

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

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a special public meeting in the Council Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 p.m. on August 15, 2013.**

AGENDA ITEMS:

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

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2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. VERBAL PETITIONS AND PRESENTATIONS:

4. 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.)

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B. Ordinance Amendments – Amending Section 3 of the Layton City Development Guidelines and Design	123
Standards Entitled Street Improvements; Amending Title 16, Section 16.04.010-D103.4 of the Layton Municipal Code Entitled Dead Ends; Amending Title 18, Section 18.24.070 Entitled Temporary Turnarounds; and Amending Title 19, Section 19.07.120 Entitled Development Standards – Ordinance 13-17	
C. Development Agreement and Rezone Request (Green and Green) – R-S (Residential Suburban) to PB	130
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6. PLANNING COMMISSION RECOMMENDATIONS:

7. NEW BUSINESS:

8. UNFINISHED BUSINESS:

9. SPECIAL REPORTS:

10. CITIZEN COMMENTS:

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.

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.

**MINUTES OF LAYTON CITY
COUNCIL STRATEGIC PLANNING
WORK MEETING**

JUNE 27, 2013; 5:36 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR J. STEPHEN CURTIS, MICHAEL
BOUWHUIS, JOYCE BROWN, BARRY FLITTON
AND JORY FRANCIS**

ABSENT:

SCOTT FREITAG

STAFF PRESENT:

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

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

Mayor Pro Tem Francis opened the meeting and indicated that Mayor Curtis was running a little late. He turned the time over to Alex Jensen, City Manager.

MISCELLANEOUS:

BRIGHTON HOMES REZONE DISCUSSION

Alex said Councilmembers Flitton and Francis attended the Planning Commission meeting when this was discussed, but Staff wanted to update the Council on the status of the proposal. He said Council was aware of the original proposal for this high density zoned property. Alex said Staff had been working hard with the developer, property owner and neighbors to broker a win-win situation.

Bill Wright, Community and Economic Development Director, directed the Council to a map that was displayed. He said the proposal was for a rezone with an accompanying development agreement, and was a superior plan to what was proposed earlier. Bill said the project area was owned by Brighton Homes and the Yeates brothers, with the property on the east side being zoned R-M1, which would allow for high density multi-family development. He said combining the two properties into one project would make a

better product. Bill displayed a map of the previous proposal including the multi-family housing. He said the property had been zoned R-M1 for many years and the property owner was vested in that zone. Bill said this proposal was for patio homes that would connect into the Brighton Homes Development to the west and would feel like a part of that development. He said there would be private streets and common open space.

Bill identified where the gasoline pipeline ran the length of the property in the open space. He said in the Planning Commission meeting there was discussion with some concerns about the six homes that would front onto Oakridge Drive, a residential collector street. Bill said the developer explored the possibility of alley-fed rear loading homes in that area, but concluded that it would not work, but the option would be left open. He said the Planning Commission voted 4 to 2 in favor of this new proposal.

Bill said the development agreement indicated that there would be additional traffic studies in the area, which could indicate a need for lower speeds and striping. He said traffic counts were not excessive on the road.

Councilmember Brown asked about the property to the east.

Bill said that was an Ivory Homes development that was underway.

Councilmember Brown asked if the open space would be for the patio homes or the entire development.

Bill said he thought that it would be for all of the homes in the development.

Councilmember Brown said this wouldn't only be marketed to seniors and there would be basements.

Bill said that was correct. He said all of the homes would have basements and there would be some two stories. Bill said they wanted to push the price point of the homes as high as possible.

Councilmember Brown said this would be a nice compromise.

Councilmember Flitton said this was an answer to all the comments made by the surrounding neighbors.

Councilmember Francis asked if Staff had any reservations about the homes that fronted on Oakridge Drive.

Mayor Curtis arrived at 5:50 p.m.

Bill said no.

ITEMS FOR DISCUSSION:

TRANSPORTATION MASTER PLAN

Alex said a couple of months ago Council gave Staff direction to look at the City's Transportation Master Plan. He said Staff had been looking at creating a framework that the City would use to solicit proposals from qualified consultants to perform that study. Alex said the idea was to develop a committee with a couple of Councilmembers serving on the committee that would be involved in selection of the consulting firm. He said tonight Staff wanted to walk through what Staff envisioned as a responsible framework and process, and take feedback from the Council.

Alex said the City was very lucky to have Patrick Cowley with UDOT Region I here, who also happened to live in Layton. He said moving forward, you couldn't have a comprehensive look at transportation in Layton without considering UDOT because they had such important transportation infrastructure in the community. Alex said a piece of the analysis would be in relationship with UDOT; what was their responsibility and what was the City's responsibility, and how to utilize all of those assets in the best possible way.

Alex said Patrick would talk a little bit about some of the improvements that had been considered, particularly the Highway 89 and Antelope Drive tie in. He said Patrick was managing that project and would give the Council an update on the status of the project and take any feedback or direction from the Council.

Alex introduced Aubrey Bennion and Dave Asay. He said Aubrey and Dave were involved with UDOT in their public communications and public involvement process. Alex said after the general discussion, Staff would recommend going into a closed door meeting as some of the discussion would involve the

acquisition of property. He said this was an exciting venture; transportation was important for public infrastructure and Staff was excited to begin the process.

Woody Woodruff, City Engineer, said the Master Transportation Plan study was budgeted for in the 2013-2014 budget year. He said he felt that a master plan should be something other than a boilerplate plan; it should be tailored to specific projects and needs in the community. Woody said consultants could prepare some concepts and those concepts would facilitate into actual projects in the community. He said there would be community involvement and members of the Council would be involved in the process.

