

**REGULAR MEETING AGENDA OF THE
CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 PM on November 20, 2014.**

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:

A. Minutes of Layton City Council Joint Planning Commission Work Meeting - October 16, 2014

2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. CITIZEN COMMENTS:

4. VERBAL PETITIONS AND PRESENTATIONS:

A. Recognition of Community Emergency Response Team (CERT) Graduates

B. Recognition - Natalie K. Tholen - Norma Matheson Outstanding Volunteer Award

5. CONSENT ITEMS:(These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

A. Memorandum of Understanding (MOU) between Davis Applied Technology College and Layton City - Resolution 14-71

B. Agreement for Professional Services between Layton City and Salt Lake Chamber of Commerce - Resolution 14-72

C. Parcel Split – Duane Johnson Shops – Approximately 3100 North 650 East

6. PUBLIC HEARINGS:

A. Rezone Request – Pheasant View Land Company, LLC – A (Agriculture) to R-S (Residential Suburban) – Ordinance 14-22 – 1242 East Pheasant View Drive

7. PLANNING COMMISSION RECOMMENDATIONS:

8. NEW BUSINESS:

9. UNFINISHED BUSINESS:

10. SPECIAL REPORTS:

ADJOURN:

Notice is hereby given that:

- A Work Meeting will be held at 5:30 p.m. to discuss miscellaneous matters.
- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.
- By motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that chapter.

Date: _____ **By:** _____
Thieda Wellman, City Recorder

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

Citizen Comment Guidelines

For the benefit of all who participate in a PUBLIC HEARING or in giving PUBLIC COMMENT during a City Council meeting, we respectfully request that the following procedures be observed so that all concerned individuals may have an opportunity to speak.

Electronic Information: An electronic or hard copy of any electronic information presented to the City Council must be submitted to the City Recorder by the end of the meeting.

Time: If you are giving public input on any item on the agenda, please limit comments to three (3) minutes. If greater time is necessary to discuss the item, the matter may, upon request, be placed on a future City Council agenda for further discussion.

New Information: Please limit comments to new information only to avoid repeating the same information multiple times.

Spokesperson: Please, if you are part of a large group, select a spokesperson for the group.

Courtesy: Please be courteous to those making comments by avoiding applauding or verbal outbursts either in favor of or against what is being said.

Comments: Your comments are important. To give order to the meeting, please direct comments to and through the person conducting the meeting.

Thank you.

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MINUTES OF LAYTON CITY COUNCIL JOINT PLANNING COMMISSION WORK MEETING

OCTOBER 16, 2014; 5:32 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

**MAYOR BOB STEVENSON, JOYCE BROWN,
TOM DAY, JORY FRANCIS, SCOTT FREITAG
AND JOY PETRO**

PLANNING COMMISSION MEMBERS PRESENT:

**GERALD GILBERT, WYNN HANSEN, BRETT
NILSSON, DAVE WEAVER, L.T. WEESE AND
BRIAN BODILY**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, JAMES (WOODY)
WOODRUFF, BILL WRIGHT, KENT ANDERSEN,
PETER MATSON AND THIEDA WELLMAN**

The meeting was held in the Council Conference Room of the Layton City Center.

Mayor Stevenson opened the meeting and indicated that the first item on the agenda was a closed door meeting.

AGENDA:

CLOSED DOOR:

MOTION: Councilmember Freitag moved to close the meeting at 5:32 p.m. to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares. Councilmember Brown seconded the motion, which passed unanimously.

MOTION: Councilmember Petro moved to open the meeting at 5:51 p.m. Councilmember Day seconded the motion, which passed unanimously.

DISCUSSION – ANNEXATION AND ZONING REQUEST FOR PHEASANT VIEW ASSISTED LIVING CENTER – 1242 EAST PHEASANT VIEW DRIVE

Bill Wright, Community and Economic Development Director, said this was an annexation and rezone request from Eric Martz, owner of the Pheasant View Assisted Living Center, located at 1242 East Pheasant View Drive. Bill said the property was a landlocked piece of property that abutted the Kaysville

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border. He said the proposal was to expand the assisted living facility. Bill introduced Mr. Eric Martz.

Bill said the annexation petition was accepted by the Council on September 19th. He said on closer review, there were a couple of issues with approving the facility expansion as proposed. Bill said these facilities were limited to 12 units and the expansion would put the facility over that number.

Mr. Eric Martz explained their clientele and the services they provided.

Bill said the addition would involve memory care units. He said they considered separating the building and limiting the number of units to 12, but it was not feasible. Bill said changes were made to the Municipal Code after the original facility was built that allowed for only 12 total units. He said the proposed expansion would be for 15 net additional units.

Bill said the method this could be approved under was to approve it as an expansion of a non-comforming building. He said the Code allowed for that to be done administratively through routine and uncontested variances, and the Code indicated that there could not be an increase of dwelling units. Bill said these units did not qualify as dwelling units because they did not contain kitchens or eating areas. He said under the Fair Housing Law, there was a provision for local and state governments to make reasonable accommodations for these types of facilities. Bill said the reasonable accommodation would be to allow the building to be attached rather than detached, which would allow for a better operation and method for the people with memory care needs. He said if this was not approved, there would be no need for the annexation.

Commissioner Nilsson asked why the number of units was limited to 12 in the Code.

Bill said it mostly had to do with the size of the building so that there wouldn't be a facility like Legacy Village in the middle of a residential neighborhood. He said this facility would be residential in scale, similar to a church.

Councilmember Brown said she hadn't heard any complaints from anyone in the neighborhood; this was something that was needed in Layton. She said she didn't think it would be a big impact on neighbors.

Councilmember Francis said this was a good neighbor to have.

Commissioner Nilsson asked if there was sufficient parking.

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Bill said yes; he explained the conceptual layout of the facility including parking.

Commissioner Hansen asked if there were any beds lost in the existing facility due to the expansion.

Mr. Martz indicated that they would lose two existing units; the expansion was for 17 rooms, but it was a net 15 increase.

Commissioner Weaver asked about emergency access to the new units.

Bill displayed the proposed site plan and explained access.

Mr. Martz said this was a Type 1 construction, which required that the facility be covered by fire sprinklers.

Consensus was to proceed with the annexation.

CONTINUED DISCUSSION OF 2200 WEST AND 2700 WEST CORRIDORS

Alex Jensen, City Manager, introduced Randy Jeffries with UDOT; and indicated that Mr. Jeffries was the Project Manager of the West Davis Corridor.

Alex said Staff had tried to make a presentation this evening that was quite analytical. He said Staff's intention was not to suggest one thing or another, but rather to provide facts. Alex said Staff would be presenting a lot of quantitative analysis. He said Staff reviewed minutes of previous meetings and tried to pull out all the comments that were made by the Planning Commission Members and Councilmembers to make sure they were being addressed. Alex said Staff would like to talk about the important connection between transportation improvements and land use. He said Staff would show examples in recent history of how that connection was really important and valid. Alex said Staff would also like to talk about the history of planning for the West Davis Corridor and for the Master Street Plan. He said the purpose was not to suggest that that couldn't be changed; plans were made to be changed; but Staff's view was that it was important to understand the past and what was done and why it was done, by previous elected officials, to know what should be done going forward.

Alex said Staff had spent a lot of time preparing this information. He said Staff tried to look at four

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different scenarios; two at 2200 West and two at 2700 West, based on the Corridor's alignment, and then they had tried to compare those according to objective criteria. Alex said based on previous discussions, Staff had identified different criteria and would compare each of the scenarios, in an objective manner, based on the criteria. He said Staff had made some best-guess assumptions drawing on UDOT experience and Horrocks Engineering experience, and had tried to be very quantitative. Alex said Staff didn't reach a conclusion as to what was best; there were pros and cons associated with both options.

Alex expressed appreciation to the Council and Planning Commission for the care and concern they were taking for this. He said Staff felt that this was a very significant decision and they respected the fact that the Council and Planning Commission wanted to look at every possible angle.

Bill Wright discussed the important connection between land use and transportation. He reviewed the history of development and roads in the City over the last 20 years. Bill reviewed various maps that showed the progression of development and infrastructure over the years, particularly along Woodland Park Drive, Antelope Drive, West Hill Field Road, and Layton Parkway. He mentioned the commercial node and business research park area that were identified in the West Layton General Plan. Bill identified various commercial nodes throughout the City.

Bill displayed a map and explained the preferred alignment of the West Davis Corridor and the impact wetlands may have on that alignment near 2200 West. He said since 2001 the City had been trying to protect that corridor from development. Bill said in 2010 the City became a participating agency in the West Davis Corridor project and participated in several public meetings. He displayed maps that identified available land for a research business park at 2200 West and 2700 West. Bill indicated that if the interchange was at 2200 West with the preferred alignment, within a half mile of the interchange location there were approximately 144 acres available for a business park, with an additional 8 acres for a retail center. He said this would have a possibility of creating 6,000 new jobs.

Councilmember Freitag asked if the General Plan had preservation of open space.

Bill said in some areas it identified where there were needs for parks.

Peter Matson, City Planner, explained the Parks and Recreation element of the General Plan and the targeted standard of neighborhood parks per a certain number of residences.

Councilmember Freitag said outside of parks, it didn't identify open space.

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Bill said no.

Councilmember Freitag asked if the numbers being given were maximum numbers.

