick and Isaac Riches), were available for questions or comments, adding that this item was previously discussed during the March 26, 2019, work meeting. Mr. Watkins stated that the property is located in the southwest portion of the City, near Kays Creek, adding that the proposed development will further extend the existing Kays Creek Trail along the north side of the creek. Mr. Watkins stated that the proposal is for fifty-two (52) units or 3.51 units per acre, which are proposed as an extension of the existing Hill Farms subdivision located primarily in Kaysville. Mr. Watkins added that the proposed Planned Residential Unit Development (PRUD) meets the existing thirty percent (30%) open space requirement with the proposed trail expansion, open
space/green courts, pocket park and playground equipment for children. Mr. Watkins provided brief examples of housing products and asked if there were any additional questions.

Chairman Nilsson asked if any significant changes had been made since the last time the item was presented to the Commission, (i.e. zoning district, unit count, etc.) Mr. Watkins and representatives from Destination Homes confirmed that no changes had been made.

Commissioner Fitzpatrick asked if a fence would be provided along the trail. Representatives from Destination Homes stated that there are some sections of the trail that have fencing and some that do not, adding that they would be willing to work with the City’s Parks and Recreation Department to provide an appropriate solution that will complement the creek.

Commissioner Hansen asked about the access to the vacant property located between the R-1-8 zoning to the north, and the proposed R-1-10 (PRUD) property. Mr. Watkins stated that Weaver Lane will provide east/west connection for vehicular access, and that the vacant parcel in question could have one (1) trail connection, and a possible second pedestrian access to the east through the proposed pocket park. Chairman Nilsson asked for clarification on the proposed street access points located on Angel Street and Weaver Lane.

Councilmember Day asked about infrastructure. Representatives from Destination Homes indicated that the vacant parcel in question already has utilities (i.e. water/sewer) available on site. Councilmember Day asked if the flow was to the southwest corner of the site. Representatives from Destination Homes explained that the sewer line for the proposed final phase of Hill Farms will be connected via Angel Street. Chairman Nilsson commented on the staff memo provided by the City’s Engineering Department, which he stated provided preferences on location of certain utility connections. Representatives from Destination Homes stated that the comment in question was regarding “a last resort option” for sewer line connection, adding that they had been able to design the system with a more preferable connection on Angel Street.

Commissioner Harding asked about the subdivision located to the south in Kaysville along Phillips Street, wondering what type of zoning the property has and if it was consistent with the R-1-10 (PRUD) request. Representatives from Destination Homes stated they were unclear of the exact zoning district, but added the proposed development is similar and compatible.

Chairman Nilsson asked if there were any further questions on this item. There were none.

Kem Weaver, Planner II, requested the Commission skip to agenda item 4. Subdivision Amendment – Willow Ridge Subdivision Phase 1 – 1st Amendment, as the applicant also has a meeting with Syracuse City tonight on a different project. Chairman Nilsson agreed.
3. SUBDIVISION AMENDMENT – WILLOW RIDGE SUBDIVISION PHASE 1 – 1ST AMENDMENT
(5:56 PM)
Kem Weaver, Planner II, stated the applicant is Steve Bingham of Nelson Homes, and that the
amendment is for six (6) lots located in a cul-de-sac of the Willow Ridge Subdivision Phase 1. IVr.
Weaver stated that an incorrect plat was inadvertently recorded with the County, which does
not match the actual construction drawings of the subdivision. Mr. Weaver explained there is a
ten foot (10') differential on the end of cul-de-sac which will be vacated and given to those lots,
which will shift other lots anywhere between zero and seven feet (0'-7'). Mr. Weaver confirmed
that all setbacks and lot sizes will still be met.
Chairman Nilsson asked if there were any comments or concerns from reviewing departments.
Mr. Weaver stated no.
Commissioner Fitzpatrick asked if property owners will lose anything. Mr. Bingham responded
that only one (1) lot owner is truly being impacted due to the incorrect plat, adding that Nelson
Homes is working directly with that property owner to resolve the matter. Commissioner
Fitzpatrick asked if any drive approaches or fencing need to be moved. Mr. Bingham stated no.
Chairman Nilsson asked if all the lots were sold. Mr. Bingham stated that all lots have been sold
and are occupied except for Lot 119. Mr. Bingham stated that Lot 119 had completed
construction of the home under a construction loan, and that the property owners were waiting
on the corrected plat to be recorded before securing their final loan. Chairman Nilsson asked if
all affected property owners had been notified. Mr. Bingham stated that he had personally met
with all property owners to explain the situation.
Chairman Nilsson asked if there were any additional questions on this item. Hearing none, the
Commission moved to the next agenda item.
4. TAYLOR/SESSIONS REZONE – A TO R-1-6 (6:01 PM)
Mr. Watkins stated that this item was previously discussed during the April 23, 2019, work
meeting. Mr. Watkins stated that the properties are located at 1971 North Church Street, and
1098 East Antelope Drive, near the round-a-bout on Antelope Drive and Church Street. IVr.
Watkins stated that during the last work meeting the Commission had expressed traffic-related
concerns on Church Street as well as at the intersection of Church Street and Fairfield Road. IVr.
Watkins stated that Councilmember Day had previously informed the Commission that the
proposed traffic signal at Church Street/Fairfield Road had been funded. Mr. Watkins stated that
the Engineering Department is expecting installation of the traffic signal to occur over the
upcoming summer months. Councilmember Day confirmed the bid award for the traffic signal is
on the Council’s next agenda.
Mr. Watkins reviewed the City’s current zoning map, indicating there is an existing R-1-6 zoned
subdivision to the southwest of the area proposed for rezone, as well as to the north of Antelope
Drive on Church Street. Mr. Watkins also highlighted the location of the Accident Potential Zone
(APZ) of Hill Air Force Base, confirming that there will not be any new residential development within the APZ. Mr. Watkins shared a rough conceptual layout of an R-1-6 subdivision in this location, indicating that access would be provided by Church Street.