Woody said there were some challenges in the community that he would like to discuss, such as community connectivity with I-15 and the minimal number of bridges across I-15. He said there was a concept considered on the long range plan to have an east/west connection across I-15, somewhere between Antelope Drive and Hill Field Road. Woody said in order to construct a facility of that size, it would have to go through the Wasatch Front Regional Council and the earliest that could happen would be 2019. He said other problems were mobility in commercial areas, improved safety and aesthetics, residential traffic management, bicycle and pedestrian mobility, regional planning and UDOT projects.

Woody said the study would need to focus on moving people through the community and would include transit, bicycles, pedestrian traffic and traffic management. He said the City was very anxious to use today's technology to help move pedestrians and traffic. Woody said air quality, noise and landscaping would also be addressed in the study.

Woody said the process would start with a Request for Proposal (RFP) in July to select a consulting firm with experience in the field. He said the transportation committee, which would include two Councilmembers, would evaluate the RFPs and select the final applicant. He said there would also be public involvement.

Councilmember Flitton said after a lot of years in business, he had learned that you spent a lot of money on consultants, but he thought that it was money well spent.

Alex asked Council if they had any concerns at this point.

Councilmember Brown said the study should include evaluating existing roads, and what the needs would

be in the future.

Terry Coburn, Public Works Director, said that was the type of input and comments Woody would be looking for from the Councilmembers on the committee.

Councilmember Bouwhuis arrived at 6:08 p.m.

Woody said the consultant would do a traffic model of the City and evaluate existing and future needs.

Council and Staff discussed recent changes to streetscape and road width requirements that enhanced the City's roadways.

Alex thanked the Council for their input. He said Staff planned to move forward at the beginning of the fiscal year. He turned the time over to Patrick Cowley.

Patrick gave the Council a copy of a map outlining the proposed Antelope Drive connection to Highway 89. He said UDOT was not pursuing a full interchange; it would be a much closer frontage road system that would extend north and south from Antelope Drive. Patrick said it would be similar to what existed at Sunset Drive. He said with this concept, Sunset Drive would be disconnected from Highway 89 and there would be a frontage road connecting to Antelope Drive.

Patrick said UDOT would keep in mind what Layton City wanted to accomplish with the connection and how it would benefit the City. He said it was very important for UDOT to meet the City's needs with the connection.

Councilmember Bouwhuis said he thought for years the issue had been with development in the area and the pressure it put on the need for the outlet onto Highway 89 from Antelope Drive. He said the proposal seemed to accomplish the job.

Patrick said they had been doing some modeling to make sure that with elimination of some of the access points, particularly Country Oaks Drive, Oak Lane, and Sunset Drive that they were not overwhelming the system at the Antelope Drive connection. He said they didn't feel that was the case, and they did feel that with the modeling they could say that most people would be able to use the frontage road rather

effectively.

Councilmember Bouwhuis asked how left turns onto Highway 89 would be accommodated.

Patrick said it would be similar to the Oak Hills Drive connection with a median and signal.

Councilmember Brown asked if this would be done in phases.

Patrick said in order to get it up to grade, UDOT intended on doing all of it at the same time.

Councilmember Brown said she couldn't see anyone from Sky View Drive, Oak Lane or Country Oaks Drive having an issue with the proposal because right now they were accessing Highway 89 without a signal. She said some people that used Sunset Drive as an access might be frustrated because they would have to travel south on a frontage road to get to Highway 89.

Patrick said Mr. Asay had been talking with people in the area. He said Mr. Asay had experienced the same thing. Patrick said the one selling point for the Sunset Drive area was that they would not have a large amount of traffic coming down their road.

Councilmember Bouwhuis asked what the cost would be.

Patrick said the preliminary cost estimate was just over \$14,000,000, which included right-of-way costs. He said there were some ravines that would require large fill sections. Patrick said UDOT already owned approximately 80% of the needed land.

Councilmember Brown asked if the 2200 North connection on the east side of Highway 89 would be right in right out only.

Patrick said it was proposed that it would be a cul-de-sac and would not have access onto Highway 89. He said if modeling indicated that there was a high use in that area then it would be a right in right out only connection. Patrick said there couldn't be any left turns there because of the median.

Councilmember Flitton asked what the total length of the frontage road would be.

Patrick said it would be approximately one mile.

Councilmember Bouwhuis asked if the reason the cost had escalated over what had been discussed earlier was because it was only for the connection; now there would be a frontage road.

Patrick said that was correct. He discussed topography of the area and the difficulty in dealing with steep grades in the area. Patrick said this would be a big safety improvement for the area. He said there would be approximately 30 to 40 feet, at its narrowest point, between the frontage road and Highway 89.

Patrick said they were in the preliminary stages of design. He said they wanted to make sure their design met the needs of the City. Patrick said they were sensitive to the need for the road to function as a local road that tied into a State road.

There was discussion about the intersection where the frontage road tied into Antelope Drive and the steepness of Antelope Drive in that area.

Councilmember Flitton expressed appreciation to UDOT for the improvements made along Highway 89 to make it safer. He asked how much of the property from the current end of Antelope Drive to Highway 89 would need to be purchased.

Patrick said they owned all of that property.

Dave Asay said they had talked to 14 individuals from the area and they were all supportive of the project.

Alex said the City appreciated its relationship with UDOT and was looking forward to working with them on this project. He said UDOT had started to look at traffic issues in an innovative way and tried to think outside the box in ways to solve issues that confronted communities.

SMART 911 SYSTEM

This item was not discussed.

CLOSED DOOR:

MOTION: Councilmember Bouwhuis moved to close the meeting at 6:30 p.m. to discuss the acquisition of real property. Councilmember Flitton seconded the motion, which passed unanimously.

MOTION: Councilmember Brown moved to open the meeting at 7:02 p.m. Councilmember Flitton seconded the motion, which passed unanimously.

The meeting adjourned at 7:02 p.m.

Thieda Wellman, City Recorder

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 meeting of the Layton City Council on the **27th day of June, 2013**, was to discuss the acquisition of real property.

Dated this 15th day of August, 2013.

