

**LAYTON CITY PLANNING COMMISSION REGULAR MEETING MINUTES
MARCH 12, 2024**

MEMBERS PRESENT: Chair Trevor Steenblik, Vice Chair Lindsey Hamilton, Commissioners Scott Carter, Wesley Felice, Peter McDonough, Julie Pierce, and George Wilson

MEMBERS ABSENT: Commissioners Bret Nielsen and Justin Whitworth

OTHERS PRESENT: Staff: Director Chad Wilkinson, City Planner Weston Applonie, Planner Kem Weaver, Planner Curtis Poole, Planner Zachary Kadin, Secretary Michelle Williams, Deputy City Attorney Darren Curtis

City Council Representatives Dave Thomas and Tyson Roberts

PLEDGE OF ALLEGIANCE AND INVOCATION (7:00 PM)

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

APPROVAL OF MEETING MINUTES: PLANNING COMMISSION WORK AND REGULAR MEETING – January 30, 2024 and February 27, 2024.

Chair Steenblik called for a motion for the approval of the minutes. Commissioner Carter moved to accept the Planning Commission Work and Regular Meeting Minutes for January 30, 2024, and February 27, 2024. Commissioner Pierce seconded the motion; following a roll-call vote, the meeting minutes were accepted and approved unanimously.

ADMINISTRATIVE REVIEW

1. Utah Communications Authority – CONDITIONAL USE

The applicant, Blake Collins, representing Utah Communications Authority (UCA), is requesting a conditional use to expand an existing telecommunications facility. The property is located at approximately 445 North Wasatch Drive.

Planner Kadin presented the item.

Background: *The applicant, Blake Collins, representing the Utah Communications Authority (UCA), is requesting a conditional use to expand an existing telecommunications facility. The existing facility and proposed expansion are located within the Layton City Municipal Complex, which is classified as a Community Use. The subject property is zoned R-1-8 (Single Family Residential). The expanded facility is proposed to the east of an existing telecommunications facility containing a tower currently used for the*

UCA public safety radio network. Telecommunication facilities are allowed at Community Use locations as a conditional use.

Alternatives to the Motion: *Alternatives are to: 1) Grant conditional use approval of the Telecommunications Facility Expansion subject to the applicants meeting all conditions listed in the Staff Report; or 2) Grant conditional use approval for the Telecommunications Facility Expansion 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 Telecommunications Facility Expansion, subject to the applicant meeting all conditions listed in the Staff Report.*

Planning Commission Discussion:

Chair Steenblik asked if another tower was going to be built in the location. Planner Kadin stated there wouldn't be a new tower. The new structure would be a walk-in cabinet next to the current telecommunications tower.

Commissioner McDonough asked why the identified parcel was so large compared to the location of the expansion. Planner Kadin stated the map identifies the affected parcel; the expansion is just one piece of the parcel.

Commissioner Carter noted there are several trees in the area and asked if they would be impacted by the expansion. Director Wilkinson stated there wouldn't be any tree removal for this particular part of the process; however, some may need to be removed for the construction of the new EOC facility. All efforts would be made to keep as many of the trees as possible.

Public Comment:

NONE

MOTION:

Vice Chair Hamilton motioned the Planning Commission grant conditional use approval of the Telecommunications Facility Expansion subject to the applicant meeting all conditions in the Staff report. Commissioner Wilson seconded the motion, which was approved unanimously following a roll-call vote.

PUBLIC HEARINGS

- 2. Double J Investments – REZONE, GENERAL PLAN MAP AMENDMENT, and DEVELOPMENT PLAN**
The applicant, Robert Love, representing Double J Investments, is requesting a General Plan Map Amendment and Rezone of approximately 3 acres from A (Agriculture) to M-1 (Light Manufacturing/Industrial) zoning. The property is located at approximately 445 East Antelope Drive.

Planner Poole presented the item.

Background: *The applicant, Robert Love, representing Double J Investments, LLC, is requesting a General*

Plan Map amendment and rezone of approximately 3 acres from the A zone to the M-1 zone. The proposed rezone area encompasses the northeast corner of the Antelope and Fort Lane intersection and is located in the Accident Potential Zone (APZ). Properties to the north, east, and south are in the A zone, and properties to the west are in the M-1 zone.

A portion of the property and two parcels to the west (approximately 2.4 acres), also owned by the applicant are currently zoned M-1. These parcels would be included in the future development of the subject property. A Development Agreement will accompany this rezone request and will guide the future development of the properties.

