

**LAYTON CITY PLANNING COMMISSION REGULAR MEETING MINUTES
FEBRUARY 13, 2024**

MEMBERS PRESENT:

Chair Trevor Steenblik, Vice Chair Lindsey Hamilton, Commissioners Scott Carter, Wesley Felice, Peter McDonough, Bret Nielsen, Julie Pierce, Justin Whitworth, and George Wilson

MEMBERS ABSENT:

OTHERS PRESENT:

Staff: City Planner Weston Applonie, Planner Kem Weaver, Secretary Michelle Williams, Deputy City Attorney Darren Curtis

Councilmember Dave Thomas

PLEDGE OF ALLEGIANCE AND INVOCATION (7:08 PM)

Chair Steenblik conducted the pledge of allegiance and offered the invocation.

**APPROVAL OF MEETING MINUTES: PLANNING COMMISSION WORK AND REGULAR MEETING –
January 23, 2024.**

Chair Steenblik called for a motion for the approval of the minutes. Vice Chair Hamilton moved to accept the Planning Commission Work and Regular Meeting Minutes for January 23, 2024. Commissioner Wilson seconded the motion; following a roll-call vote, the meeting minutes were accepted and approved unanimously.

ADMINISTRATIVE REVIEW

1. Northridge Learning Center – CONDITIONAL USE

The applicants, Alison Bond, on behalf of Northridge Learning Center, is requesting conditional use approval to operate a private/quasi-public school. The property is located at 2431 North Hill Field Road.

Planner Poole presented the item.

Background: *The applicant, Alison Bond, on behalf of Northridge Learning Center, is requesting conditional use approval to operate a private/quasi-public school. The subject property is approximately 0.27 acres and is located to the west of Northridge High School across Hill Field Road. Properties to the north and west are in the R-1-8 (Single Family Residential) zone and properties to the south are in the PB (Professional Office) zone. The subject property is located in the Hill Field Road mixed-use corridor identified in the General Plan.*

A private/quasi-public school use is an allowed use in the PB zone and is reviewed by the Planning Commission to determine what if any, conditions should be added to its approval to mitigate any potential negative impacts to the surrounding properties.

Alternatives to the Motion: *Alternatives are to: 1) Grant conditional use approval of the private/quasi-public school subject to the applicant meeting all conditions listed in the Staff Report; or 2) Grant conditional use approval for the private/quasi-public school with additional conditions if the Planning Commission identifies additional reasonably anticipated detrimental effects of the proposed use that need to be mitigated.*

Recommendation: *Staff recommends the Planning Commission grant conditional use approval of the private/quasi-public school use, subject to the applicant meeting all conditions listed in the Staff Report.*

Planning Commission Discussion:

None

Public Comment:

None

MOTION:

Commissioner Pierce motioned the Planning Commission to grant conditional use approval for private/quasi-public school use, subject to the applicant meeting all conditions listed in the Staff Report. Commissioner Wilson seconded the motion, which was approved unanimously following a roll-call vote.

2. Ridgeview East Subdivision – PRELIMINARY PLAT & DEVELOPMENT PLAN

The applicant, Shawn Strong, representing Parkridge, Inc., is requesting preliminary plat and Development Plan approval for a town center development in the MU (Mixed-Use) zone. The property is located at 947 East Gordon Avenue.

Planner Poole presented the item.

Background: *The applicant, Shawn Strong, representing Parkridge, Inc., is requesting preliminary plat and Development Plan approval for a town center development on 3.33 acres of undeveloped property in the MU (Mixed-Use) zone. The proposed development includes a 10,000 square-foot commercial building fronting onto Gordon Avenue and three apartment buildings with a total of 72 units. The property is located near the Gordon Avenue and Fairfield Road intersection and to the east of the Light of the Valley Evangelical Lutheran Church. It has commercial uses and zoning to the north, south, and west with agricultural zoning to the east. The property is located within the Gordon and Fairfield Town Center identified by the General Plan.*

On May 4, 2023, the City Council approved a rezoning of the property and an associated Development Agreement. The Development Agreement guides the development of this property.