ATTEST:

J. STEPHEN CURTIS, Mayor

THIEDA WELLMAN, City Recorder

**MINUTES OF LAYTON CITY
COUNCIL SPECIAL MEETING**

JUNE 27, 2013; 7:08 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR J. STEPHEN CURTIS, MICHAEL
BOUWHUIS, JOYCE BROWN, BARRY FLITTON
AND JORY FRANCIS**

ABSENT:

SCOTT FREITAG

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
PETER MATSON, ALLEN SWANSON AND
THIEDA WELLMAN**

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

Mayor Curtis opened the meeting and excused Councilmember Freitag. He led the Pledge of Allegiance. Councilmember Brown gave the invocation.

MINUTES:

MOTION: Councilmember Flitton moved and Councilmember Francis seconded to approve the minutes of:

**Layton City Council Work Meeting – May 16, 2013;
Layton City Council Meeting – May 16, 2013;
Layton City Council Work Meeting – June 6, 2013; and
Layton City Council Meeting – June 6, 2013.**

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown indicated that there would be a ribbon cutting ceremony this Saturday for the new splash pad at Ellison Park.

Councilmember Brown said this Sunday the City would begin the Liberty Days celebration with Voices of

Liberty performing in the amphitheater. She said the Hometown Heroes would also be recognized that evening. Councilmember Brown said the July 4th activities were outlined on the City's website. She indicated that tomorrow was the last day to register for the fun run.

Mayor Curtis expressed appreciation to Councilmember Brown for her work as the liaison with the Parks and Recreation Commission.

CONSENT AGENDA:

INTERLOCAL AGREEMENT WITH DAVIS COUNTY TO SHARE PROGRAM FUNDS PROVIDED BY THE 2013 EDWARD BYRNE MEMORIAL JOINT JUSTICE ASSISTANCE GRANT – RESOLUTION 13-34

Allen Swanson, Assistant Police Chief, said Resolution 13-34 was the 2013 Edward Byrne Memorial Joint Justice Assistance Grant. He said Layton City and Davis County were in the process of submitting a joint application in the amount of \$16,945; Layton's portion would be \$15,245. Allen said the grant required that the two entities enter into an interlocal agreement regarding the distribution of the federal funds. He said Layton's portion of the grant would be used to buy equipment for a patrol car. Allen said Staff recommended approval.

Councilmember Flitton asked if only one patrol car would receive the equipment.

Allen said it would be new equipment for a patrol car and the bid came in just under \$14,000. He said they would probably be able to purchase some extra equipment for another car as well.

Councilmember Francis said the City managed the funds; why didn't the County manage the fund.

Allen said the funds were first allocated to the State, based on three years of reporting on Part One Violent Crimes. He said the State was responsible to allocate the funds to the municipalities based on Part One Violent Crimes. Allen said over the years the grant had dwindled; in 2008 it was approximately \$123,000. He said in years past, Bountiful and Clearfield were involved with Layton in the grant. Allen said Layton was the only city in the County that received these funds, based on the State's recommendations. He said because the County handled law enforcement for three small cities in the County, they did not have enough statistics to ever be awarded a grant directly.

APPOINTMENT TO BOARD OF ADJUSTMENT – AMBER L. CYPERS – RESOLUTION 13-23

Gary Crane, City Attorney, said this item and the next item were appointments and reappointments to the Board of Adjustment and Planning Commission. He said under the City’s ordinance, the Mayor made these appointments with the advice and consent of the Council. Gary said Resolution 13-23 would appoint Amber Cypers as a member of the Board of Adjustment. He said Staff recommended approval.

RE-APPOINTMENTS AND APPOINTMENT TO THE PLANNING COMMISSION – WYNN HANSEN, DAWN FITZPATRICK AND ROBERT VAN DRUNEN – RESOLUTION 13-31

Gary Crane said Resolution 13-31 would reappoint Wynn Hansen and Dawn Fitzpatrick to the Planning Commission, and appoint Robert Van Drunen as a new member of the Planning Commission. He said the City appreciated the service these residents provided and indicated that Staff recommended approval of Resolution 13-31.

Councilmember Francis said he sat in on the interviews for these appointments. He said they were both fantastic applicants, as were Wynn Hansen and Dawn Fitzpatrick.

MOTION: Councilmember Bouwhuis moved to approve the Consent Agenda as presented. Councilmember Brown seconded the motion, which passed unanimously.

PUBLIC HEARINGS:

DEVELOPMENT AGREEMENT AND REZONE REQUEST – BRIGHTON HOMES, LLC – R-1-10 (SINGLE FAMILY RESIDENTIAL) AND R-M1 (LOW/MEDIUM DENSITY RESIDENTIAL) TO R-1-10 PRUD (SINGLE FAMILY RESIDENTIAL WITH THE PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY) AND R-M1 PRUD (LOW/MEDIUM DENSITY RESIDENTIAL WITH THE PLANNED RESIDENTIAL UNITY DEVELOPMENT OVERLAY) – APPROXIMATELY 2100 E. OAKRIDGE DRIVE – RESOLUTION 13-30 AND ORDINANCE 13-16

Bill Wright, Community and Economic Development Director, said Resolution 13-30 involved a development agreement, and Ordinance 13-16 involved a rezone of properties located generally at 2100 East Oakridge Drive. He identified the property on a map, and indicated that the property was located east of the Foothills at Cherry Lane Subdivision.

Bill said the City believed that what was being presented this evening was a great solution and a superior development plan than what was contemplated earlier this year. He said the proposal included property owned by Brighton Homes, and multi-family zoned property owned by Matt and Jared Yeates. Bill said the earlier proposal for the multi-family zoned property included an apartment building, which created some community concerns. He said there was a great effort performed by the two property owners to search for some alternative solutions to a development plan that would have provided a stark contrast between single family development and multi-family development. Bill said the City wanted to recognize the involvement of Matt and Jared Yeates and Brighton Homes for their efforts in working out this alternative.