Alternatives to the First Motion: *Alternatives are to: 1) Recommend the Council approve the General Plan map amendment request from Agriculture to Manufacturing; or 2) Recommend the Council deny the General Plan map amendment.*

Alternatives to the Second Motion: *Alternatives are to: 1) Recommend the Council approve the rezone request from A (Agriculture) to M-1 (Light Manufacturing/Industrial) subject to a Development Agreement; or 2) Recommend the Council deny the rezone request.*

Alternatives to the Third Motion: *Alternatives are to: 1) Recommend the Commission forward a positive recommendation to the Council to approve the Development Agreement between Double J Investments LLC and Layton City.*

Recommendation: *Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the General Plan Map Amendment from Agriculture to Manufacturing, approve the rezone request from A (Agriculture) to M-1 (Light Manufacturing/Industrial), and approve the Development Agreement between Double J Investments LLC and Layton City.*

Planning Commission Discussion:

Chair Steenblik asked if the homes to the east of the item parcel could ask for their properties to be rezoned to M-1 also. Planner Poole answered that Staff would likely not support additional rezones. This is the last parcel defined by the General Plan text as the corner of Antelope Drive and Fort Lane. Chair Steenblik verified that with Council approval the General Plan map would be updated to reflect the rezone in this area. Planner Poole affirmed and stated that the parcel on the southwest corner that was rezoned recently had been updated on the map.

Commissioner Pierce asked if there is anything specific in the Development Agreement that the Commission should be aware of, and does it commit the City to any required development. Planner Poole stated that as the property develops the uses would be tied to the Development Agreement, and the Agreement requires the property be subdivided to separate the M-1 zoned piece from the rest of the agricultural use. Commissioner Pierce noted that it isn't a development plan but a Development Agreement. Planner Poole affirmed.

Public Comment:

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

Tom Love, 201 Monte Vista Lane, CA – thanked the Commission for considering this application, and staff for their work. Double J Investments is not a development company but rather the Love family farm corporation. Mr. Love shared the property history. There are 90 acres left of the Love Farm with 70 acres within City limits. Mr. Love expressed that he felt the request for rezoning 3 acres was a reasonable request and recognized it to be consistent with the General Plan.

Liana Rhodehouse, 1814 East Antelope Drive – asked if the corner was included in the purchase of easements by the federal government. Chair Steenblik affirmed that the government bought easements on this property. Ms. Rhodehouse then questioned if the property owners were compensated for the development restriction on the property. Chair Steenblik stated the easement limits the type of development allowed and with the proposed action tonight, the Development Agreement will also limit development on the site. Ms. Rhodehouse stated concern that property values would be negatively impacted by the increase of commercial zoning and asked if it would only be parking for the auto business. Chair Steenblik answered that it hasn't been determined what the business or development would be. Planner Poole also stated that tonight's action is only to discuss the rezoning of the property, no development is being approved. Any future development would be reviewed through a site plan application, and if a conditional use was required then it would be brought before the Commission.

Commissioner Pierce noted that whatever the use becomes there couldn't be more than 25 people at any given time on the parcel. Ms. Rhodehouse expressed frustration that she was unable to build an ADU on her property but a business that would have no more than 25 people in it could be built on this site, and restated that the development would diminish her property values. Ms. Rhodehouse then asked why the City has a General Plan if it is only going to be changed. Chair Steenblik clarified that this designation was in the current General Plan, to which Ms. Rhodehouse stated that it wasn't in the previous General Plan.

Commissioner Felice stated that the purpose of a General Plan is for a city to project forward for development and growth. Over the years, cities develop General Plans and then have to modify or update those plans because times change and development occurs. While the General Plan 20 years ago may have said this area was ripe for agriculture, this area now is not necessarily the same as it was then, which is why General Plans are periodically updated.

Abe Carlsruh, 144 East Antelope Drive – shared that he supports a positive recommendation for the rezone but asked for clarification on the map change for this specific area. Mr. Carlsruh asked if the "corner" was defined by latitude and longitude measurements. Planner Poole stated that the notation of the intersection of Antelope Drive and Fort Lane isn't specifically called out by measurement for how far north or east the zoning is. However, the further north or east a rezone expansion may go it is further from the designated intersection. Chair Steenblik added that the intersection was specifically called out in the General Plan. If someone decided they wanted to rezone further north, that would be an actual General Plan amendment. Mr. Carlsruh stated this portion of the parcel isn't technically the corner. The map was being changed to match an interpretation of the meaning of the text. Chair Steenblik affirmed.

Commissioner McDonough shared that the measurement from the intersection east could be extended to the north from the intersection the same distance north to square off the zoned area on the map. It seems possible that a developer would question why they couldn't get that same distance rezoned going north. Planner Poole responded that even though the specific measurement or distance from the intersection isn't defined in the General Plan, the intersection has been reviewed and Staff's interpretation of anything beyond this parcel would require a General Plan amendment and would likely receive a recommendation of denial.

City Planner Applonie pointed out that in the Staff Report, there is a breakdown of the industrial area growth within the APZ. The APZ is the accident potential zone for Hill Air Force Base, which is a significant portion of our Layton community. The City recognizes the Base as a valuable asset and believes it should be protected. More than defining what this corner could look like as far as measurements north or east, it is reasonably debatable, but what needs to be examined is the expansion that has doubled over the last several years. If the City doesn't stop that growth, it will all be rezoned as industrial. Staff doesn't want to do that, nor should the City, as it threatens the operations of the Base and that is a concern. Chair Steenblik noted it is in the City's best interest to protect this space, and cited statistics provided by City Councilmember Morris that 11 billion dollars and 27,000 jobs came to the state from HAFB. The Council and the Commission don't want to take action that would impede the Base.