Bill said yes. He said it didn't mean that the entire 144 acres would be developed into a business park; all of the property would have to go through a rezoning process.

Bill displayed a map that showed the West Davis Corridor alignment shifted to the north. He said if the wetlands played a part in the alignment, what was being called the eastern alignment, which was actually to the north, would drop the available acreage for a business park at 2200 West to approximately 117 acres, or 5,000 jobs. Bill said with this alignment, the interchange would move closer to Layton Parkway. He identified a proposed park and ride lot in the area.

Councilmember Day asked if the width of the corridor was the same all the way to the west.

Bill said yes.

Bill said Staff completed the same exercise if the interchange was located at 2700 West. He said there would be approximately 190 acres of land available for a business park, which would equate to the number of jobs being higher; close to 8,000. Bill said if the corridor shifted north, there would be approximately 179 acres available for a business park, or 7,500 jobs.

Bill reviewed traffic numbers based on the interchange location. He said the understanding was that if the interchange were to be located at 2200 West, the road would go to five lanes.

Bill reviewed information about the costs of acquiring property and widening the roads based on the location of the interchange. He said if the interchange was at 2200 West, and the road right of way was widened to 88 feet from the West Davis Corridor to Hill Field Road, 17 homes would be impacted and the cost would be 18.1 million dollars for the right of way and for construction of the road. Bill said if the road went to 100 feet wide for this section of the road it would impact 20 homes and cost 23.3 million dollars.

Bill said with the interchange at 2200 West, widening the northern section of 2200 West from Hill Field Road to Antelope Drive to 80 feet would impact 22 homes and cost approximately 16 million dollars. He

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mentioned a railroad crossing bridge that Horrocks Engineering believed would be wise given the widening of the road and the amount of traffic that would be on it, which would cost an additional 16.8 million dollars. Bill said an 88 foot width would cost approximately 19.9 million dollars for the northern section, and 26.5 million dollars and 37 homes for a 100 foot right of way. He said the entire widening project, with the interchange at 2200 West, from the West Davis Corridor to Antelope Drive, would impact 57 homes and cost 66.6 million dollars for a width of 100 feet, 54.8 million dollars and 39 homes for a width of 88 feet, and 51.6 million dollars and 39 homes for a width of 88 feet on the lower section, and 80 feet on the northern section.

Councilmember Freitag asked what the length of the road would be.

Bill said about 2 ½ miles.

Councilmember Freitag asked Alex what the cost per mile was for Layton Parkway.

Alex said about 4.2 million dollars per mile.

Bill said the estimated costs came from Horrocks Engineering and they used a UDOT costing model, which Staff believed was high, but this wouldn't be happening for several years into the future.

Councilmember Freitag said this would cost 15 to 20 million dollars per mile.

Councilmember Brown said the big difference was because Layton Parkway was constructed on raw ground.

Alex said this was more expensive because of the homes involved. He said Staff felt that this would cost about 2 to 3 times more than the Parkway.

Bill said the same exercise was done for 2700 West. He said from the interchange up to Hill Field Road with an 88 foot right way, it would cost 11. 8 million dollars and impact 1 home. He said with a 100 foot right of way the cost would be 18.1 million dollars and impact 1 home. Bill said the northern end from Hill Field Road to Antelope Drive was partially built with a 66 foot right of way and there was a development agreement in place for construction of the balance of the road.

Councilmember Freitag asked why the cost difference between 88 feet and 100 feet was so much more on

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2700 West than it was on 2200 West for a shorter distance.

Bill said that was because of purchasing the right of way. He said on 2200 West there was already a 66 foot right of way; the City would only be purchasing the edges. Bill said on 2700 West the entire width would have to be purchased.

Bill displayed comparative information between the two interchange locations, including available land for a business park and jobs created.

Mayor Stevenson said whether it was 144 acres available at 2200 West or 194 acres available at 2700 West for a business park, would the City be setting aside that much property for a business park.

Bill gave some examples of business parks in other areas, including the Kaysville business park, which had 130 acres and had developed with a variety of industrial uses and offices. He said the adopted General Plan from 2001 identified a business park center in this area. Bill said it was a lot of area, but the key option now would be to preserve the area. He said none of this would happen without the West Davis Corridor and an interchange; it would not be feasible without a corridor and an interchange.

Mayor Stevenson asked if there was an advantage or disadvantage, relative to economic development, by having a major road separating the business park area property.

Bill said the Economic Development Corporation of Utah indicated that there was definitely an advantage with having 100 acres or more intact.

Councilmember Freitag asked if the current General Plan identified a certain number of acres for the business park.

Bill said no.

Commissioner Gilbert asked if a property owner would make more money with the business park zoning or residential zoning.

Bill said generally it would be the business park; something of a commercial nature. He said that all depended on the market at the time the property became available.

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Commissioner Gilbert asked if the City knew how many property owners this involved and who they were.

Bill said yes.

Councilmember Day said there was at least 6 or 8 different property owners involved.

Commissioner Gilbert said from previous meetings he felt that most residents in west Layton felt that the area should remain as residential as possible. He said he liked the idea of a business park near the interchange because there needed to be facilities in the area to service the residential areas.

Bill said as Councilmember Freitag pointed out, these were maximum numbers. It would be a factor if there was a strong preservation effort for some of the land. He said Staff felt that the best way to be comparable was to use the same basic model for both locations and not try to second guess how much property a future Council would want to put into a business park. Bill said it would involve a lot of detailed planning moving forward.

Councilmember Freitag asked Mr. Jeffries, as he had been involved with other communities that had interchanges proposed, was he seeing similar types of developments at those interchanges.

Mr. Jeffries said the feedback from almost all the cities that had interchanges was that they were looking at commercial uses around the interchanges. He said there wasn't room at any of the other interchanges for this large of a project.

Bill displayed comparative information for both locations with the northern alignment of the corridor.

Councilmember Freitag asked Mr. Jeffries when the study would be completed.

Mr. Jeffries said the final EIS report would be done by spring, with the final decision by next summer.

Councilmember Freitag said the Council had seen a northern and a southern alignment option for the corridor. He asked Mr. Jeffries where he thought the corridor alignment would be.

Mr. Jeffries said he wouldn't even try to guess, but he would give an example. He said UDOT's preference was not the northern alignment because of impacts to existing homes. Mr. Jeffries said

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comments from the Army Corp of Engineers, the EPA, and other agencies, were that they wanted UDOT to look at another alternative to avoid the wetlands. He said they did not say it couldn't be in the wetlands, but they wanted UDOT to look at another alternative. Mr. Jefferies said UDOT would be studying another alternative. He said some of the challenges in Farmington involved a ½ acre difference in wetlands versus 10 homes. Mr. Jefferies said UDOT had to receive a permit from the Army Corp of Engineers or there would be no project; if they were struggling in Farmington over ½ acre of wetlands versus 10 homes, and in Layton it was only 6 homes, it would make you think that the northern alignment would be a good possibility.

Councilmember Day asked about the timeline on the new option.

Mr. Jeffries said they should have an answer in the next couple of months.

Councilmember Freitag asked if that advanced, what would it do to the project.

Mr. Jefferies said it would add another year to the process.

Alex said under either interchange location, Staff felt that it would preserve and provide great flexibility of where the retail center at 2200 West and Hill Field Road took place. He said Staff recognized that there were some existing entitlements in place on the north side of Hill Field Road, but Staff felt that either alignment allowed that node to be shifted west or east to the intersection.

Mayor Stevenson said Windom Square was 20 to 25 acres. He said where 2700 West turned to 2550 West at the commercial node, south of that was where the big controversy was a couple of years ago.

Bill said that was correct.

Mayor Stevenson asked what that property was zoned right now.

Bill said on the north side at the corner of 2550 West and Hill Field Road, the property was zoned CP-1, with a development agreement in place that expected that there would be a grocery store at that location.

Councilmember Day asked if that was only on the east side of 2550 West, or if it included the west side of 2550 West.

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Bill said some of the CP-1 went on the west side of 2550 West, but the idea was that the grocery store would be on the east side. He said there was some business park zoning in the area with some P-B near the residential areas. Bill said the corner of 2200 West and Hill Field Road was zoned CP-1 and had been purchased by America First Credit Union.

Peter said the CP-1 zoning had restrictions on it through the development agreement that restricted some of the uses and size.

Mayor Stevenson asked how much property was on the north side of Hill Field Road.

Bill said it was approximately 31 acres; the retail area was about 12 acres.

Mayor Stevenson said it wasn't big enough to do something like at Windom Square.

Bill said from a retail standpoint it wouldn't be.

Mayor Stevenson said to him the most logical place for commercial development in west Layton would be on the south side of Hill Field Road between 2550 West and 2200 West. He said whether the interchange was at 2200 West or 2700 West, he didn't see the interchange location being the most logical place for a commercial node at this time.

Bill said the commercial component didn't have to be tied to the interchange location decision.

Councilmember Francis said if the interchange was at 2200 West and the commercial node was pushed to the east to 2200 West, the traffic would be crushing in that area. He said that would cause 2200 West to be widened without a question.

Councilmember Brown said from what had been shown this evening, 2200 West was going to have to be widened north of Gordon Avenue, whether it was 88 feet or 100 feet. She said that cost would be there one way or the other.

Councilmembers Day and Petro agreed.

Councilmember Brown said when she looked at public money, and the number of homes involved, 2700 West would be a lot less expensive and would only take out one home, which made a big difference to

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her.