Bill said the proposal required a zoning that would place the PRUD overlay across the entire development. He said the R-1-10 and R-M1 zoning would remain in place. Bill said the proposed concept plan included 28 single family homes that involved private streets, and a private lane that would access five home sites, and there would be common open space. He said the proposal would fit well with the General Plan that required lower density housing in this area.

Bill identified the location of a gas pipeline on the eastern portion of the property that would not allow for development over the pipeline easement. He said the easement provided for quite an encumbrance to the property and required some very innovative design solutions. Bill said there were six lots that would front along Oakridge Drive. He said the densities in this alternative plan were consistent with General Plan densities. Bill said there would be a connection into the existing Foothills at Cherry Lane Subdivision, which provided great connectivity.

Bill said without the change, there would likely be about 45 apartment units on the R-M1 property, and 9 single family lots that were approved on the R-1-10 property, or a total of 54 units. He said this new plan produced 28 single family dwelling units.

Bill said there were some concerns expressed at the Planning Commission with the homes that would front onto Oakridge Drive, and the backing movement that would need to occur from those driveways. Bill said Staff committed to work with the developer to explore options to reorient access, which they had done. He said at the conclusion of their study, they determined that an alley fed option would not be feasible and would not meet the open space requirements that came with the PRUD approval. Bill said the alley fed option was still included in the development agreement and could be explored further and presented through the PRUD approval process.

Bill said it was also committed to the Planning Commission that the Staff would work to study the issues of

traffic safety and speed on Oakridge Drive, and develop some solutions to help minimize the issues and impacts of additional homes fronting onto Oakridge Drive. He said Oakridge Drive was a residential collector street and not an arterial, which allowed for direct access. Bill said there were a lot of direct access properties throughout the City on these types of streets. He said Staff was confident that through some striping the City could help define space on the road, and there would be some widening that would occur that would allow for on-street parking in front of the homes. Bill said the design would also help with reduction of speed in that area. He said Staff felt that this was a great alternative plan to what was originally proposed. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Bouwhuis said the alley fed concept was intriguing to him. He asked if it would be a back-fed alley.

Bill said it would be an alley fed, back loading concept. He said it would take a lot of space to do that. Bill said that could be explored further, but right now the developer and Staff felt that a front access on the six homes would be needed, and the benefits of the entire development plan versus the apartment community outweighed any inconvenience that may exist. He said Staff did not feel that it was a safety issue that could not be mitigated.

Councilmember Bouwhuis said in reading through the comments from the Planning Commission meeting, that seemed to be the one comment that came up over and over again.

Council and Staff discussed the involvement of an HOA for the development.

Councilmember Bouwhuis asked who owned the 4-plexes in the area.

Bill said in this proposal, they would remain in the ownership of Matt and Jared Yeates. He said they would remain in the R-M1 zone without the PRUD overlay.

Council and Staff discussed connectivity in the area.

Councilmember Bouwhuis said this was an excellent compromise.

Mayor Curtis opened the meeting for public input. None was given.

MOTION: Councilmember Bouwhuis moved to close the public hearing and approve the development agreement and rezone request, Resolution 13-30 and Ordinance 13-16. Councilmember Francis seconded the motion, which passed unanimously.

The meeting adjourned at 7:42 p.m.

Thieda Wellman, City Recorder

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

Item Number: 4A

Subject: Interlocal Agreement for Paramedic Services between North Davis Fire District and Layton City Fire Department – Resolution 13-43

Background: The State of Utah requires all ambulance agencies to have an Interlocal Agreement with any agency that may provide paramedic service for their ambulance. Layton City is licensed to provide paramedic services in Davis County, and there is a possibility that the City may be called to provide paramedic service on a North Davis Fire District ambulance. Layton City is not allowed to bill separately for these services.

Alternatives: Alternatives are to 1) Adopt Resolution 13-43 approving the Interlocal Agreement with North Davis Fire District required by the State of Utah for all ambulance agencies who may have paramedic service provided to their service by another agency; or 2) Not adopt Resolution 13-43 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-43 approving the Interlocal Agreement with North Davis Fire District required by the State of Utah for all ambulance agencies who may have paramedic service provided to their service by another agency.

RESOLUTION 13-43

RESOLUTION ADOPTING THE INTERLOCAL AGREEMENT FOR PARAMEDIC SERVICES BETWEEN NORTH DAVIS FIRE DISTRICT AND LAYTON CITY

WHEREAS, an Interlocal Cooperative Agreement for Paramedic Services is required to be in place between North Davis Fire District and Layton City, and it is the desire of the City to participate in this mutually beneficial agreement; and

WHEREAS, this agreement has been reviewed by North Davis Fire District; and

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

WHEREAS, it is beneficial for there to be an Interlocal Cooperative Agreement for Paramedic Services between North Davis Fire District and Layton City to establish mutual assistance in providing paramedic service in medical incidents.

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 Interlocal Agreement for Paramedic Services, in accordance with the provision of the Interlocal Cooperation Act as set forth in Title 11, Chapter 13, *Utah Code Annotated*, between North Davis Fire District and Layton City.

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

PASSED AND ADOPTED by the City Council of Layton City, Utah, this 15th day of August, 2013.

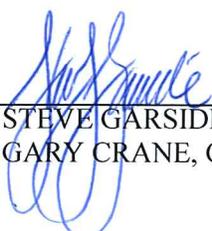
J. STEPHEN CURTIS, MAYOR

ATTEST:

THIEDA WELLMAN, CITY RECORDER

APPROVED AS TO FORM:

PREPARED BY:



STEVE GARSIDE for
GARY CRANE, City Attorney



KEVIN WARD, Fire Chief
LAYTON CITY FIRE DEPARTMENT

INTERLOCAL AGREEMENT FOR THE BILLING AND COLLECTION OF FEES FOR ADVANCED LIFE SUPPORT SERVICES

This agreement is made and entered into the ____ day of _____, 2013, by and between LAYTON CITY, a municipal corporation of the State of Utah, hereinafter referred to as "LAYTON CITY," and NORTH DAVIS FIRE DISTRICT. LAYTON CITY and NORTH DAVIS FIRE DISTRICT shall also be referred to in this agreement jointly as the "PARTIES."