Commissioner Wilsor asked about the conceptual drawing, and how far the proposed access was from the round-a-bout. Mr. Watkins stated approximately two hundred and fifty feet (250'). Commissioner Wilson asked if there were any concerns regarding a blind spot at that location. Mr. Watkins reminded the Commission that tonight’s approval would be for the rezone only, and would not address the layout of the proposed subdivision. Mr. Watkins also added that the two hundred and fifty feet (250') does meet the City’s current development standards.

Commissioner Fitzpatrick asked if Lot 8 was buildable. Commissioner Hansen commented that he thought Lot 8 already has an existing home on it. Mr. Watkins confirmed that Lot 8 is an existing home, which is proposed to remain.

Commissioner Harding asked if the property was considered to be part of a sensitive lands area and asked if land drains would be required. Mr. Watkins responded that land drains are not required if the units do not have basements, or if it is determined by a geotechnical engineer that the land drains are not needed.

Commissioner Harding stated that she agreed with Commissioner Wilson regarding his comment about the blind spot on Church Street. Commissioner Harding also stated that she felt the south side of Church Street needs to be completed (i.e. broken concrete in sidewalks, pothole repair, etc.)

Chairman Nilsson asked if there were any other questions or comments on this item. Hearing none, the Commission moved to the next agenda item.

5. SUBDIVISION AMENDMENT – DANIEL’S CANYON SUBDIVISION – 2ND AMENDMENT
(6:12 PM)
Mr. Weaver stated that this is the second amendment for Daniel’s Canyon. Mr. Weaver stated that the properties are located on the south end of the subdivision adjacent to U.S. Forest Service and unincorporated county lands. Mr. Weaver stated that there are several easements located on Lot 7, which decrease the buildable area of the lot. Mr. Weaver stated both lots are owned by the same owner who is requesting to combine Lots 6 and 7 in order to build a home which will stays outside of those easement areas.

Chairman Nilsson asked if this was the only change indicated on the plat. Mr. Weaver responded yes.

Commissioner Fitzpatrick asked about the notation on the plat for Lot 201. Mr. Weaver stated the notation meant when combined Lots 6 and 7 would become Lot 201.
Chairman Nilsson asked if there were any further questions or comments. Hearing none, the Commission moved to the next agenda item.

6. MORGAN STREET TOWNHOMES – DEVELOPMENT PLAN (6:15 PM)
Mr. Weaver stated that this item is a request for an infill, mixed-use development near the intersection of Morgan Street and Fort Lane. Mr. Weaver stated that the applicant is Steve Glezos of Celebrity Construction, who is proposing eleven (11) townhomes. Mr. Weaver explained that the City’s Mixed-Use Ordinance prefers units to front the street and with parking (surface or structure parking) to locate to the rear of the units. Mr. Weaver stated that six (6) of the townhome units will front the street, with four (4) of the units fronting Fort Lane, two (2) units fronting Morgan Street, and five (5) units which front the structured parking area. Mr. Watkins stated there will be interior surface parking. Mr. Weaver stated that access will be provided from Morgan Street.

Commissioner Van Duren asked what the buffer is between the residential and units located at the rear. Mr. Weaver stated that no setback is required per say because the adjacent property is zoned MU (Mixed-Use). Commissioner Van Duren asked what the distance was which was shown on the plan. Mr. Weaver responded that he thought there was approximately seven or eight feet (7'-8’). Mr. Glezos confirmed eight feet (8'). Commissioner Van Duren asked how tall the units will be. Mr. Weaver stated the units will be two-story, or approximately twenty-eight feet (28’) tall.

Mr. Glezos stated that there are several property owners down the street looking to sell given the mixed-use, run-down character of the neighborhood. Commissioner Fitzpatrick stated that she felt this area would be a great opportunity for low/moderate income housing units. Commissioner Fitzpatrick added that she didn’t necessarily agree with the Design Review Committee’s (DRC’s) comments, which only appear to be increasing the cost of the units in an area which seems to be ideal for a lower/moderate income housing units. Chairman Nilsson asked Mr. Glezos if he is planning to sell or rent out the units. Mr. Glezos stated that he is interested in long term rental.