Councilmember Francis said he saw 2700 West as a diffuser. He said instead of everyone crushing onto 2200 West traffic, would be diffused, which was a huge benefit.

Councilmember Brown said the curve in 2700 West to 2550 West would also be calming to slow traffic. She said whenever there was a straight shot traffic moved faster and was heavier.

Councilmember Francis said 2700 West would be a diffuser, fewer homes would be impacted, it would be less expensive because it was raw ground, and it had been in the General Plan for so long that the expectation had been set. He said one of the lessons he learned with West Layton Village was that you should stick with the General Plan if at all possible.

Councilmember Brown said whether the City built out every possible acre into a business park, which was a question that would come later, the bigger piece of land in one place was more marketable than the various pieces at 2200 West.

Bill suggested a field trip to the area so that the Council and Planning Commission could see what the two areas looked like.

Commissioner Bodily asked if UDOT had a preference of 2200 West or 2700 West for the location of the interchange.

Mr. Jefferies said there would be an interchange at 200 North in Kaysville. He said they liked to keep interchanges at about 1 mile spacing. Mr. Jeffries said with the interchange at 2700 West they were very comfortable with a spacing of approximately 1.8 miles; at 2200 West it would be 1.2 miles. Mr. Jefferies said at 2200 West the interchange would be a little closer to Layton Parkway. He said neither of these were fatal flaws from a transportation standpoint, but he didn't think an interchange could be located at 2200 West and avoid the six homes in that immediate area. Mr. Jefferies said an interchange located at 2200 West with the current EIS alignment would impact those six homes, and what would likely happen then was that there would not be any reason for UDOT to impact the wetlands. Right now UDOT could say that homes would be impacted with the northern alignment, but if the homes were impacted because of the interchange, there would be no argument against the northern alignment.

Mr. Jefferies said if the final EIS came out with the interchange at 2200 West, based on feedback they had

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received from residents already, there would be a lot more concerns from residents about traffic in front of their homes.

Councilmember Brown asked if there would be more Kaysville traffic if the intersection was at 2200 West.

Mr. Jefferies said the studies didn't show that, but there would be a lot more traffic from the north using 2200 West. He said their traffic numbers showed less than 2,000 additional cars on 2200 West with the interchange at 2700 West, but with the interchange at 2200 West that would probably go over 10,000. Mr. Jefferies said from a transportation standpoint UDOT probably didn't have much of a preference, but from an impact standpoint they believed that 2700 West would be less impactful to the homes in the area.

Councilmember Freitag asked what the spacing was between 2700 West and the next Syracuse interchange.

Mr. Jefferies said it was approximately 1.5 miles; 2700 West was about half way between the Syracuse and Kaysville interchanges. He said from a transportation standpoint, 2700 West was a little bit better location, but 2200 West would not be a fatal flaw. Mr. Jefferies said from a scheduling standpoint, it would be good if the City could reach a decision on the interchange location by the end of November.

Mayor Stevenson said best case scenario, how far in the future would it be before either of the interchanges would be built.

Mr. Jefferies said best case scenario would be construction underway by 2017.

Mayor Stevenson said if the interchange was at 2700 West and construction began in 2017, was the City prepared to spend the money to put the road up to at least Gentile Street, and tie in the Parkway.

Bill said the Parkway could be the road that would bring traffic to the interchange immediately.

Mayor Stevenson said once the door was open, there would be a lot more traffic. He said the City better be prepared.

Councilmember Brown said the same thing could be said about 2200 West; was the City prepared to immediately widen that road.

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Mayor Stevenson said the road was already there, it would only need to be widened.

Councilmember Brown said the people that lived on 2200 West would be heavily impacted.

Mayor Stevenson mentioned the impact to the homes on Gordon Avenue when it was widened.

Commissioner Hansen said the focus had to be moving traffic south. He said Staff did a fantastic job in their analysis of whether the interchange should be at 2200 West or 2700 West, but regardless of where the interchange was located, both roads would have to prepare to handle additional traffic. Commissioner Hansen said if the preference was 2700 West, he didn't think 2200 West could be ignored with bringing traffic south to the Parkway.

Mayor Stevenson asked for input on the size of the business park.

Councilmember Brown said based on Councilmember Freitag's question about what other communities around Layton could do, Layton had a great opportunity to have something other cities wouldn't have. She said she would not want to limit the number of acres; it could provide jobs and draw people to the City.

Commissioner Hansen said he could see the advantage of a business park at 2700 West. He said in his view you couldn't give that high consideration without immediately considering commercial services where those people could get gas or go to lunch. Commissioner Hansen said those two decisions had to go hand in hand. If 2200 West and Hill Field Road was the commercial node, there had to be commercial services at that location.

Councilmember Day said he felt that the people in west Layton would not be expecting this size of a business park.

Mayor Stevenson said the General Plan for west Layton probably leaned a lot more toward residential development than a large business park. He asked if the West Davis Corridor and an interchange figured into the General Plan.

Peter said yes.

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Mayor Stevenson asked if the size was ever mentioned in the General Plan.

Peter said no, but there were examples in an appendix.

Councilmember Day said he didn't think people in west Layton would be surprised by a business park in the area, but this size would be a surprise to them. He said it was a surprise to him. Councilmember Day said he had always known that a business node had been designated, but not to the extent that was being discussed here.

Councilmember Freitag said it would be helpful to come up with a realistic size for the business park instead of a maximum amount of acreage.

Alex said that was a great point. He said Staff was not suggesting that this was what it should be, except to try and look at it objectively and determine what a reasonable amount would be in order for a business park to function adjacent to an interchange; a half mile radius was fairly logical, but it could be a little less than that or it could be a little more.

Councilmember Freitag asked if there was any room along the Legacy Parkway corridor for any development.

Bill said at the 500 South exit in Woods Cross they had established a CDA district to try and encourage some development there. He said the off ramp in Centerville was sandwiched between Legacy Parkway and I-15, which had the Mega Plex Theatre, an office complex and apartments. Bill said years ago no one envisioned that type of development west of I-15.

Mayor Stevenson asked Staff to put the field trip together.

Alex said Staff would recommend holding a Strategic Planning meeting next Thursday with the Planning Commission to review the previous discussion about housing and the analysis the Council asked Staff to undertake to look at higher density housing.

Consensus was to hold the meeting at 5:00 p.m. next Thursday.

Councilmember Day asked if Staff was ready for public input on the transportation issue. He said he thought it would be wise to have some public input.

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Bill said part of what was driving the process with the Transportation Master Plan was trying to determine what should be presented to the public in an open house relative to the entire Master Plan. He said one option would be to present both interchange options; the thought early on was that the Council and Planning Commission would narrow the options, but that was up to the Council.

Councilmember Day said he felt that both options were to the point where the public could weigh in on them.

Bill said he didn't think the City could have a decision for UDOT by November.

Mayor Stevenson said this decision would impact the City for many years.

Councilmember Freitag asked Mr. Jeffries what he would like from the City.

Mr. Jeffries said if the shared solution alternative was not advanced, to release the EIS in the spring, in December they would need to start calculating the impacts to acres of wetlands and other things. He said they would have to hold that process up until they had a decision from the City.

Mayor Stevenson said the Council was trying to take in all the information and decide what would be best. He said one of the factors was that if the EIS showed the alignment to the south and going through the wetlands, the City wouldn't have to worry about the houses being taken out near 2200 West, which would impact the City's decision toward the 2700 West location. Mayor Stevenson said a big part of the City's decision would be based on the alignment of the corridor.

Mr. Jeffries said the City's best resource for that would not be UDOT, it would be the Army Corp of Engineers. He suggested that the City meet with them; UDOT was at their mercy. Mr. Jeffries said because it was not time for the Army Corp of Engineers to make a decision, they wouldn't come out and say what their decision would be.

Mayor Stevenson asked when that decision would be made.

Mr. Jeffries said they wouldn't make a decision until UDOT made their decision, which was kind of hard.

Mayor Stevenson said if the City decided to stick with the current location of 2700 West, and the decision

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came out in the spring, and the alignment came out to the north, what kind of impact would there be if at that time the City decided to move the interchange to 2200 West since the alignment was to the north and the houses were already being impacted, because the original decision for 2700 West was based on the southern alignment. He asked if that would be feasible.

Mr. Jeffries said that it would be. He said some adjustments could be made after the final decision.

CLOSED DOOR:

MOTION: Councilmember Freitag moved to close the meeting at 7:45 p.m. to discuss the character, professional competence, or physical or mental health of an individual. Councilmember Day seconded the motion, which passed unanimously.

MOTION: Councilmember Day moved to open the meeting at 9:51 p.m. Councilmember Freitag seconded the motion, which passed unanimously.

The meeting adjourned at 9:51 p.m.

Thieda Wellman, City Recorder

D R A F T

SWORN STATEMENT

The undersigned hereby swears and affirms, pursuant to Section 52-4-205(1) of the Utah Code Annotated, that the sole purpose for the closed meetings of the Layton City Council on the **16th day of October 2014**, was to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares; and the character, professional competence, or physical or mental health of an individual.

Dated this 20th day of November, 2014.

ATTEST:

ROBERT J STEVENSON, Mayor

THIEDA WELLMAN, City Recorder

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 4.A.