This agreement is made and entered into by and between the PARTIES based, in part, upon the following:

A. LAYTON CITY renders physician medically directed advanced life support services (ALS) and charges fees for those services.

B. NORTH DAVIS FIRE DISTRICT renders basic life support services (BLS), which includes primary ambulance transportation services, and charges fees for those services.

C. The PARTIES desire by this agreement to provide in writing for the billing, collection, and distribution of those fees when LAYTON CITY and NORTH DAVIS FIRE DISTRICT render ALS and BLS services respectively in conjunction with each other.

D. For the purposes of this agreement, the term "ALS services" shall mean physician medically directed advanced life support services and "BLS services" shall mean basic life support services, which includes primary ambulance transportation services, as those terms are used in Rule 426-1, *Utah Administrative Code*.

E. LAYTON CITY and NORTH DAVIS FIRE DISTRICT are authorized by the *Utah Interlocal Cooperation Act*, as set forth in Title 11, Chapter 13, *Utah Code Ann.*, to enter into this interlocal cooperative agreement.

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the PARTIES agree as follows:

1. SERVICES PROVIDED BY NORTH DAVIS FIRE DISTRICT

NORTH DAVIS FIRE DISTRICT may provide the primary ambulance transport service (BLS services) for emergency and non-emergency medical patients and other medical services for which NORTH DAVIS FIRE DISTRICT is licensed by the State of Utah.

2. SERVICES PROVIDED BY LAYTON CITY

LAYTON CITY may provide advanced life support services (ALS services) to the residents of LAYTON CITY as licensed by the State of Utah.

3. BILLINGS AND COLLECTION OF FEES

The billing and collection of charges for ALS services rendered by LAYTON CITY in conjunction with the rendition of BLS services by NORTH DAVIS FIRE DISTRICT and the distribution of amounts received in payment of those billings shall be as follows:

A. When services are provided jointly by NORTH DAVIS FIRE DISTRICT and LAYTON CITY in an incident, NORTH DAVIS FIRE DISTRICT shall provide billing and collection services and exercise reasonable diligence to collect the ALS fees charged by LAYTON CITY in addition to the billing and collection of any fees charged by NORTH DAVIS FIRE DISTRICT for its BLS services, surcharges, and reimbursable expenses.

B. The LAYTON CITY ALS fee which NORTH DAVIS FIRE DISTRICT will include in its billings on behalf of LAYTON CITY shall be the maximum amount allowed by said Rule 426-1, unless a lesser amount is authorized by LAYTON CITY for that billing.

C. The proration and distribution of funds collected from billings shall be determined and made in the following manner (See Attachment "A" for sample calculations):

- (1) The billing normally will include charges for LAYTON CITY'S ALS fee, NORTH DAVIS FIRE DISTRICT'S BLS fee, and any surcharges and reimbursable expenses incurred and charged by NORTH DAVIS FIRE DISTRICT.
- (2) Any sum collected on a billing shall first be applied to any surcharges, mileage and reimbursable expenses incurred and charged by NORTH DAVIS FIRE DISTRICT.
- (3) Any sums collected in addition to the surcharges and reimbursable expenses shall be deemed as payment towards the ALS and BLS fees and shall be distributed on a pro-rata basis to LAYTON CITY and NORTH DAVIS FIRE DISTRICT.
 - (a) This prorated payment to be distributed to LAYTON CITY shall be the equivalent of the total amount of the collected fees to be distributed multiplied by the percentage that the billed ALS fees bear to the sum of the billed ALS and BLS fees.
 - (b) This prorated payment to be distributed to NORTH DAVIS FIRE DISTRICT shall be the equivalent of the total amount of the collected fees to be distributed multiplied by the percentage that the billed BLS fees bear to the sum of the billed ALS and BLS fees.

D. In cases in which both LAYTON CITY and NORTH DAVIS FIRE DISTRICT provide ALS services to individuals who are transported by aircraft and a non-transport charge applies, then charges and payments will be pro-rated in accordance with Paragraph 3.C.

4. PAYMENTS TO LAYTON CITY

Payment to LAYTON CITY from NORTH DAVIS FIRE DISTRICT shall commence on the effective date of this agreement and shall be paid as follows:

A. LAYTON CITY shall receive payments from NORTH DAVIS FIRE DISTRICT on a monthly basis as the fees are collected.

B. NORTH DAVIS FIRE DISTRICT shall provide LAYTON CITY with a monthly summary of patients served by LAYTON CITY paramedics and fees collected under this agreement.

C. LAYTON CITY reserves the right to bill or collect fees due to LAYTON CITY from patients receiving ALS services from LAYTON CITY.

5. MEDICAID

The PARTIES acknowledge that the state and federal governments do not currently allow Medicaid agencies to cover the cost of advance life support fees; therefore, notwithstanding any other provisions of this agreement, no payment shall be due LAYTON CITY for advanced life support services involving Medicaid patients until such time as the state and federal governments allow for the coverage of such services. At such time as that coverage is allowed, the proration and distribution of fees collected shall be as set forth in the foregoing Paragraph 3.

6. ACCESS TO RECORDS

A. Each party agrees to provide the other with access to its records during normal business hours to verify the billing, number of calls, and number of responses in order to assist each party in determining the proration of monies due the PARTIES under the terms of this agreement,

B. All documents created or provided by the PARTIES pursuant to this agreement shall be maintained and accessed in accordance with the *Government Records Access Management Act* (GRAMA).