Commissioner Harding asked what color the townhome units will be. Mr. Glezos stated that he would be happy to paint them whatever color the Commission would like.

Commissioner Van Duren asked if the Commission would be more concerned about the buffer if there were a nicer home adjacent to the property. Commissioner Fitzpatrick posed the question again if this was a missed opportunity for lower/medium income housing units. Commissioner Van Duren stated that he agreed with Commissioner Fitzpatrick, but clarified his previous comment by questioning if the proposed height of the project will negatively impact the adjacent single family home. After taking a moment to reference the City’s code, Mr. Watkins stated that a minimum ten foot (10’) landscape buffer would be required, unless the Planning Commission approved an alternative sufficient to mitigate the issue. Mr. Glezos stated that if his
landscape architect missed a code requirement that he would need to discuss it with him in order to get it resolved.

Chairman Nilsson stated that the applicant can choose to either take the time to discuss the issue further with his landscape architect, and bring the plan back for review at a later date, or to proceed forward with the plan as submitted to receive a motion on the item. Mr. Glezos stated that he would defer to the Commission for their recommendation.

Mr. Weaver stated that it was his understanding that the building to the west was an office use, not a residential use. Chairman Nilsson asked Mr. Glezos if the home to the west was being used as a home or an office. Mr. Glezos stated that he did not know.

Commissioner Hardig expressed concern about the proposed height of the townhomes as well as window placement, adding that she was concerned the townhomes would overlook the single family residence too much.

Commissioner Van Druenen asked Staff to clarify the buffer requirements once more. Mr. Watkins stated that he would like to get Mr. Wilkinson’s opinion on when/if a zoning setback requirement is trumped by a landscaping requirement. Chairman Nilsson requested if possible, a clarification from Staff prior to the start of the regular session. Commissioner Hansen suggesting tabling the item for two (2) weeks to allow Staff sufficient time to research the code and come back with a determination. Mr. Glezos stated that he had no issues with the Commission tabling the item to a later date. Vice Chair Pilny agreed with Commissioner Hansen.

Commissioner Fitzpatrick stated that she did not see a public notice sign placed on the property, adding that she might have overlooked it due to another construction project. Vice Chair Pilny stated that she did not see a sign either when she drove by. Mr. Watkins stated that he would look into the matter.

Commissioner Hansen suggested the DRC’s comments could be re-evaluated if the item is tabled to a later date. Mr. Watkins stated that perhaps Staff can share additional information on the overall project costs of vinyl siding, stucco, and hardi board. Commissioner Fitzpatrick commented that stucco is an upgrade to vinyl, adding that the cost of hardi board is a significant upgrade to stucco. Commissioner Van Druenen suggested that this area along Fort Lane not necessarily be referred to as a low/moderate income area, compared to other locations in the community. Commissioner Wilson stated that he thinks the upgrade to hardi board is worth the initial investment.

CED Director, Chad Wilkinson, joined the meeting at 6:34 PM. Mr. Watkins asked Mr. Wilkinson if he had any comments on the topic of vinyl siding versus hardi board. Mr. Wilkinson stated that he did not have any comments at this time. Commissioner Harding expressed concerns again about the various colors of townhome projects within Layton. Commissioner Van Druenen stated that he didn’t feel the City should dictate colors.
Hearing no new points of discussion, Chairman Nilsson requested the Commission move on to the next agenda item.

7. 7TH WEST APARTMENTS – DEVELOPMENT PLAN (6:38 PM)
Chairman Nilsson stated that it was his understanding this item was not ready to be heard at tonight’s meeting. The applicant, Isaac Riches of Destination Homes, confirmed that there was a meeting with Staff earlier and that there is additional items and information they need to pull together prior to the next meeting. Mr. Riches requested the item be tabled to the next available Planning Commission agenda.

Commissioner Fitzpatrick asked about the garages on the east side and the fencing in that area. Mr. Riches commented that they needed to work on this detail, but that it is there intent to fence the area in question.

Chairman Nilsson asked Mr. Riches if he felt two (2) weeks was sufficient time. Mr. Riches responded yes.

8. TYNEBRIDGE LOFTS – LANDSCAPE BUFFER MODIFICATION (6:41 PM)
Mr. Weaver stated that the applicant is the property owner, Matt Yeates, and that the request is modify the landscape buffer which runs along the north property line from twenty feet (20’) to nine feet (9’) in order to allow room to construct five (5) townhome units on the property.

Commissioner Fitzpatrick asked for clarification on which property line the request was in regards to. Mr. Weaver confirmed the landscape buffer modification is being requested on the northern property line, apologizing for the error contained in the Staff report. Chairman Nilsson asked if the request was to reduce to nine feet (9’) or seven feet (7’), as the map graphic contained in the packet shows seven feet (7’) while the text contained in the staff report indicates nine feet (9’). Mr. Weaver clarified the request is to reduce to nine feet (9’).