Subject:

Recognition of Community Emergency Response Team (CERT) Graduates

Background:

The Layton Citizen Corps CERT program teaches CERT classes several times a year for citizens interested in learning basic skills regarding how to take care of themselves, their families, and their neighbors after a disaster situation. The course has been developed by FEMA and is overseen locally by the Fire Department. It includes instruction on potential hazards, fire suppression, disaster first-aid, urban search and rescue, disaster psychology, terrorism and a mock disaster exercise to practice newly acquired skills. These students have completed all of the required training sessions and a mock disaster.

Alternatives:

N/A

Recommendation:

N/A

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 4.B.

Subject:

Recognition - Natalie K. Tholen - Norma Matheson Outstanding Volunteer Award

Background:

Natalie has been instrumental in helping the Layton City Fire Corps become recognized throughout the nation. Over the past eight years, she has put in over 5,000 hours doing numerous assignments. She works in preparedness fairs, CERT mock disasters, community neighborhood watch events and has served as the Juvenile Fire Setter Intervention Specialist for the last five years.

Alternatives:

N/A

Recommendation:

N/A

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.A.

Subject:

Memorandum of Understanding (MOU) between Davis Applied Technology College and Layton City - Resolution 14-71

Background:

There has been a MOU between Davis Applied Technology College and Layton City since 2007. This MOU needs to be updated and renewed to include the use of the fire training facility, equipment rental, and a fee increase.

Alternatives:

Alternatives are to 1) Adopt Resolution 14-71 approving the Memorandum of Understanding between Davis Applied Technology College and Layton City; or 2) Not adopt Resolution 14-71 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 14-71 approving the Memorandum of Understanding between Davis Applied Technology College and Layton City.

RESOLUTION 14-71

A RESOLUTION ADOPTING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN DAVIS APPLIED TECHNOLOGY COLLEGE AND LAYTON CITY

WHEREAS, a Memorandum of Understanding has been in place between Davis Applied Technology College and Layton City, and it is the desire of the City to continue this mutually beneficial agreement; and

WHEREAS, a MOU has been reviewed by Davis Applied Technology College; and

WHEREAS, this MOU provides for the payment of fees by the College for the use of the Layton City facilities and equipment; and.

WHEREAS, an updated MOU has been prepared for the City's consideration; and

WHEREAS, it is beneficial for there to be a Memorandum of Understanding between Davis Applied Technology College and Layton City for providing facilities and equipment at Layton City for clinical and training activities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I. That the City Council of Layton City, Davis County, State of Utah, does hereby adopt the Memorandum of Understanding between Davis Applied Technology College and Layton City.

SECTION II. That the City Manager is hereby authorized to execute said MOU, which is attached and made a part hereof by this reference.

PASSED AND ADOPTED by the City Council of Layton City, Utah, this **20th day of November, 2014.**


ROBERT J STEVENSON, MAYOR

ATTEST:

THIEDA WELLMAN, CITY RECORDER

APPROVED AS TO FORM:

PREPARED BY:



STEVE GARSIDE for
GARY CRANE, City Attorney



KEVIN WARD, Fire Chief

MEMORANDUM OF UNDERSTANDING (MOU)

BETWEEN

DAVIS APPLIED TECHNOLOGY COLLEGE

AND LAYTON CITY FIRE DEPARTEMENT

Purpose of the MOU: To define parameters and responsibilities of both parties in the Davis Applied Technology College (College) and Layton City Fire Department Emergency Services Partnership and to assure the creation and maintenance of high-quality industry standards for Emergency Services training.

Background: The College is the provider of a strong Emergency Services program which is accredited through the Utah Fire Rescue Academy to conduct training for certification in: Firefighter I, Firefighter II, Hazardous Materials Awareness, Hazardous Materials Operations, Wildland Firefighter I, and Wildland Firefighter II. The program gives students the ability to gain job skills relevant to employment in the Fire and EMS industries.

Parameters: Students who complete the College Emergency Services program will receive a "Certificate of Program Completion".

Direction and Administration:

The program shall be carried out under the general direction of the following:

As to Layton City Fire Department: Kevin Ward, Fire Chief

As to Davis Applied Technology College: Lance Eastman, Director of Programs

Layton City Fire Department Responsibilities and Obligations:

Layton City Fire Department shall:

- a. Designate a representative to be an Instructional Advisor.
- b. Work collaboratively with the College in meeting the educational objectives and curriculum content of the courses.
- c. Promote the College Emergency Services program by disseminating information and by referring students to it.
- d. Provide facilities at the Layton City Fire Department for clinical and training activities.
- e. Provide for a safe, non-hostile environment for ride-along students.

- f. Provide showers for students participating in the clinical ride-along program.
- g. Allow the use of the Layton City Fire Department Training Facility for "Live Fire" training, as well as completion of student skill pass-offs.
- h. Maintain air packs to be used by students and instructors during SCBA drills, live fire exercises, and testing.
- i. Provide all equipment necessary for training students in course objectives.
- j. Provide at least one fire apparatus that the students can work from for the purpose of training them to meet firefighting standards.
- k. Assist with obtaining firefighter turnout gear to be used by students for the duration of the course.

Davis Applied Technology College Responsibilities and Obligations:

The College shall:

- a. Work collaboratively with Layton City Fire Department in meeting the educational objectives of the courses.
- b. Interface through the Employer Advisory Committee, other industry contracts, and local school districts to market the program to persons already in the field, as well as to qualified high school students.
- c. Collect tuition and fees from the students.
- d. Hire qualified faculty to teach the program.
- e. Provide classroom and lab space for the students, a media/study area, office space for faculty, and conference space for student/faculty interaction.
- f. Collect and disseminate pertinent information for maintenance of ongoing student educational records such as documentation of proficiency, completion of courses, and issuance of training certificates.
- g. Award a "Certificate of Program Completion" for each student who completes the Emergency Services program.
- h. Assist students with entry into the job market or entry into advanced training.
- i. Evaluate program and instructor effectiveness, using College instruments and educational standards.

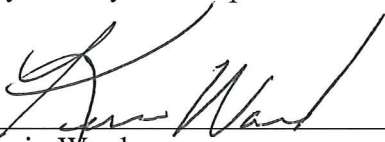
AW

- j. Assist students in obtaining certifications from the Utah Fire and Rescue Academy and the Bureau of EMS.
- k. Provide liability insurance for all students during training and internship sessions.
- l. Pay Layton City Fire Department \$700.00 per student for the use of the fire equipment outlined above.

Terms of Agreement:

This agreement will be in effect for a term of 24 Months commencing on July 1, 2014 and terminating on June 30, 2016. This Agreement may be terminated by either Party at any time upon the receipt of thirty (30) days' written notice to the other Parties.

Layton City Fire Department



Kevin Ward
Fire Chief

11/3/14

Date

Davis Applied Technology College



Michael J. Bouwhuis
President


10/22/14

Date

Layton City

Alex Jensen
City Manager

Date

APPROVED AS TO FORM
BY  10/31/14

KW

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.B.

Subject:

Agreement for Professional Services between Layton City and Salt Lake Chamber of Commerce - Resolution 14-72

Background:

At last year's Utah League of Cities and Towns Annual Convention, the Utah League of Cities and Towns (ULCT) membership passed a resolution that identified the need for transportation funding and recommended a legislative solution that would expand funding for local transportation immediately. Recognizing the power in numbers, ULCT, Utah Association of Counties, and the Salt Lake Chamber of Commerce have formed the Utah Transportation Coalition (Coalition). The Coalition's goals are to build support for major investment in Utah's transportation system pursuant to the Utah's Unified Transportation Plan, preserve Utah's quality of life, bolster economic growth, improve personal health and air quality, and provide maximum value to all Utahns. The Coalition is in the process of rolling out a communications campaign to generate public and political support for comprehensive transportation solutions and to fund the Unified Transportation Plan across the State of Utah. The Coalition will provide a communication tool kit that the City can use, including newsletter messages, utility fee inserts, social media messages, and city council resolutions. The City desires to be a part of the Coalition by joining other cities and the private sector in pledging \$2,000 to join the Coalition and to contract with the Salt Lake Chamber of Commerce to provide the necessary professional services to accomplish the Coalition's goals.

Alternatives:

Alternatives are to: 1) Adopt Resolution 14-72 adopting and approving an Agreement for Professional Services between Layton City and Salt Lake Chamber of Commerce; 2) Adopt Resolution 14-72 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 14-72 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 14-72 adopting and approving an Agreement for Professional Services between Layton City and Salt Lake Chamber of Commerce and authorize the Mayor to sign said Agreement.

RESOLUTION 14-72

A RESOLUTION ADOPTING AND APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN LAYTON CITY AND SALT LAKE CHAMBER OF COMMERCE.

WHEREAS, at last year's Utah League of Cities and Town Annual Convention, the Utah League of Cities and Towns (hereinafter "ULCT") membership passed a resolution that identified the need for transportation funding and recommended a legislative solution that would expand funding for local transportation immediately; and

WHEREAS, recognizing the power in numbers, ULCT, Utah Association of Counties, and Salt Lake Chamber of Commerce have formed the Utah Transportation Coalition (hereinafter "Coalition"); and

WHEREAS, the Coalition's goals are to build support for major investment in Utah's transportation system pursuant to the Utah's Unified Transportation Plan, preserve Utah's quality of life, bolster economic growth, improve personal health and air quality, and provide maximum value to all Utahns; and

WHEREAS, the Coalition is in the process of rolling out a communications campaign to generate public and political support for comprehensive transportation solutions and to fund the Unified Transportation Plan across the State of Utah; and

WHEREAS, the Coalition will provide a communication tool kit that the City can use, including newsletter messages, utility fee inserts, social media messages, and city council resolutions; and

WHEREAS, the City desires to be a part of the Coalition by joining other cities and the private sector in pledging Two Thousand Dollars (\$2,000.00) to join the Coalition and to contract with the Salt Lake Chamber of Commerce to provide the necessary professional services to accomplish the Coalition's goals.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the agreement entitled An Agreement for Professional Services Between Layton City and Salt Lake Chamber of Commerce, which is attached hereto and incorporated herein by this reference, is hereby adopted and approved.
2. That the Mayor be authorized to execute said Agreement.