C. Requests for access to records will be submitted through the Chief of the North Davis Fire District or the Chief of the Layton City Fire Department for their respective records.

7. TERM

This agreement shall have a term of five (5) years commencing on the day and date first written above. Notwithstanding the foregoing, either party may terminate this agreement, with or without cause, upon giving thirty (30) days written notice to the other.

8. RESOLUTIONS OF APPROVAL

This interlocal co-operation agreement shall be conditioned upon adoption by the legislative body of each party of a resolution, approving and authorizing the execution of this agreement.

9. ENTIRE AGREEMENT

This agreement contains the entire agreement between the PARTIES, and no statements, promises or inducements made by either party or agents for either party that are not contained in this written contract shall be binding or valid; and this agreement may not be enlarged, modified, or altered, except in writing signed by both PARTIES.

10. GOVERNING LAW

It is understood and agreed by the PARTIES hereto that this agreement shall be governed by the laws of the State of Utah.

11. SEPARATE LEGAL ENTITY

No separate legal entity is created by the terms of this agreement.

12. PROPERTY ACQUISITION

There shall be no real or personal property acquired jointly by the PARTIES as a result of this agreement.

13. AUTHORIZATION

The individuals executing this agreement on behalf of the PARTIES confirm that they are duly authorized representative of the PARTIES and are lawfully enabled to execute this agreement on behalf of the PARTIES.

IN WITNESS WHEREOF, the PARTIES hereto have executed this agreement on the date stated above.

LAYTON CITY

J. Stephen Curtis
Mayor of Layton

Attest:

Thieda Wellman, City Recorder

Approval of Authorized Attorney

The undersigned, being the authorized attorney for Layton City, approves the foregoing agreement as being in proper form and compatible with State law.

Dated August 1, 2013



For Gary Crane
Layton City Attorney

NORTH DAVIS FIRE DISTRICT



Kathryn Murray
North Davis Administrative Control Board Chairman



Attest:



Michelle K. Limon
North Davis Fire District Clerk

Approval of Authorized Attorney

The undersigned, being the authorized attorney for North Davis Fire District, approves the foregoing agreement as being in proper form and compatible with State law.

Dated: July 22, 2013.



Felshaw King
North Davis Fire District Attorney



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

Item Number: 4B

Subject: Interlocal Cooperation Agreement between Layton City and the Utah Department of Transportation for Corridor Improvements along SR-89 – Resolution 13-45

Background: Layton City desires to make safety improvements, including pavement maintenance to several public road connections adjacent to and within the right-of way of SR-89. Utah Department of Transportation, hereinafter referred to as UDOT, has agreed that additional improvements of pavement maintenance is needed at several public road connections along SR-89, and has agreed to participate in the cost of these improvements in the amount of \$14,000. Layton City has the responsibility for management and selection of a contractor for this work and traffic control, and will incorporate the work identified in Attachment A, Project #: S-0089(346)401 from UDOT, into their work plan. The City and UDOT have determined to accomplish the above purposes by written agreement.

Alternatives: Alternatives are to 1) Adopt Resolution 13-45 approving the Interlocal Cooperation Agreement between Layton City and UDOT for corridor improvements along SR-89; 2) Adopt Resolution 13-45 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-45 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-45 approving the Interlocal Cooperation Agreement between Layton City and UDOT for corridor improvements along SR-89 and authorize the Mayor to sign the agreement.

RESOLUTION 13-45

A RESOLUTION ADOPTING AND APPROVING A COOPERATION AGREEMENT BETWEEN LAYTON CITY AND THE UTAH DEPARTMENT OF TRANSPORTATION FOR CORRIDOR IMPROVEMENTS ALONG THE SR-89

WHEREAS, Layton City desires to make safety improvement, including pavement maintenance to several public road connections adjacent to and within the right-of-way of US-89, and desires to retain a contractor to perform the work and traffic control; and

WHEREAS, the Utah Department of Transportation, hereinafter referred to as UDOT, has determined that additional improvement of pavement maintenance is needed at several public road connections along SR-89; and

WHEREAS, UDOT and the City desire to enter into a Cooperative Agreement for corridor improvements along the SR-89, and has agreed to participate in the cost of said improvements involving pavement maintenance in the amount of \$14,000; and

WHEREAS, the City has agreed to incorporate the work identified in Attachment "A" of UDOT's Project #S-0089(346)401, into their existing work project.

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

1. That the Cooperation Agreement Between Layton City and UDOT for Corridor Improvements Along the SR-89, which is attached hereto and incorporated herein by this reference, be adopted and approved.
2. That the Mayor be authorized to execute the Agreement.

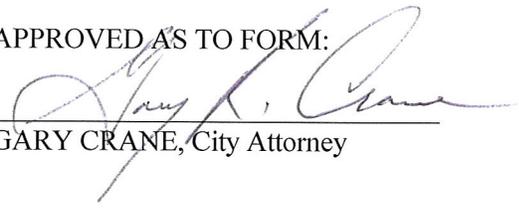
PASSED AND ADOPTED by the City Council of Layton, Utah, this 15th day of August, 2013.

ATTEST:

THIEDA WELLMAN, City Recorder

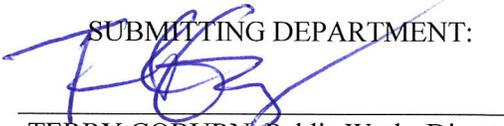
J. STEPHEN CURTIS, Mayor

APPROVED AS TO FORM:



GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:



TERRY COBURN, Public Works Director

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT made and entered into this _____ day of _____, 20____, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as **UDOT**, and **LAYTON CITY CORPORATION**, hereinafter referred to as the **CITY**.