Alternatives to the First Motion: Alternatives are to: 1) Grant approval of the preliminary plat for Ridgeview East Subdivision; or 2) Grant approval of the preliminary plat for Ridgeview East Subdivision with modifications; or 3) Deny the preliminary plat.

Alternatives to the Second Motion: Alternatives are to: 1) Grant approval of the Development Plan for the Ridgeview East mixed-use development; or 2) Grant approval of the Development Plan for the Ridgeview East mixed-use development plan with modifications; or 3) Deny the proposed Development Plan.

Recommendation: Staff recommends the Planning Commission approve the preliminary plat for the Ridgeview East Subdivision and the Development Plan for the Ridgeview East mixed-use development subject to meeting all Staff requirements and DRC recommendations as stated in the Staff Report and memorandums sent to the applicant.

Planning Commission Discussion:

Chair Steenblik stated that it appears that the new street will provide access to the development at two locations and there is one entrance from Gordon Avenue. Planner Poole affirmed.

Chair Steenblik asked for clarification on the reduced parking numbers. Planner Poole responded that if the parking requirements for individual uses were applied, then 144 stalls would be required. However, in the MU zone, the parking reduction table is used to determine a shared parking calculation depending on use hours and peak use hours. Chair Steenblik clarified that if the entire development were offices then the parking count would be different. Planner Poole affirmed.

Chair Steenblik clarified that if there is damage to the vinyl fence from livestock on the east side then that would be a civil matter between the two property owners. Planner Poole affirmed.

Commissioner Pierce noted that often there is assigned parking for apartment units, and then asked if that would create conflict if business clients then park in an assigned stall. Planner Poole stated that would be up to the association to manage the parking. The carports would likely be assigned, and open stalls would be shared with the business. Commissioner Pierce asked if there was space for visitor parking and if that would conflict with the business parking. Planner Poole answered that it could but clarified that the parking counts are based on the peak- hours of use for both uses. City Planner Applonie clarified that this is an aspect of the Code, it is a compatible-use parking reduction, which examines whether the uses are compatible enough to reduce the parking standard. Potentially there could be some no parking signs, but they would have to be limited because this is designed as a shared parking facility. There is going to be some flex all day back-and-forth on the parking.

Commissioner Whitworth asked how the water drainage would be designed off the carports with there being carports along the east property boundary. Planner Poole stated there is a 5' landscape buffer between the east property and the carports, which is sufficient space for water to drain. The design can't channel the water to the neighboring property. The development is required to contain all water on its property. Commissioner Whitworth asked if there was a retention plan. Planner Poole affirmed and stated there would be an underground retention plan.

Commission Whitworth asked for the plan of the new public street. Planner Poole stated the new street was part of the development agreement so that the property to the north could be developed. Utility access for the north property is on Gordon Avenue, without the new street, the parcel wouldn't have the ability to be

developed. Commissioner Whitworth clarified that it would be a dead end for now. Planner Poole affirmed and stated it would connect to the street to the north once that parcel develops.

Planner Felice asked if the developer was building the street and putting in the utilities. Planner Poole stated the developer is building the road but it will be maintained by the City following development.

Commissioner Pierce asked if there would be parking available on the new road. Planner Poole stated that would be just like any public street, but the street parking can't be counted in the parking calculations.

Public Comment:

Chair Steenblik called for a motion to open the public comment. Commissioner Carter motioned the Planning Commission to open the public comment. Commissioner Pierce seconded the motion, which was approved unanimously following a roll-call vote.

Melanie Harpster, 967 East Gordon Avenue – stated she had an issue with the approved 6' fence along the east boundary. Ms. Harpster's property is A (Agriculture) zoned all the way down and a 6' vinyl fence isn't a sufficient buffer for farm animals. Ms. Harpster expressed concern that the dog park area would be right next to her fence. After reading part of the Code, Ms. Harpster stated that her interpretation is that a minimum 8' masonry fence should be maintained adjacent to single-family uses with a 10' buffer and 60% landscape coverage. The proposed parking stalls with a 5' buffer will only create an alley for whatever will go on behind there. The gap will be hidden and no one will know what is going on back there. The 8' masonry fence is a big deal, it keeps the agricultural uses away from the development and vice versa.