PASSED AND ADOPTED by the City Council of Layton, Utah, this 20th day of November, 2014.

ROBERT J STEVENSON, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



GARY R. CRANE, City Attorney

Project Name: Utah Transportation Coalition / Salt Lake Chamber

AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN

_____ **CITY**
and
Salt Lake Chamber of Commerce

THIS AGREEMENT made and entered into this ____ day of November, 2014, by and between _____, a municipal corporation (hereinafter referred to as "City", and SALT LAKE CHAMBER (hereinafter referred to as "Consultant").

The City and Consultant agree as follows:

1. **RETENTION AS CONSULTANT**

City hereby retains Consultant, and Consultant hereby accepts such engagement, to perform the services described in Paragraph 2. Consultant warrants it has the qualifications, experience and facilities to properly perform said services.

2. **DESCRIPTION OF SERVICES**

Task 1: Transportation Issues Research and Analysis:

The Consultant shall research and analyze transportation funding in Utah at both the State and local level, and use this data to suggest improvements and enhancements to funding transportation in Utah.

These Services shall be completed on June 30, 2015.

Task 2: Transportation Issue Advocacy and Public Awareness Campaign:

The Consultant shall create an issue advocacy and public awareness campaign related to Utah's need for improved transportation, and how improved transportation can benefit Utah's economy, air quality, and quality of life. This advocacy and public awareness campaign will include strategic communications planning, advertising media, advertising purchases, public events, online media, social media, editorial content, and other communications tools.

These Services shall be completed on June 30, 2015.

Task 3: Transportation Issue Local Government Tool Kit:

The Consultant shall deliver to each municipality a Transportation advocacy tool kit, consisting of but not limited to social media content, utility bill insert content, a city specific fact sheet detailing transportation funding in the individual municipality, editorial content for local papers, website content, and other items to support and aid local governments in discussing their transportation needs with residents.

These Services shall be completed on June 30, 2015.

Task 4: Legislative and Governmental Relations:

The Consultant shall work with the Utah League of Cities and Towns and the Utah Association of Counties to educate legislators about state and local transportation funding issues. No lobbyists will be engaged in this effort; however individuals required by State law to register as lobbyists working on behalf of these organizations will be involved.

These Services shall be completed on June 30, 2015.

3. **COMPENSATION**

The total compensation payable to **Consultant** by **City** for the Services described in paragraph 2 shall not exceed the sums described in the attached proposal, and shall be earned on the basis as indicated in the **Consultant's** attached proposal.

All payments shall be made within thirty (30) calendar days after execution of this *Agreement*.

EXTRA SERVICES

No other extra services are authorized by this *Agreement*.

4. **PROGRESS AND COMPLETION**

The **City** and the **Consultant** are aware that many factors outside the **Consultant's** control may affect the **Consultant's** ability to complete the Services to be provided under this *Agreement*. The **Consultant** will perform these Services with reasonable diligence and expediency consistent with sound professional practices.

5. **PERSONAL SERVICES/NO ASSIGNMENT/SUBCONTRACTOR**

This Agreement is for professional services, which are personal services to the **City**. The following persons are deemed to be a key member(s) of or employee(s) of the **Consultant's** team, and shall be directly involved in performing or assisting in the performance of this work.

- Abby Albrecht, Granite Construction and Utah Transportation Coalition
- Justin Jones, Salt Lake Chamber of Commerce
- Cameron Diehl, Utah League of Cities and Towns
- Lincoln Shurtz, Utah Association of Counties

The **Consultant** will subcontract the following portions of the work out to other parties:

- Penna Powers: strategic communications, public relations, and consulting services.
- Other coalition partners

This *Agreement* is not assignable by **Consultant** without the **City's** prior written consent.

6. **HOLD HARMLESS AND INSURANCE**

Consultant shall defend, indemnify and hold the **City**, its elected Officials, officers, and employees, harmless from all claims, lawsuits, demands, judgments or liability including, but not limited to general liability, automobile and professional errors and omissions liability, arising out of, directly or indirectly, the negligent performance, or any negligent omission of the **Consultant** in performing the services described.

Consultant shall, at **Consultant's** sole cost and expense and throughout the term of this *Agreement* and any extensions thereof, carry:

- (1) Workers compensation insurance adequate to protect Consultant from claims under workers compensation acts.
- (2) Professional errors and omissions insurance in the amount of \$2,000,000, and
- (3) General personal injury and property damage liability insurance and automobile liability insurance with liability limits of not less than \$2,000,000 each claimant and \$2,000,000 each occurrence for the injury or death of person or persons and property damage.

All insurance policies shall be issued by a financially responsible company or companies authorized to do business in the State of Utah.

7. **RELATIONSHIP OF THE PARTIES**

The relationship of the parties to this *Agreement* shall be that of independent contractors and that in no event shall **Consultant** be considered an officer, agent, servant, or employee of **City**. The **Consultant** shall be solely responsible for any workers compensation, withholding taxes, unemployment insurance and any other employer obligations associated with the described work.

8. **TERMINATION BY CITY**

The **City**, by notifying **Consultant** in writing, may upon ten (10) calendar days notice, terminate any portion or all of the services agreed to be performed under this *Agreement*.

9. **WAIVER/REMEDIES**

Failure by a party to insist upon the strict performance of any of the provisions of this *Agreement* by the other party, irrespective of the length of time for which such failure continues, shall not constitute a waiver of such party's right to demand strict compliance by such other party in the future. No waiver by a party of a default or breach of the other party shall be effective or binding upon such party unless made in writing by such party, and no such waiver shall be implied from any omission by a party to take any action with respect to such default or breach. No express written waiver of a specified default or breach shall affect any other default or breach, or cover any other period of time, other than any default or breach and/or period of time specified. All of the remedies permitted or available to a party under this *Agreement* or at law or in equity shall be cumulative and alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right or remedy.

10. **CONSTRUCTION OF LANGUAGE**

The provisions of this *Agreement* shall be construed as a whole according to its common meaning and purpose of providing a public benefit and not strictly for or against any party. It shall be construed consistent with the provisions hereof, in order to achieve the objectives and purposes of the parties. Wherever required by the context, the singular shall include the plural and vice versa, and the masculine gender shall include the feminine or neutral genders and vice versa.

11. **MITIGATION OF DAMAGES**

In all situations arising out of this *Agreement*, the parties shall attempt to avoid and minimize the damages resulting from the conduct of the other party.

12. **GOVERNING LAW**

This *Agreement*, and the rights and obligations of the parties, shall be governed and interpreted in accordance with the laws of the State of Utah.

13. **CAPTIONS**

The captions or headings in the *Agreement* are for convenience only and in no other way define, limit or describe the scope or intent of any provision or section of the *Agreement*.

14. **AUTHORIZATION**

Each party has expressly authorized the execution of this *Agreement* on its behalf and acknowledge it shall bind said party and its respective administrators, officers, directors, shareholders, divisions, subsidiaries, agents, employees, successors, assigns, principals, partners, joint ventures, insurance carriers and any others who may claim through it to this *Agreement*.

15. **ENTIRE AGREEMENT BETWEEN PARTIES**

Except for **Consultant's** proposals and submitted representations for obtaining this *Agreement*, this *Agreement* supersedes any other *Agreements*, either oral or writing, between the parties hereto with respect to the rendering of services, and contains all of the covenants and *Agreements* between the parties with respect to said services. Any modifications of this *Agreement* will be effective only if it is in writing and signed by the party to be charged.

16. **SEVERABILITY**

If any provision in this *Agreement* is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

17. **NOTICES**

Any notice required to be given hereunder shall be deemed to have been given by depositing said notice in this United State mail, postage prepaid, and addressed as follows:

TO CITY: _____ City
Street Address
City, Utah ZIP
Attention: City Recorder

TO CONSULTANT: Utah Transportation Coalition
c/o Salt Lake Chamber of Commerce
175 East 400 South, Suite #600
Salt Lake City, Utah 84

18. **ADDITIONAL TERMS/CONDITIONS**

Additional terms and conditions of this *Agreement* are:

IN CONCURRENCE AND WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES EFFECTIVE ON THE DATE AND YEAR FIRST WRITTEN ABOVE.

CITY:

Attest

Signature

City Recorder

Print Name

Approved as to Form

Date

Municipal Legal Counsel

CONSULTANT:



Signature

Lane Beattie, President and Chief Executive Officer

Date

State of Utah)

:ss

County of Salt Lake)

On this _____ day of _____, 2014, personally appeared before me

[name of person(s)], whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed that he/she is the President and Chief Executive Officer [title], of The Salt Lake Chamber of Commerce [name of corporation], a corporation, and said document was signed by him/her in behalf of said corporation by authority of its bylaws or of a Resolution of its Board of Directors, and he/she acknowledged to me that said corporation executed the same.