Commissioner Fitzpatrick asked if there was a grade level difference between the properties. Mr. Yeates responded that they are level. Commissioner Harding asked what the distance is from the proposed townhomes to the existing single family homes. Mr. Weaver responded approximately seventy-six feet (76’) to ninety-four feet (94’). Mr. Yeates added that the reasoning behind the request is to allow for a deeper two car garage.

Commissioner Fitzpatrick asked about the visitor parking spaces, stating that if the owners use the two spaces provided in front of the garages, an additional ten (10) parking spaces could be provided. Commissioner Fitzpatrick questioned if the visitor parking was a required element. Mr. Weaver stated yes, the visitor parking is required.

Chairman Nilsson asked Mr. Yeates if he met with the neighbors to discuss the proposed modification. Mr. Yeates stated that he had not spoken with the neighbors. Commission Hansen
asked why there were two (2) extra trees shown on the plan. Mr. Weaver stated the spacing requirement is twenty-five feet (25’') on center. Mr. Watkins added that this will provide for a more effective sound buffer.

Commissioner Fitzpatrick asked about the townhomes to the south, and why there is more parking required on this project than Angel’s Landing. There was a brief side discussion regarding the vinyl fencing material proposed, which has the look and feel of trex. Mr. Weaver stated that the applicant has provided more visitor parking than required by Code.

Chairman Nilsson asked if there were any further questions or comments on this agenda item. Hearing none, the work meeting was adjourned at 6:53 PM.

Jocelyn Rivera,
Interim Planning Commission Secretary
LAYTON CITY PLANNING COMMISSION MEETING MINUTES
MAY 14, 2019

MEMBERS PRESENT:  Chairman Brett Nilsson, Vice Chair Tricia Pilny, Commissioners Brian Allen, Dawn Fitzpatrick, Wynn Hansen, Robert Van Drunen, Daniela Harding, and George Wilson

MEMBERS ABSENT:  Commissioner Clint Morris

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

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 Hansen.

APPROVAL OF MINUTES: NONE
There were no meeting minutes on the agenda for approval.

PUBLIC HEARING (7:05 PM)
Chairman Nilsson called for a motion to open Public Hearing. Commissioner Van Drunen moved to open Public Hearing. Commissioner Fitzpatrick seconded the motion. All Commissioners were in favor and the motion passed unanimously.

1. HILL FARMS REZONE – A TO R-1-10 (PRUD) (7:05 PM)
The applicant, John Warnick of Destination Homes, representing the property owner: Legacy Neighborhood LLC, is requesting a rezone of approximately 14.57 acres located at 1073 South Angel Street from A (Agriculture) to R-1-10 (PRUD) (Single Family Residential, Planned Residential Unit Development).

Tim Watkins, City Planner, stated that the property proposed for rezone is located at 1073 South Angel Street, which is in the southwest portion of the City along Kay’s Creek and the existing Layton/Kaysville City boundary. Mr. Watkins stated that there is an opportunity to expand the existing Kay’s Creek trail corridor with the rezoning of this parcel to a Planned Residential Unit Development (PRUD). Mr. Watkins added that the parcel is approximately 14.57 acres and fronts onto Angel Street and Kay’s Creek, with access provided from Weaver Lane.
Mr. Watkins stated that the R-1-10 (PRUD) zoning district would allow for flexibility in lot size and configuration with amenities provided, adding that the minimum open space requirement for the base R-1-10 zoning district is thirty percent (30%). Mr. Watkins stated that the concept plan submitted with the rezone request shows approximately fifty-two (52) homes, eighteen (18) of which have a minimum lot size of 8,000 square feet, which line the north and east perimeters of the proposed development.

Mr. Watkins explained that the smaller lots are proposed as cottage homes which will either front shared green court space or the proposed Kay’s Creek trail connection. Mr. Watkins stated that the submitted concept plans reflects thirty-two percent (32%) open space, adding that a density bonus for this development is not the reason for the PRUD rezone request. Mr. Watkins stated that the PRUD rezone request is being sought after only for flexibility in lot size, configuration, and setbacks in order to allow for a more creatively designed development. Mr. Watkins pointed out that two (2) pocket parks are located over sewer easements.

Mr. Watkins stated that the housing product will be similar to the existing Hill Farms Subdivision located in Kaysville, with rear loaded garages from a rear lane or alley. Mr. Watkins added that open space amenities will include play areas. Mr. Watkins stated the General Plan recommendation for this area is two to four (2-4) units per acre, adding that the rezone request is consistent with the General Plan’s recommendation. Mr. Watkins stated that the proposed PRUD is also consistent with the Parks and Recreation Master Plan recommendation to further establish a public trail along Kays Creek.

Mr. Watkins stated that Staff recommends the Planning Commission forward a positive recommendation to the Council to adopt Ordinance 19-12, approving the rezone request from A (Agriculture) to R-1-10 (PRUD) (Single Family Residential, Planned Residential Unit Development). Adding that this recommendation is based on consistency with the General Plan’s land use recommendation for Single Family Residential 2 to 4 Units Per Acre, and the Parks and Recreation Master Plan recommendation to further establish a public trail along Kay’s Creek.

