

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
FEBRUARY 27, 2024

MEMBERS PRESENT: Vice Chair Lindsey Hamilton, Commissioners Scott Carter, Peter McDonough, Bret Nielsen, Julie Pierce, Justin Whitworth, and George Wilson

MEMBERS ABSENT: Chair Trevor Steenblik and Commissioner Felice

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

Vice Chair Hamilton called the work meeting to order at 6:00 p.m.

1. Annual Commission Training – TRAINING

Deputy City Attorney Curtis presented training on Open and Public Meetings, Conflicts of Interest, and Sexual Harassment.

Open Meetings Act:

- Proper notice required
- Open deliberations and meetings
 - convening of a public body when there is a quorum
 - electronic communications are covered by the Act when a quorum is involved
- Records kept of the meeting
 - recording and official minutes maintained
- Avoid the appearance of an unsanctioned meeting

Conflicts of Interest:

- Avoid the appearance of a conflict of interest
- Conflict is when a monetary value is received for the conflict
- Any Commissioner with a conflict is to remove themselves from deliberation and voting
- Conflicts need to be disclosed to the body
- The City has a Conflict of Interest form to be completed

Sexual Harassment:

- Quid Pro Quo – requiring something for something in return
- Hostile work environment/exclusion

City Planner Applonie added that deliberations of the agenda items are best handled in the Work Meeting. Staff tries to give the Commission enough time to discuss and deliberate items without there being a need to have outside discussions and the appearance of an unsanctioned meeting.

2. Adams Oak Hills Subdivision – FINAL PLAT

Planner Weaver presented the final plat for Adams Oak Hills Subdivision. This is a 2-lot subdivision on Oak Hills Drive. The property is in the Sensitive Lands which requires final plat approval by the Commission and Council. There will be a cul-de-sac for access to both lots. Lot 1 will have 1.3 acres and Lot 2 will have 4.5 acres. The plat identifies areas containing geotechnical issues with hatching. There were two options given to mitigate slope instability in the hatched areas. If a home were to be built in those hatched areas those mitigation factors would need to be met. The mitigation notes will be recorded on the plat for prospective homebuyers.

During the preliminary review process, a landscape buffer was required along Oak Hills Drive. However, that is no longer required as it isn't a requirement in the A (Agriculture) zoning. The buffer has been removed.

Commissioner McDonough expressed concern that the setbacks relating to the slope need to be strictly followed. Residential building code requires a setback amount based on the slope. Planner Weaver stated those would be reviewed during the building permit stage. Commissioner McDonough shared that some homes are built too close to slopes and there could be potential landslides.

Commissioner Wilson verified that the property will maintain the A (Agriculture) zoning. Planner Weaver affirmed.

Commissioner Pierce asked for the buildable space to be identified. Planner Weaver pointed to the buildable areas on the plat. Commissioner Pierce asked where the utility right-of-ways located. Planner Weaver stated the utilities will come through the cul-de-sac.

Commissioners discussed the mitigation options proposed by the geotech engineer.

Commissioner Nielsen asked if the public would be notified of the landscaping requirement change. Planner Weaver stated the City doesn't have an obligation to notify the public other than the posting for this meeting.

City Planner Applonie shared that when a building permit is applied for a geotech report would be required of the builder. That report will be compared to the report generated with the plat. The permit doesn't get released until the builder meets all mitigation requirements. The City is working on an update to the Sensitive Lands Ordinance to update and strengthen the code with clarifications and requirements.

Planner Weaver added that when these lots are ready to be built, a lot-specific geotech report would likely be required.

2. THO Property Improvements – DEVELOPMENT PLAN

Planner Weaver presented the property improvement proposal for the THO development plan. It is in the MU (Mixed-Use) zone, which requires Commission approval. The building on the east has been vacated but the developer wants to maintain the drive-through window on the east side. Typically a drive-through isn't permitted to queue in front of the building; however, since this is an existing drive-through and considering the constraints on the property, this configuration is being proposed. The plan meets the queuing ordinance for 7 cars. The plan design is also to help alleviate traffic congestion at the Gentile Street access to the east.

Twisted Sugar will get elevation improvements and maintain the drive-through. To the west of Twisted Sugar is an old, residential-looking building that will be demolished. A new drive-through building will be constructed in its place. The two west buildings meet the MU code for design and the east building will be legal, nonconforming. The landscaping will be improved with the property updates. Frontages will be landscaped.

Commissioner Pierce asked about the diagonal parking on the south. Planner Weaver affirmed that it will be diagonal with one-way entrance and exit signage.

Commissioner McDonough asked if the east drive-through will be on the property or cross over the access to the north property. Planner Weaver stated there is a cross-access agreement but the drive-through will be along the property boundary.

Commissioner Wilson asked how the business owner would reduce the queuing lines. Planner Weaver stated that would be a question for the developer.

Commissioner Whitworth asked if there was a tenant already identified. Planner Weaver stated that there is not.

Planner Weaver shared the landscape plan and identified that the park strip will be irrigated.

Vice Chair Hamilton asked if the landscaping would prevent headlights from the diagonal parking pointing into traffic. Planner Weaver indicated it wouldn't be an issue.

Planner Weaver shared the building elevations and images.

Commissioner Carter clarified that the site will have three drive-throughs. Planner Weaver affirmed.

Commissioner Nielsen asked why the item was before the Commission. Planner Weaver the MU zone requires a development plan and these improvements are significant changes to the buildings and property. The plan went through Design Review Committee review and the developer has implemented all suggestions. Deputy City Attorney Curtis noted that this item is an administrative not legislative decision.

Commissioner Whitworth asked if there were any restrictions as to who the tenants could be. Planner Weaver stated there are no restrictions. Commissioner Whitworth then asked that if high-demand users come in there could be traffic issues on Gentile and Fort Lane. Planner Weaver stated that the ordinance only requires a 7-car queuing. If the traffic goes beyond that there could be some police intervention to keep the flow of traffic moving. City Planner Applonie added that there are engineering standards that need to be met and if this area becomes too congested then those would be reevaluated.

ADJOURNMENT:

At 6:47 p.m., Vice Chair Hamilton adjourned the work session to proceed to the regular meeting.

A handwritten signature in cursive script, reading "Michelle Williams", is positioned above a horizontal line.

Michelle Williams
Planning Commission Secretary