Notary Public

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.C.

Subject:

Parcel Split – Duane Johnson Shops – Approximately 3100 North 650 East

Background:

The applicant, Duane Johnson, is requesting parcel split approval to separate his property and existing building from the one large parcel that is planned for six office warehouse buildings.

Alternatives:

Alternatives are to 1) Grant parcel split approval to Duane Johnson Shops subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting parcel split approval.

Recommendation:

On November 12, 2014, the Planning Commission unanimously recommended the Council grant parcel split approval to Duane Johnson Shops subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: City Council

From: Kem Weaver, Planner II

A handwritten signature in black ink, likely belonging to Kem Weaver.

Date: November 20, 2014

Re: Duane Johnson Shops Parcel Split

Location: Approximately 3100 North 650 East

Zoning: M-1 (Light Manufacturing/Industrial)

Background:

The applicant, Duane Johnson, is requesting parcel split approval for his industrial development. The proposed parcel split is located between 650 East and 750 East and north of Highway 193. The development is surrounded by M-1 zoning and land uses that consist of office/warehouse buildings and car tow yards.

The industrial development is planned to accommodate six office/warehouse buildings. Buildings 1 and 6 have been constructed. Building 1 is located at the southern boundary of the development and is currently occupied. The parcel split will separate Building 1/Phase 1 from the remaining property that will be developed with the remaining planned office/warehouses.

There is not a minimum lot size or street frontage requirement in the M-1 zone. The parcel split will meet all zoning ordinance requirements.

Staff Recommendation:

Staff recommends parcel split approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering A handwritten signature in black ink, likely belonging to D. R.

Planning A handwritten signature in black ink, likely belonging to K. W.

Fire A handwritten signature in black ink, likely belonging to J. B.

Planning Commission Action: On November 12, 2014, the Planning Commission voted unanimously to recommend the Council grant parcel split approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Duane Johnson, soderbyllc@outlook.com
CC: COMMUNITY DEVELOPMENT, FIRE DEPARTMENT
FROM: Debi Richards, Assistant City Engineer
DATE: October 3, 2014
**SUBJECT: DUANE JOHNSON PARCEL SPLIT
3120 NORTH 650 EAST**

I have reviewed the submitted site plan and easements/agreements for a parcel split at 3120 North 650 East received on September 24, 2014. The engineering department recommends the parcel split be approved subject to the following comments. Future development will not be reviewed until these items are completed.


1. Legal descriptions for parcel 1 and the remainder parcel must be submitted for review and approval. Based on the Davis County Records the proposed parcel 1 consists of a portion of parcel 09-013-0144 and 09-013-0006.
2. The detention basin easement is located on two parcels 09-013-0144 and 09-013-0006. This should be noted on the easement.
3. The modifications to the existing storm drain detention basin must be completed prior to approval of a future site plan.
4. The agreements and easements should be recorded and a copy of the recorded documents submitted to Layton City.
5. Once the parcel split has been approved and recorded, a site plan for each lot must be submitted prior to issuing a building permit.



Mayor • J. Stephen Curtis
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
FAX: (801) 546-0901

MEMORANDUM

TO: Community Development, Attention: Julie Jewell
FROM: Dean Hunt, Fire Marshal 
RE: Duane Johnson Parcel Split @ 3120 North 650 East
CC: Duane Johnson, sodery@qwestoffice.net
DATE: June 4, 2013

I have reviewed the site plan and the parcel split request received on June 11, 2013 for the above referenced project. The Fire Department, with regards to this parcel split, does not have any comments or concerns at this time. However, for future development our concerns include but are not limited to the following:

1. A minimum fire flow requirement will be determined for buildings that are to be built on this property. The fire flow requirement must be determined by the Fire Prevention Division of this department and will be based upon the type of construction as listed in the building code and total square footage of the building. Prior to applying for a building permit, provide the Fire Prevention Division of this department the type and size of structure(s) to be built.
2. Designated fire access roads shall have a minimum clear and unobstructed width of 26 feet. Access roads shall be measured by an approved route around the exterior of the building or facility. If dead-end roads are created in excess of 150 feet, approved turnarounds shall be provided.
3. Where applicable, two means of egress may be required.
4. On site fire hydrants may be required.

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DBH:Duane Johnson PS :kn
Plan # S13-076, District #11
Project Tracker #LAY 1308111373