Chairman Nilsson opened the item for questions from the Planning Commission. There were no questions or comments from the Commissioners.

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 Hansen moved the Planning Commission forward a positive recommendation to the Council to adopt Ordinance 19-12, approving the rezone request from A (Agriculture) to R-1-10 (PRUD) (Single Family Residential, Planned Residential Unit Development) subject to all Staff input and all Ordinance requirements. This recommendation is based on consistency with the General
Plan’s land use recommendation for Single Family Residential 2 to 4 Units Per Acre, and the Parks and Recreation Master Plan recommendation to further establish a public trail along Kay’s Creek. Commissioner Van Drunen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

2. **TAYLOR/SESSIONS REZONE – A TO R-1-6 (SINGLE FAMILY RESIDENTIAL)** (7:12 PM)

The applicants, Kevin Peterson and Bart Hyde, representing the property owners: Matthew J Taylor, Todd and Laura Sessions, are requesting a rezone of approximately 3.607 acres located at 1971 North Church Street and 1098 East Antelope Drive from A (Agriculture) to R-1-6 (Single Family Residential).

Mr. Watkins stated that this rezone request is for properties located at the corner of Church Street and Antelope Drive, adding that the request is to rezone from A (Agriculture) to R-1-6 (Single Family Residential) with a minimum lot size of 6,000 square feet. Mr. Watkins explained that these properties are located along the southeast line of the Accident Potential Zone (APZ) of Hill Force Base, adding that residential development would be restricted from within the APZ. Mr. Watkins stated that there are existing R-1-6 zoned developments to the north and southwest of Antelope Drive along Church Street.

Mr. Watkins stated that Staff has analyzed the current General Plan, which supports moderate density housing along arterial streets such as Antelope Drive. Mr. Watkins added that staff also recognizes the APZ and the intent of Hill Air Force Base to keep density to a minimum in this area. With those two (2) items Mr. Watkins stated that Staff is recommending a lower residential density of three to six (3-6) units per acre.

Mr. Watkins stated that Staff recommends the Planning Commission forward a positive recommendation to the Council to adopt Ordinance 19-13, approving the rezone request from A (Agriculture) to R-1-6 (Single Family Residential). Adding that this recommendation is based on the surrounding land use context, and based on consistency with the General Plan’s land use recommendation for these properties, recognizing the proximity between Antelope Drive and Church Street, and the adjacency of the APZ of Hill Air Force Base.

Mr. Watkins closed by stating the concept plan displayed on the screen is only being shown as a visual reference, and is not part of tonight’s approval process.

For the benefit of the public in the audience, Chairman Nilsson asked Mr. Watkins to explain in greater detail the northwest corner of the subject property (Lot 8). Mr. Watkins explained that there is an existing home located at 1098 East Antelope Drive, which is located within the APZ. Mr. Watkins stated that easements within the APZ requires the home to remain in its existing configuration.
Chairman Nilsson opened the item for additional questions or comments from the Planning Commission. Hearing none, Chairman Nilsson opened the item to the public for questions or comments.

Allen Platt, 914 East Frost Way, stated that he lives in the subdivision to the west. Mr. Platt asked how many homes were being planned for the area. Chairman Nilsson responded that the Planning Commission is only considering the rezone to R-1-6 zoning at this time, and that the conceptual plan shown on the screen is just an example of how the property might be split into 6,000 square foot sized lots. Mr. Platt asked for additional information on the holding pond asking if it would be similar to the holding pond on Church Street. Mr. Watkins stated that the City’s development standards will require detention. Mr. Platt stated that he was questioning the holding pond as there are existing issues with detention which affect the Cottages at Fairfield Subdivision. Chairman Nilsson stated that this item would be addressed during review of the development plan.

The applicant, Bert Hyde, stated that the proposed development would be similar to the Cottages, with approximately fourteen (14) lots. Mr. Hyde stated that water issues are being taken into consideration.

Commissioner Harding asked if the proposed homes will have basements. Mr. Hyde stated that since receiving comments from the Commission, he has decided that there will likely be no basements. Commissioner Harding asked if there would be a need for land drains if no basements are proposed. Mr. Hyde stated no.

**MOTION:** Chairman Nilsson called for a motion on the item. Commissioner Fitzpatrick moved the Planning Commission forward a positive recommendation to the Council to adopt Ordinance 19-13, approving the rezone request from A (Agriculture) to R-1-6 (Single Family Residential). This recommendation is based on the surrounding land use context, and based on consistency with the General Plan’s land use recommendation for these properties, recognizing the proximity between Antelope Drive and Church Street, and the adjacency of the Accident Potential Zone (APZ) of Hill Air Force Base. Commissioner Harding seconded the motion. All Commissioners were in favor and the motion passed unanimously.