Chair Steenblik responded that the Code provides an option for fencing either an 8' masonry or a 6' fence with carports against any single-family zone. That is the Code and the Commission cannot change that without a legislative issue brought before the Commission to change the Code.

Ms. Harpster was resigned to being forced to be ok with the plan and stated no one had talked to her about the plan. Ms. Harpster expressed frustration at fighting an uphill battle against money.

Chair Steenblik asked if she had an existing fence and whether it would stay up next to the vinyl fence. Ms. Harpster stated a horse could kick through the hog-panel fence and damage the vinyl.

John Muir, 983 East 1000 North – stated there had always been drainage issues on the properties in this area. There isn't a park strip on his property and his sidewalk is next to the curb. The parking on Gordon Avenue is terrible as there isn't any room to park. Mr. Muir expressed concern that there will be overflow parking on Gordon Avenue from the development.

Chair Steenblik stated that the public can park on public roads. Mr. Muir shared the narrow measurements that restrict parking along Gordon Avenue and again expressed concern about people parking in front of his property.

City Planner Applonie referred Mr. Muir to the Engineering Department regarding his concerns about public road management and noted that if there isn't space for parking Mr. Muir could reach out to the Police Department Code Enforcement regarding parking issues.

Commissioner Pierce noted there is plenty of parking in the area both on the new road and also in the Fresh Market parking lot.

Staci Muir, 983 East 1000 North – expressed concern that the development is too large for the area and that is why the City is changing the parking counts. There won't be enough parking available on site which will cause overflow parking in the area. Fresh Market shouldn't be required to have parking for this development.

Chair Steenblik shared support for the City Engineers knowing their responsibility to examine the needs of the development and how that will work best in the area. The development parking counts meet the Code. Ms. Muir responded that it appears that the developer is skirting around the needed parking and maybe the plans need to be adjusted.

Melanie Harpster, 967 East Gordon Avenue – asked if all future damage to the vinyl fence would be blamed on her livestock and whether she would need to bring in police to clear up responsibility.

Chair Steenblik acknowledged the concern but noted that would be a civil matter.

Commissioner Felice addressed the concern regarding the safety in the area between the fencing and carports; the Code identifies that the area shall be gated and locked to limit access. Chair Steenblik reiterated that the gap would be gated off from the public.

Chair Steenblik called for a motion to close the public comment. Vice Chair Hamilton motioned the Planning Commission to close the public comment. Commissioner Felice seconded the motion, which was approved unanimously following a roll-call vote.

Shawn Strong, Applicant – stated that he had approached the neighbor to buy the property but she chose not to sell. Mr. Strong acknowledged Ms. Harpster's concern about the fence and offered that if she wanted to split the cost of a larger, taller fence, that he would be willing to discuss it. Mr. Strong then stated that from experience every neighbor wants a free fence, a bigger fence, or a taller fence. The concern is valid but he doesn't feel he should carry the brunt of the cost for the entire fence when he is Code compliant with the smaller fence.

MOTION:

Vice Chair Hamilton motioned that the Planning Commission approve the preliminary plat for the Ridgeview East Subdivision. Commissioner Wilson seconded the motion, which was approved unanimously following a roll-call vote.

Commissioner Pierce motioned that the Planning Commission approve the Development Plan for the Ridgeview East mixed-use development. Vice Chair Hamilton seconded the motion, which was approved unanimously following a roll-call vote.

ADJOURNMENT

At 8:00 PM, Commissioner Carter motioned to adjourn. Vice Chair Hamilton seconded the motion, which was approved unanimously following a roll-call vote and the meeting was adjourned.

A handwritten signature in cursive script that reads "Michelle Williams".

Michelle Williams
Planning Commission Secretary