CITY COUNCIL

November 20, 2014

Duane Johnson Shops

Parcel Split

Legend

 City Boundary

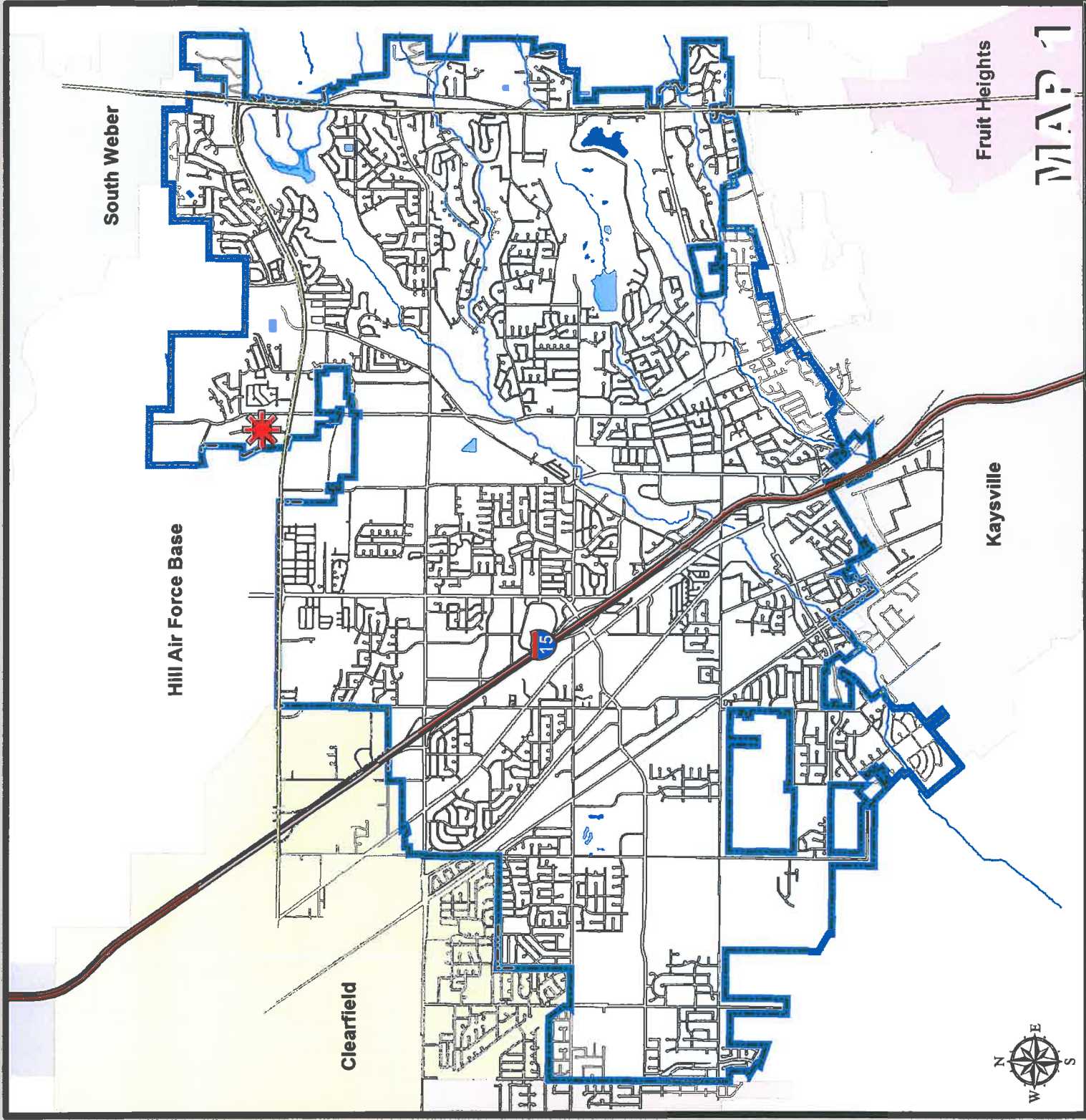
 Interstate 15

 Highways

 Lakes

 Streams

 - Project Site



CITY COUNCIL

November 20, 2014

Duane Johnson Shops

Parcel Split

Legend

 City Boundary

Centerlines

 Highways

 Interstate 15

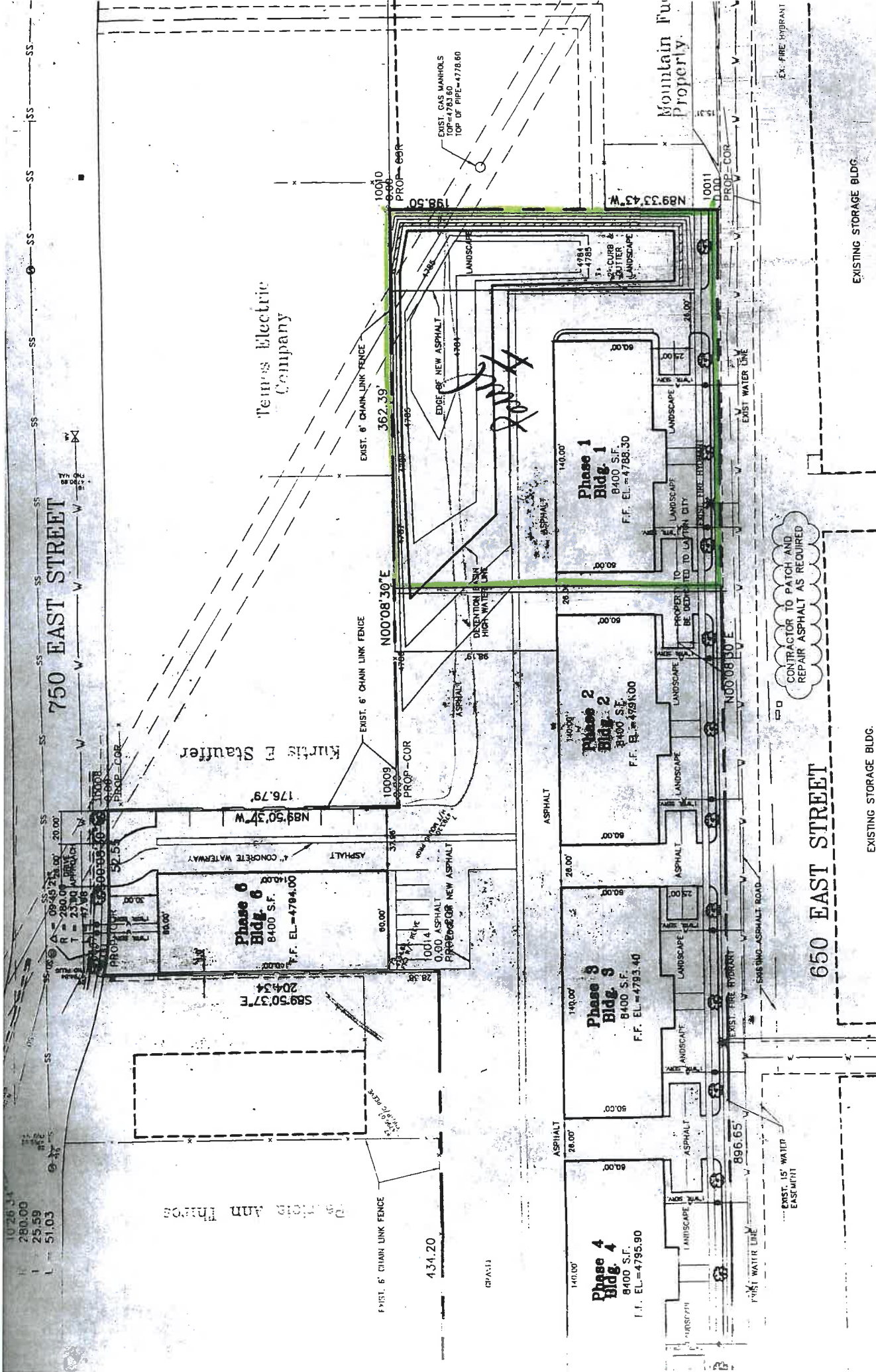
 Streams

 Lakes

 Project Area

1 inch = 250 feet





10-26-34
280.00
25.59
51.03

750 EAST STREET

650 EAST STREET

10-26-34 Ann Thru

Kurtis W Stauffer

Tem's Electric Company

Mountain Property

EXISTING STORAGE BLDG.

EXISTING STORAGE BLDG.

CONTRACTOR TO PATCH AND REPAIR ASPHALT AS REQUIRED

EXIST. GAS MANHOLS
TOP=4783.60
TOP OF PIPE=4778.60

EX. FIRE HYDRANT

EXIST. 15' WATER EASEMENT

EXIST. FIRE HYDRANT

EXIST. 15' ASPHALT ROAD

EXIST. FIRE HYDRANT

EXIST. FIRE HYDRANT

EXIST. FIRE HYDRANT

EXIST. FIRE HYDRANT

EXIST. FIRE HYDRANT

EXIST. FIRE HYDRANT

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 6.A.

Subject:

Rezone Request – Pheasant View Land Company, LLC – A (Agriculture) to R-S (Residential Suburban) – Ordinance 14-22 – 1242 East Pheasant View Drive

Background:

On November 6, 2014, the Council approved the annexation and annexation agreement for the .43 acre land-locked parcel. The property proposed for R-S zoning is a vacant land-locked parcel. The applicant, Pheasant View Land Company, LLC, owns the .43 acre parcel of property and will combine it with the adjacent larger R-S parcel if the rezone is approved. By combining the two parcels the larger parcel will become 1.19 acres with the .43 acres no longer being land-locked.

With the annexation and rezone of the .43 acres the applicant will expand the assisted living facility to add memory care residents. This land use is a permitted use that will expand under the Federal Fair Housing Act for reasonable accommodations.

The Land Use Element of the General Plan indicates that residential type developments are appropriate in this area of Layton City.

Alternatives:

Alternatives are to 1) Adopt Ordinance 14-22 approving the rezone from A to R-S subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Not adopt Ordinance 14-22 denying the rezone request.

Recommendation:

On November 12, 2014, the Planning Commission voted unanimously to recommend the Council adopt Ordinance 14-22 approving the rezone from A to R-S subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.

ORDINANCE 14-22
(Eric Martz Rezone)

AN ORDINANCE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION OF THE HEREINAFTER DESCRIBED PROPERTY, LOCATED AT APPROXIMATELY 1242 EAST PHEASANT VIEW DRIVE FROM A (AGRICULTURE) TO R-S (RESIDENTIAL SUBURBAN) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has determined that with the annexation of said property, a change in the zoning classification for the property described herein below is necessary; and

WHEREAS, the Planning Commission has reviewed the request and has recommended that the rezone of said property from A to R-S be approved; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council has determined that this amendment is rationally based, is reasonable, is consistent with the intent of the City's General Plan, which is in furtherance of the general health, safety, and welfare of the citizenry.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: Repealer. If any provisions of the City's Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. The zoning ordinance is hereby amended by changing the zone classification of the following property from A (Agriculture) to R-S (Residential Suburban).

BEG AT A PT N 89°46'40" W 388.090 FT & S 116.83 FT FR THE NE COR OF THE SW 1/4 OF SEC 27-T4N-R1W, SLM, TO A PT SE'LY & PERP'LY DISTANT 25.00 FT, M/L, FR AN EXIST 5 FT WOOD FENCE; TH S 60°03'15" W 145.58 FT, WH IS SE'LY & PERP'LY DISTANT 25 FT FR SD WOOD FENCE TO THE E'LY BNDRY OF EGBERT'S PLACE SUB; TH N 31°04'15" W 131.85 FT, M/L, TO THE S'LY LINE OF PPTY AS DEEDED IN BK 2238 AT PG 770; TH N 60°03'15" E 147.15 FT TO A PT EXTENDING NW'LY FR THE NW COR OF PPTY AS DEEDED IN BK 2158 AT PG 1035 & BEING THE W'LY BNDRY OF FIDDLERS CREEK NO 3; TH S 30°23'19" E 131.829 FT ALG SD SUB & DEED LINE TO THE POB.

CONT. 0.43 ACRES

SECTION III: Update of Official Zoning Map. The Official Layton City Zoning Map is hereby amended to reflect the adoption of this ordinance.

SECTION IV: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of the said ordinance.

SECTION V: Effective date. This ordinance shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is more remote from the date of passage thereof.

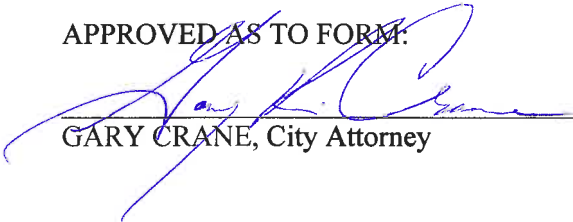
PASSED AND ADOPTED by the City Council of Layton, Utah, this _____ day of _____, 2014.

ATTEST:

ROBERT J STEVENSON, Mayor

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:



WILLIAM T. WRIGHT, Director
Community & Economic Development



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: City Council

From: Kem Weaver, Planner II 

Date: November 20, 2014

Re: Rezone Request – A (Agriculture) to R-S (Residential Suburban) – Ordinance 14-22

Location:	1242 East Pheasant View Drive
Current Zoning:	A (Agriculture)
Proposed Zoning:	R-S (Residential Suburban)
Current Minimum Lot Size:	A (Agriculture) – 1 Acre
Proposed Minimum Lot Size:	R-S (Residential Suburban) – 15,000 Square Feet

Description:

The property proposed for R-S zoning is .43 acres located on the south boundary between Layton City and Kaysville City as a land-locked parcel. The property is surrounded by R-1-8 zoning with Kaysville City to the south.

Background:

On November 6, 2014, the City Council approved the annexation and annexation agreement for the .43 acre land locked parcel. The default zoning for annexed property is Agriculture (A). The property proposed for R-S zoning is a vacant land- locked parcel. The applicant, Eric Martz, owns the .43 acre parcel of property and will combine it with the adjacent larger R-S parcel if the rezone is approved. By combining the two parcels, the larger parcel will become 1.19 acres with the .43 acres no longer being land- locked.