Before moving onto the next agenda item, Chairman Nilsson announced to the public that Commission had received a request from the applicants of the 7th West Development Plan to defer the item to a later meeting date. Chairman Nilsson stated that the Commission would still take comments on the item during tonight’s meeting.

3. **WILLLOW RIDGE SUBDIVISION PHASE 1 - 1ST AMENDMENT** (7:22 PM)

The applicant, Steve Bingham of Nilson Homes, is requesting to amend Lots 116-119, and 120-121 of the final plat of the Willow Ridge Subdivision Phase 1, zoned R-S (Residential Suburban), located at approximately 550-613 North 3550 West to adjust lot lines, vacate and re dedicate the cul-de-sac located at the end of 3550 West.
Kem Weaver, Planner II, stated that this is the first amendment to Phase 1 of the Willow Ridge Subdivision. Mr. Weaver stated that the applicant is Steve Bingham of Nilson Homes, adding that the amendment affects six (6) lots, Lots 116-121, which are located within the center of the development. Mr. Weaver explained that the applicant brought to the City’s attention the fact that the 3550 West cul-de-sac was constructed with a set of plans that shifted the location of the cul-de-sac right-of-way ten feet (10’) to the south of the location shown on the dedication plat that was recorded with the County back in 2015. Mr. Weaver stated that the proposed subdivision amendment corrects the right-of-way issue and subsequent lot line adjustments. Mr. Weaver added that existing public utility and drainage easements will need to be vacated.

Mr. Weaver stated that Staff recommends the Planning Commission forward a positive recommendation to the Council to approve the amended plat for Willow Ridge Phase 1 Subdivision, 1st Amendment, subject to meeting all Staff requirements as outlined in staff memorandums.

Chairman Nilsson opened the item for questions from the Planning Commission. There were no questions from the Commissioners. 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 Van Drunen moved the Planning Commission forward a positive recommendation to the Council to approve the amended plat for Willow Ridge Phase 1 Subdivision, 1st Amendment, subject to meeting all Staff requirements as outlined in staff memorandums. Commissioner Hansen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

**PUBLIC REVIEW**
Chairman Nilsson called for a motion to close Public Hearing and open Public Review. Commissioner Fitzpatrick moved to close Public Hearing and open Public Review. Vice Chair Pilny seconded the motion. All Commissioners were in favor and the motion passed unanimously.

4. **DANIEL’S CANYON SUBDIVISION – 2ND AMENDMENT (7:26 PM)**

The applicant, Danny Wall, is requesting to combine Lots 7 and 8 of the final plat of the Daniel’s Canyon Subdivision, zoned R-1-10 (Single Family Residential), located at approximately 1130 North 3300 East into a singular lot.

Mr. Weaver stated that this is the second amendment to the Daniel’s Canyon Subdivision, adding that the first amendment took place on the north end of the subdivision with the reconfiguration of three (3) lots. Mr. Weaver stated that the proposed second amendment deals directly with Lots 7 and 8, where the applicant has requested to combine the lots in order to create a lot with a larger, more usable, buildable area. Mr. Weaver explained there
are several easements (i.e. detention, land drain, and rock fall easements) on Lots 7 and 8 that impact their buildable areas.

Mr. Weaver stated that Staff recommends the Planning Commission forward a positive recommendation to the Council to approve the amended plat for Daniel’s Canyon Subdivision, 2nd Amendment, subject to meeting all Staff requirements as outlined in staff memorandums.

Chairman Nilsson opened the item for questions from the Planning Commission. There were no questions from the Commissioners. 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 Fitzpatrick moved the Planning Commission forward a positive recommendation to the Council to approve the amended plat for Daniel’s Canyon Subdivision, 2nd Amendment, subject to meeting all Staff requirements as outlined in staff memorandums. Vice Chair Pilny seconded the motion. All Commissioners were in favor and the motion passed unanimously.

5. MORGAN STREET TOWNHOMES – DEVELOPMENT PLAN (7:30 PM)
The applicant, Steve Glezos of Celebrity Construction, is requesting development plan approval on .511 acres for the Morgan Street Townhomes located at approximately 384 South Fort Lane in the MU (Mixed-Use) zoning district.

Mr. Weaver stated that the proposed development is located on the corner of Fort Lane and Morgan Street. Mr. Weaver explained that the Layton Pointe Apartments are located to the south, with commercial office buildings to the north, adding that there is a mix of residential housing types in the area including apartments, recently constructed townhomes, and existing single family homes. Mr. Weaver stated that the proposed development consists of .511 acres, adding that the property is currently zoned MU (Mixed-Use).

Mr. Weaver explained that Staff, in addition to the Design Review Committee (DRC), have been working with the applicant on the development plan in regards to design guidelines. Mr. Weaver stated that the townhome units will be two (2) stories in height and will be comprised of two (2) and three (3) bedroom units. Mr. Weaver explained that four (4) units will front onto Fort Lane with two (2) units fronting onto Morgan Street, with an additional five (5) units located to the rear of the parcel. Mr. Weaver added that interior surface parking will be located behind the units and away from the street, with access being provided by Morgan Street. Mr. Weaver explained that the City parking requirements have been met with the applicants proposed twenty-five (25) parking stalls, which includes visitor parking stalls.