Commissioner Pierce commented that the development rights were compensated for and sometimes that may feel constricting and prevents some from doing things that are deemed in their family's best interest, but that compensation was conveyed to the property owners at the time.

Planner Poole added that the text of the General Plan doesn't specify measurements of the intersection but it does state "limited properties" and "limited areas" within the intersections.

Abe Carlsruh, 144 East Antelope Drive – clarified that the easements purchased were to restrict residential development and a couple of other things. The property owners understand that and aren't trying to make an additional buck on a buck, but rather there are still some development rights associated with the land. Mr. Carlsruh added that if development in this area were to impede operations at the Base, the Base would set precedence by forcing the issue. HAFB has agreed to several things that could be allowed on this land, so they can't claim that development is threatening and still allow other development.

Chair Steenblik called for a motion to close the public hearing. Commissioner Pierce motioned to close the public hearing. Commissioner Wilson seconded the motion, which was approved unanimously following a roll-call vote.

MOTION:

Vice Chair Hamilton motioned that the Planning Commission forward a positive recommendation to the Council to approve the General Plan Map Amendment request from Agriculture to Manufacturing. Commissioner Carter seconded the motion, which was approved unanimously following a roll-call vote.

Vice Chair Hamilton motioned that the Planning Commission forward a positive recommendation to the Council to approve the rezone request from A (Agriculture) to M-1 (Light Manufacturing/Industrial) subject to a Development Agreement. Commissioner McDonough seconded the motion, which was approved unanimously following a roll-call vote.

Vice Chair Hamilton motioned that the Planning Commission forward a positive recommendation to the Council to approve the Development Agreement between Double J Investments LLC and Layton City. Commissioner Pierce seconded the motion, which was approved unanimously following a roll-call vote.

3. Smith’s Food King Properties – REZONE

The applicant, Brent Bateman, representing Smith’s Food King Properties, is requesting a rezone of 26.41 acres from A (Agriculture) to M-2 (Heavy Manufacturing/Industrial) zoning. The property is located at approximately 282 West Hill Field Road.

Planner Weaver presented the item.

Background: *The applicant, Brent Bateman, representing Smith’s Food King Properties, is requesting a rezone of 26.41 acres from A (Agriculture) to M-2 (Heavy Manufacturing/Industrial) zoning. The subject property is adjacent to M-2 zoning to the south and west, with C-H (Highway Regional Commercial) zoning to the north and east.*

The proposal for the rezone is to develop and expand Smith’s Food and Drug operations adjacent north from its existing production and storage facility. The expansion into the vacant parcels will house a large warehouse building for the storage of perishable grocery items. The expansion will provide additional parking and better movement of the semi-trucks through both the existing site and the expansion site.

The applicant will be required to go through the subdivision process to dedicate half the width of Sugar Street to the City. Warehousing and distribution are permitted uses in the M-2 zone, the applicant will have to go through site plan reviews and approval with City staff.

Alternatives to the Motion: *Alternatives are to: 1) Recommend the Council approve the rezone request from A (Agriculture) to M-2 (Heavy Manufacturing/Industrial); or 2) Recommend the Council deny the rezone request.*

Recommendation: *Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the rezone request from A (Agriculture) to M-2 (Heavy Manufacturing/Industrial).*

Planning Commission Discussion:

None

Public Comment:

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

Brian Ulrich, 1215 West Hill Field Road – stated that he doesn’t have an issue with the development but expressed concern over how the semi-truck traffic damages his landscaping at his business, Fred’s Marine. When the trucks turn in they inevitably drive over the business frontage and damage the landscaping. Mr. Ulrich’s customers have a difficult time driving a truck and boat in the area with all the trucks parked on the street. Mr. Ulrich asked that the traffic flow and intersection be examined along with the development to improve the challenges in the area.

Commissioner Pierce expressed that there are mitigations that could occur on the site to have trucks initiate their turns on the property and not on the street.

Chair Steenblik stated those details will be reviewed during the site plan review process. Planner Weaver affirmed and stated that a traffic study would be required.

Brent Bateman, Applicant – stated he represents Smith’s and came to hear the comments and local concerns. Smith’s wants to be a good neighbor.

Michael Suchow, 324 South State Street – shared that the site plan is conceptual and this feedback is important. It is important to get the truck traffic off the main road. Chair Steenblik asked if Smith’s would be interviewing the independent truck drivers to understand their experiences with the queuing. Mr. Suchow stated the main goal is to increase site safety. The plan attempts to eliminate cross-traffic issues with employee parking and truck traffic.

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

MOTION:

Commissioner Pierce motioned that the Planning Commission recommend the Council approve the rezone request from A (Agriculture) to M-2 (Heavy Manufacturing/Industrial). Commissioner Wilson seconded the motion, which was approved unanimously following a roll-call vote.

ADJOURNMENT

At 7:55 PM, Commissioner Felice motioned to adjourn. Commissioner Carter seconded the motion, which was approved unanimously following a roll-call vote and the meeting was adjourned.



Michelle Williams
Planning Commission Secretary