Witnesseth:

WHEREAS, the **CITY** will make safety improvements including pavement maintenance to several public road connections adjacent to, and within, the right of way of US-89; and

WHEREAS, the **CITY** will retain the contractor to perform the work and traffic control; and

WHEREAS, the **UDOT** has determined that additional improvements of pavement maintenance is needed at several public road connections along SR-89; and

WHEREAS, the **UDOT** and the **CITY** desire to enter into this **COOPERATIVE AGREEMENT** for said corridor; and

WHEREAS, the **UDOT** has agreed to participate in the cost of Improvements involving pavement maintenance in the amount of Fourteen Thousand Dollars (\$14,000.00); and

WHEREAS, the **UDOT** has determined by formal finding that the payment for said work is not in violation of the laws of the State or any legal contract with the **CITY**.

WHEREAS, the **CITY** has agreed to incorporate the work identified in Attachment A, into their existing work plan and will complete the safety improvements involving the pavement maintenance to the public road connections along US-89, prior to July 1, 2014, using their own work force or will contract the work according to all applicable state laws and **CITY** policies.

THIS COOPERATIVE AGREEMENT, is made to set out the terms and conditions where under said payment shall be made

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

1. Upon execution of this **COOPERATIVE AGREEMENT**, the **UDOT** will reimburse the **CITY** a lump sum amount of Fourteen Thousand Dollars (\$14,000.00) upon completion of the pavement maintenance to the public road connections along US-89, said amount being the **UDOT** total contribution to the project.

TOTAL COST TO UDOT IS \$14,000.00

2. The **UDOT** and the **CITY** are both governmental entities subject to the Utah Governmental Immunity Act. Each party agrees to indemnify, defend and save harmless the other from and against all claims, suits and costs, including attorneys' fees for injury or damage of any kind, arising out the negligent acts, errors or omissions of the indemnifying party's officers, agents, contractors or employees in the performance of this

Agreement. Nothing in this paragraph is intended to create additional rights to third parties or to waive any provision of the Utah Governmental Immunity Act, provided said Act applies to the action or omission giving rise to the protections in this paragraph. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

3. This Agreement may be executed in one or more counterparts, each of which shall be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument. This Agreement shall become effective when each Party hereto shall have received a counterpart hereof signed by the other Party hereto.
4. This Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.
5. Nothing contained in this Agreement shall be deemed or construed, either by the parties hereto or by any third party, to create the relationship of principal and agent or create any partnership, joint venture or other association between the Parties.
6. This Agreement contains the entire agreement between the Parties, with respect to the subject matter hereof, and no statements, promises, or inducements made by either Party or agents for either Party that are not contained in this written Agreement shall be binding or valid.
7. If any provision hereof shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses, or paragraphs herein contained, shall not affect the remaining portions hereof, or any part thereof.
8. Each party represents that it has the authority to enter into this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as for the day and year first above written.

ATTEST:

LAYTON CITY CORPORATION, a Municipal Corporation in the State of Utah

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

(IMPRESS SEAL)

APPROVED AS TO FORM
BY *[Signature]* 1/29/2013

RECOMMENDED FOR APPROVAL:

UTAH DEPARTMENT OF TRANSPORTATION

By: _____
Traffic Operations Engineer

By: _____
REGION DIRECTOR

Date: _____

Date: _____

APPROVED AS TO FORM:

UDOT COMPTROLLER'S OFFICE

The Utah State Attorney General's Office has previously approved all paragraphs in this Agreement as to form.