Mr. Weaver noted that the DRC review comments/recommendations were as follows:
- Dress up the side building elevations as seen from Fort lane and Morgan Street with architectural features or details such as pop-outs and windows to tie in the architectural rhythm of the front elevations.
- Use cementitious siding material rather than vinyl lap siding on the exterior.
- Remove the plants shown in the landscaping plan from the peninsula projecting into the parking area. Replace with cobble rock or plant grass.
- Extend walkways to public sidewalks.
- Provide front porches to units fronting Fort Lane and Morgan Street. Keep the same number of plants in these areas, locate to other areas around the porches.

Mr. Weaver stated that the applicant is still in the process of making alterations to the plans in order to address the DRC comments/recommendations, adding that Staff will ensure all requirements have been met before allowing a pre-construction meeting to be scheduled.

Mr. Weaver provided a brief overview of the four (4) different building types provided by the applicant, as well as an overview of the landscaping plan, stating that street trees will be added on both public street frontages. Mr. Weaver added that the proposed landscaping accounts for nineteen percent (19%) of the development plan.

Mr. Weaver stated that during the work meeting the Commission discussed the closeness of the proposed townhomes to the existing single family residence located to the west property line. Mr. Weaver explained that after discussions with the Commission and a review of City code, a ten foot (10’) landscape buffer will be required. Mr. Weaver commented that the applicant may need to apply for a landscape buffer modification, or shift the proposed buildings to meet this requirement.

Mr. Weaver stated that in order to resolve the landscape buffer issues, Staff recommends the Planning Commission table this item to a date certain of May 28, 2019.

Chairman Nilsson restated that the recommendation from Staff is to table the item. Mr. Weaver stated yes. Chairman Nilsson opened the item for questions from the Planning Commission.

Commissioner Fitzpatrick asked that her comments from the work meeting be taken into consideration before the next meeting on May 28, 2019, regarding the potential for softening the DRC’s requirements to provide for a more moderately priced housing product.

Mr. Watkins suggested the Commission not provide a date certain on their motion, so that the item can be rescheduled once it is ready.

Commissioner Hansen stated that he agreement that there is a need for a buffer adjacent to the existing single family home. Commissioner Hansen also stated that he is in agreement
with Commissioner Fitzpatrick’s comment of re-evaluating the DRC’s requirements at this location to allow for a more affordable housing product.

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

Grady Tibboel, located at 3319 N Falcon Way, asked about the existing power lines which run along Fort Lane, and if anything would need to be done to ensure adequate separation from the proposed buildings. Mr. Weaver stated that he was unsure of the separation requirements. Chairman Nilsson added that this item would be addressed before the project receives final approval. Mr. Tibboel also stated that he agrees with Commissioner Fitzpatrick’s comment regarding moderately priced housing.

**MOTION:** Chairman Nilsson called for a motion on the item. Commissioner Harding moved that the Planning Commission table the Morgan Street Townhomes Development Plan to a date uncertain as outlined in Staff’s recommendation to the Commission. Commissioner Fitzpatrick seconded the motion. All Commissioners were in favor and the motion passed unanimously.

Before the vote, Commissioner Fitzpatrick requested that Staff look into the public notice sign on the property, which she thought was missing or unable to be seen due to construction on the street. Mr. Weaver stated that Staff would look into the issue.

6. **7TH WEST APARTMENTS – DEVELOPMENT PLAN** (7:42 PM)

The applicant, Isaac Richens of Destination Homes, is requesting development plan approval on 3.35 acres for the 7th West Apartments located at approximately 1814 North 700 West (Layton Hills Parkway) in the MU, DO-1 (Mixed-Use, Mixed-Use Design Overlay) zoning district.

Chairman Nilsson stated that this item was briefly discussed during the work meeting at which time the developer requested the item be tabled to a later date in order to work on final details of their proposed development plan.

Chairman Nilsson opened the item to the Commission for any questions. Hearing none, Chairman Nilsson opened the item to the public for any questions or comments. There were no questions or comments from the public.

**MOTION:** Chairman Nilsson called for a motion on the item. Vice Chair Pilney moved the Planning Commission table the Development Plan for the 7th West Apartments to a date uncertain. Commissioner Fitzpatrick seconded the motion. All Commissioners were in favor and the motion passed unanimously.

7. **TYNEBRIDGE LOFTS – LANDSCAPE BUFFER MODIFICATION** (7:44 PM)
The applicant, Matt Yeates of IWC Holdings LLC, is requesting a landscape buffer modification on the Tynebridge Lofts site located at 970 North Angel Street in the R-M1 (Low/Medium Density Residential) zoning district. The proposed modification is to reduce the landscape buffer requirement from 20 feet to 7 feet.