With the annexation and rezone of the .43 acres, the applicant will expand his assisted living facility to add memory care residents. This land use is a permitted use that will expand under the Federal Fair Housing Act for reasonable accommodations.

The Land Use Element of the General Plan indicates that residential type developments are appropriate in this area of Layton City.

Staff Recommendation:

Staff recommends approval of the rezone request from A to R-S subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering D.R.

Planning [Signature]

Fire [Signature]

Planning Commission Action: On November 12, 2014, the Planning Commission voted unanimously to recommend the Council grant approval of the rezone request from A to R-S subject to meeting all Staff requirements as outlined in Staff memorandums.

The Planning Commission asked for public comment. There were five individuals from the neighborhood that are adjacent to the Pheasant View Assisted Living facility that expressed some concerns to the Planning Commission as follows:

- The size of trucks (semi-trucks) delivering supplies necessary for the facility.
- Early morning garbage pick-up.
- Construction parking while the addition is being constructed; worried about theft during construction.
- Cars that may be visiting the facility that park on the public street in front of their homes.
- Children walking to school past the entrance of the facility and their safety; they may be hit by a car.
- Traffic issues with people missing the entrance when driving and having to back up on the street, may hit children.
- The drive access is strange and the use brings noise to the area and the use may be harmful to the environment.


CITY COUNCIL

November 20, 2014

Eric Martz

Rezone
A to R-S

Legend

 City Boundary

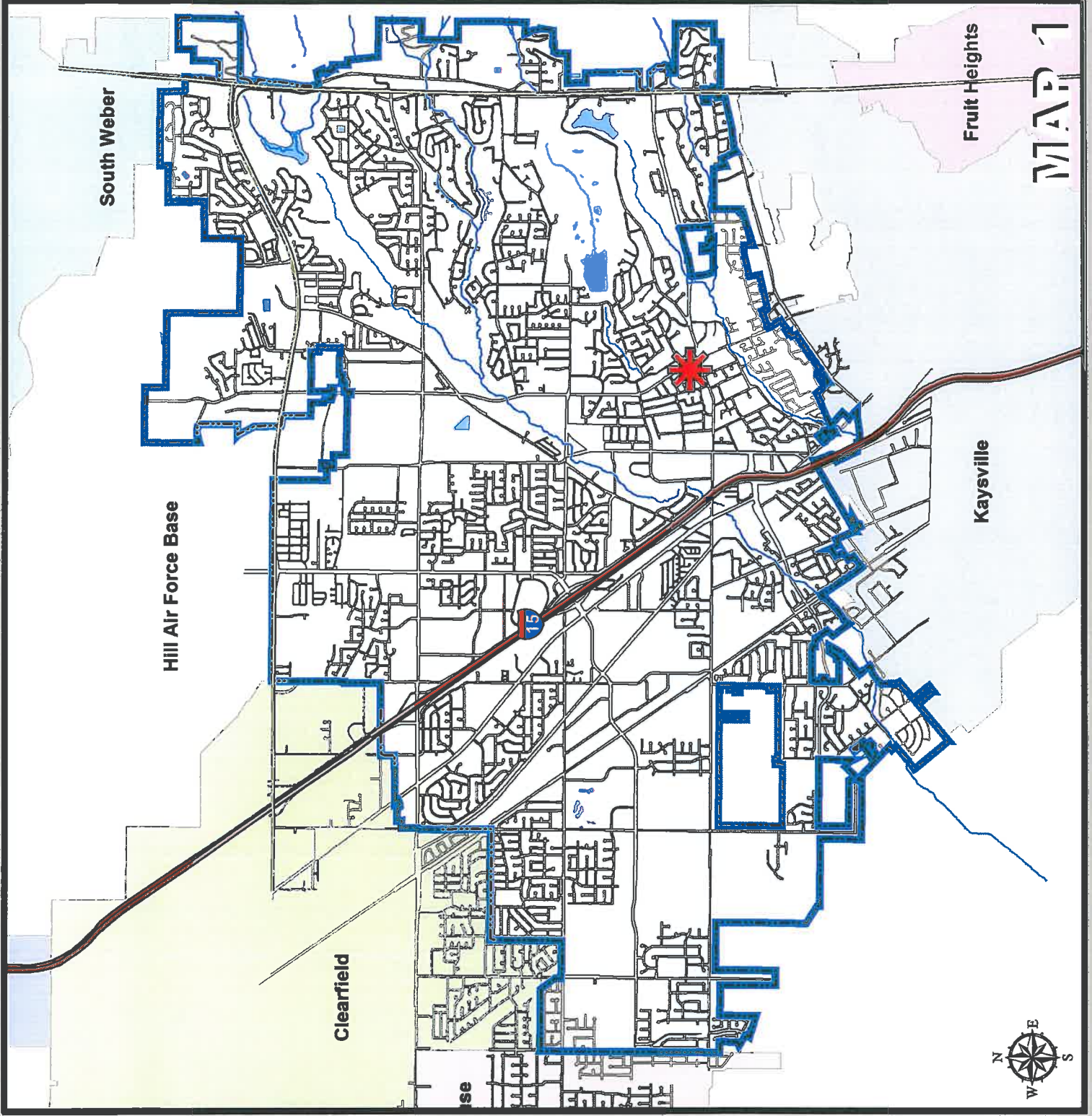
 Interstate 15

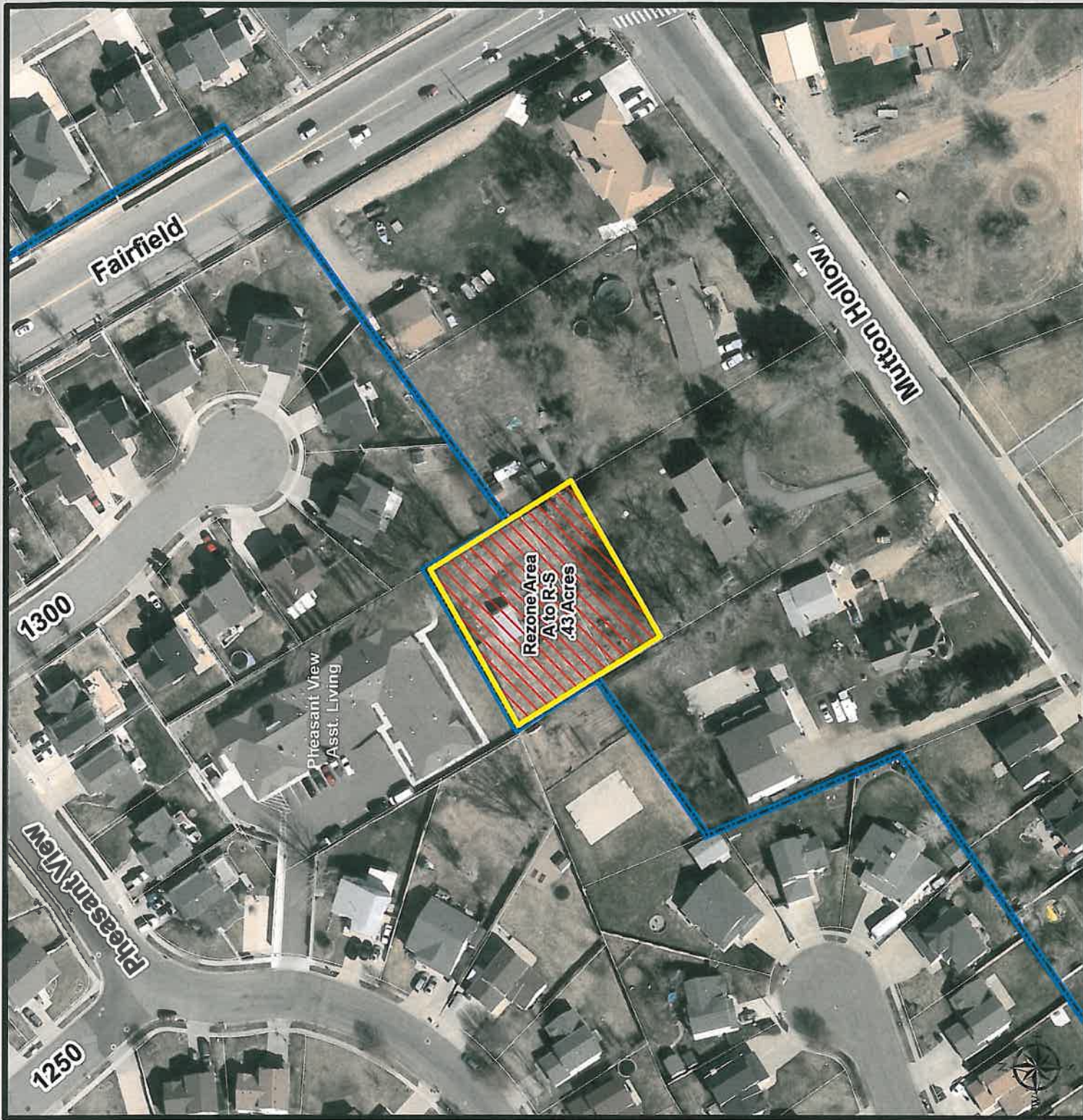
 Highways

 Lakes

 Streams

 - Project Site





CITY COUNCIL

November 20, 2014

Eric Martz

**Rezone
A to R-S**

Legend

Centerlines

City Boundary

Interstate 15

Highways

Lakes

Streams

Rezoned Area

1 inch = 104 feet