Mr. Weaver stated that the applicant, Matt Yeates, is the owner of the property that is located on Angel Street just south of Gordon Avenue. Mr. Weaver explained that the property is zoned R-M1 (Low/Medium Density Residential), adding that the two (2) properties to the north are zoned R-1-8 (Single Family Residential). Mr. Weaver stated that Mr. Yeates intends on building five (5), three-story townhome units which require a twenty foot (20') landscape buffer when placed adjacent to existing single family residential. Mr. Weaver explained that the request is to reduce the twenty foot (20') setback to nine feet (9') to allow for reasonable use of the lot.

Mr. Weaver provided the Commission with an overview of Staff’s findings contained within the staff report stating:

- The applicant is proposing additional parking in front of the townhome garages, and guest parking stalls to the north of the twenty-four foot (24') access drive. To provide this guest parking, the parcel does not have sufficient depth for a twenty foot (20') landscape buffer to the north property line.
- The location of the five (5) townhome units, that will be three (3) stories or thirty-three feet (33') in height, is proposed on the south side of the site, between fifty-one feet (51') and sixty-nine feet (69') from the north property line.
- The landscape buffer reduction from twenty feet (20') to nine feet (9') along the south property line will result in a site with thirty-nine percent (39%) landscaping. The minimum requirement is thirty percent (30%).
- The proposed buffer modification includes two (2) additional trees over the minimum requirement based on the Ordinance standard of twenty-five foot (25') tree spacing. Once mature, the trees will create an interconnected canopy of foliage between the proposed townhomes and the single family residential homes.
- The landscaping and fencing ordinance requires a minimum six foot (6') solid fence which will need to be installed along the common property line with the single family homes, which will provide visual separation between the proposed parking/drive area and the rear yards to the north. As part of the trade-off the applicant will need to upgrade the fence along the north property line to a trex or similar type fence at six feet (6') in height.

Mr. Weaver stated that during the work meeting the Commission had discussed that fact that the additional visitor parking provided on the site was not necessary, and that visitor parking could be accommodated in the driveway. Mr. Weaver also stated that Staff would be willing to continue to work with the applicant on alternative options which may not require such a drastic reduction to the landscape buffer.
Mr. Weaver stated that Staff recommends the Planning Commission approve the Landscape Buffer Modification from twenty feet (20’) to nine feet (9’) subject to meeting all planning requirements which includes additional trees and a six foot (6’) fence that is an upgrade from vinyl material for aesthetics purposes.

Chairman Nilsson opened the item for questions from the Planning Commission. Hearing none, Chairman Nilsson opened the item to questions or comments from the public. There were no questions or comments from the public.

Commissioner Hansen stated that he had a question for the developer, Mr. Yeates. Commissioner Hansen asked Mr. Yeates to provide his thoughts on the reduction of visitor parking stalls. Mr. Yeates stated that he was in favor of reducing the visitor parking, as he thought the extra visitor parking stalls provided on the plan were fulfilling a code requirement. Commissioner Hansen asked what the space, formerly labeled as visitor parking stalls, would be used for. Mr. Yeates stated that it would become green (open) space. Commissioner Hansen asked about the fencing material provided to the Commission during the work meeting which was not a trex product, asking if it was the specific product Mr. Yeates wished to install. Mr. Yeates stated yes. Commissioner Hansen asked if Mr. Yeates was in agreement on the requirement for a minimum of two (2) additional trees to be provided. Mr. Yeates stated yes.

Commissioner Allen stated that he was in favor of allowing the developer to work with Staff on parking and configuration, as he wasn’t sure if it was in the Commission’s prevue to make those adjustments to the plan. Commissioner Fitzpatrick disagreed with Commissioner Allen, and asked Mr. Kjar, City Attorney, to provide his thoughts on the matter. There was a brief discussion regarding the Commissions options on motions.

Chairman Nilsson asked for the developer to provide a brief timeline on his project. Mr. Yeates stated that his architectural plans are mostly complete and ready to submit to the City for review. Mr. Yeates stated that he would prefer to handle the item tonight, rather than postpone the item for another two weeks.

**MOTION:** Chairman Nilsson called for a motion on the item. Commissioner Fitzpatrick moved the Planning Commission approve the Landscape Buffer Modification from twenty feet (20’) to nine feet (9’) on the eastern boundary, and approve the landscape buffer on the western boundary be reduced to provide for two (2) parallel parking stalls with the remainder provided as landscaping, along with a recommendation that the visitor parking be relocated, and that the Commission approve the proposed fencing material shown during the work meeting with the addition of two (2) trees, and subject to meeting all planning requirements. Commissioner Hansen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

**ADJOURNMENT** (8:04 PM)
Chairman Nilsson called for a motion to close Public Review and adjourn. Vice Chair Pilney moved to close Public Review and adjourn. Commissioner Van Drunen seconded the motion. All Commissioners were in favor and the motion passed unanimously.

The meeting adjourned at 8:04 PM.

Jocelyn Rivera,
Interim Planning Commission Secretary