By: _____
CONTRACT ADMINISTRATOR

Date: _____

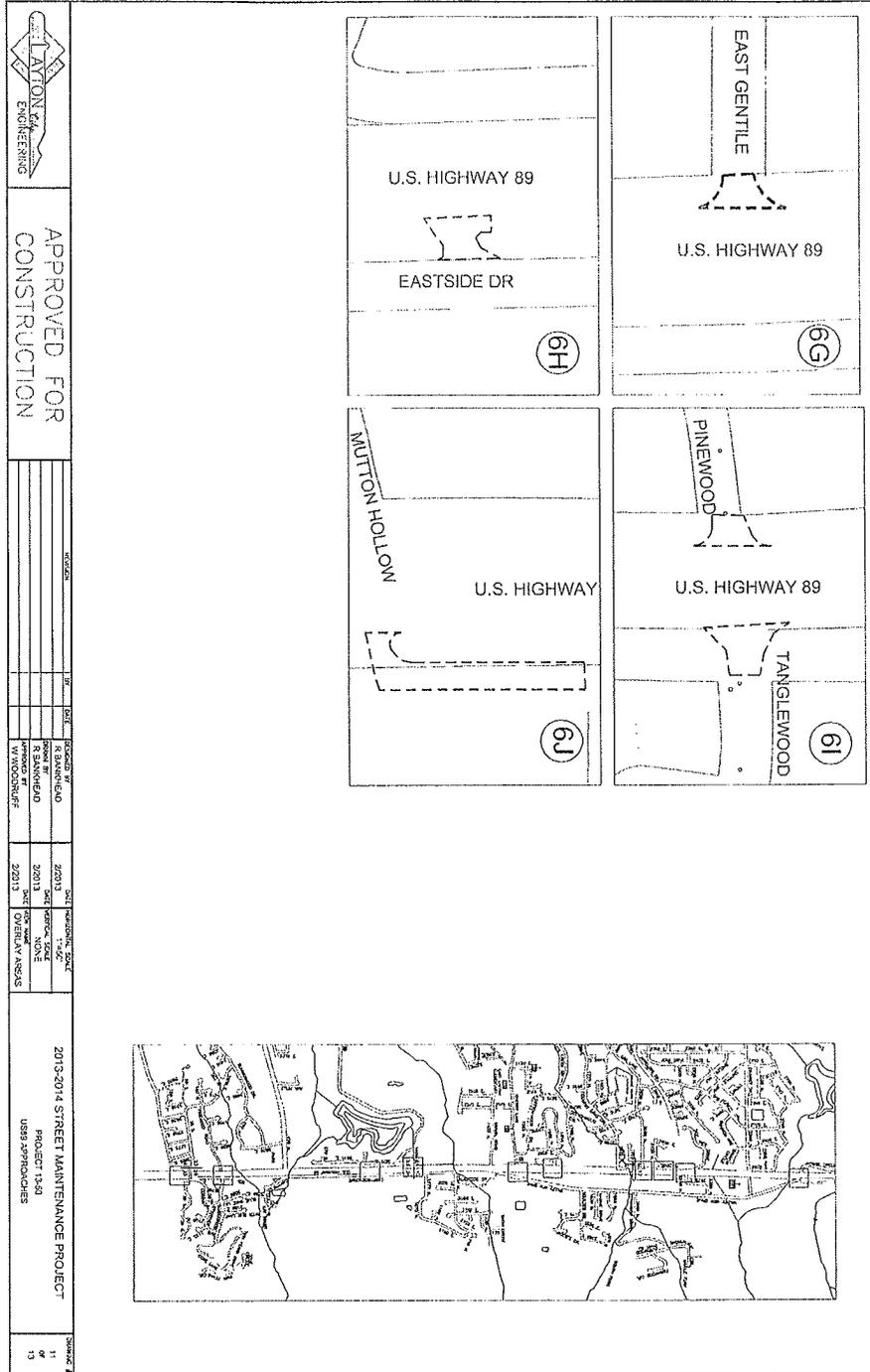
ATTACHMENTS

Project # :S-0089(346)401
SR-89; VARIOUS INTERSECTIONS PAVEMENT REPAIR
LAYTON CITY CORPORATION
 CID #: 71725 PIN #: 11973

US 89 entrances

	Description	Qty.	Unit	\$ per	Total \$
1	Place 2", 3/4" gradation AC-10 bituminous surface course	513	Tons	55.00	28,215.00
#	Apply AC-10 tack coat	2	Tons	0.01	0.02
#	Adjust existing manhole covers	0	Each	345.00	0.00
#	Adjust existing water valve covers	0	Each	205.00	0.00
#	Adjust existing co box, PRV, or inlet covers	0	Each	435.00	0.00
#	Protect and raise to grade existing survey monuments	0	Each	160.00	0.00
#	ADA Ramps	0	Each	1,615.00	0.00
					\$28,215.02

Project # :S-0089(346)401
 SR-89; VARIOUS INTERSECTIONS PAVEMENT REPAIR
 LAYTON CITY CORPORATION
 CID #: 71725 PIN #: 11973



Project # :S-0089(346)401
SR-89; VARIOUS INTERSECTIONS PAVEMENT REPAIR
LAYTON CITY CORPORATION
CID #: 71725 PIN #: 11973

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

Item Number: 4C

Subject: Memorandum of Understanding between Layton City and North Davis Sewer District Granting a Non-Exclusive Sewer and Facility Easement – Resolution 13-41 – Located on Parcel 11-525-0227 and Located Under the Rocky Mountain Power Corridor North of Weaver Lane

Background: North Davis Sewer District has made a request that Layton City grant a non-exclusive sewer and facilities easement on property that the City owns. The property is an established detention basin. The capacity of the detention basin will be reduced 10,000 cubic feet. The memorandum of understanding addresses the respective responsibilities of Layton City and the North Davis Sewer District, including the redesign and reconstruction of the detention basin to accommodate the same capacity as before the sewer utilities were installed. The proposed easement agreement will grant a non-exclusive easement to North Davis Sewer District for the installation of its facilities.

Alternatives: Alternatives are to 1) Adopt Resolution 13-41 authorizing a memorandum of understanding and granting a non-exclusive sewer and facilities easement to North Davis Sewer District; 2) Adopt Resolution 13-41 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-41 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-41 authorizing a memorandum of understanding and granting a non-exclusive sewer and facilities easement to North Davis Sewer District and authorize the Mayor to sign the necessary documents.

RESOLUTION 13-41

A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN LAYTON CITY AND NORTH DAVIS SEWER DISTRICT GRANTING AN EASEMENT TO THE NORTH DAVIS SEWER DISTRICT FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF AN UNDERGROUND SEWER AND ASSOCIATED FACILITIES ON PARCEL 11-525-0227 LOCATED UNDER THE ROCKY MOUNTAIN POWER CORRIDOR NORTH OF WEAVER LANE AND FOR THE REDESIGN AND CONSTRUCTION OF A DETENTION BASIN AT THE SAME LOCATION.

WHEREAS, in anticipation of future needs, North Davis Sewer District desires to construct, operate and maintain sewer utilities in an existing storm drain detention basin owned by the City which is located within in the power corridor just north of Weaver Lane in Layton City; and

WHEREAS, in order to accomplish this goal, North Davis Sewer District has requested an easement from the City to install, operate and maintain this sewer utility; and

WHEREAS, construction of said sewer utilities will reduce the capacity of the City's storm drain detention basin; and

WHEREAS, the storm water detention basin will need to be redesigned and reconstructed to accommodate the same capacity as before the sewer utilities are installed; and

WHEREAS, the North Davis Sewer District desires to complete whatever reconstruction is necessary to ensure the City's storm water detention basin's capacity remains the same; and

WHEREAS, granting the easement to the North Davis Sewer District for the construction, operation and maintenance of sewer utilities in the City's detention basin is in the best interest of the health, safety and welfare of the City and its citizens.

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

1. That Layton City execute the memorandum of understanding with the North Davis Sewer District attached hereto and incorporated herein by this reference.
2. That the Mayor be authorized to execute the easements on behalf of Layton City.

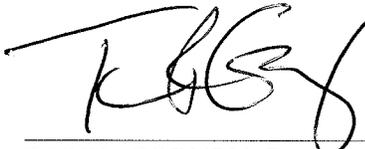
PASSED AND ADOPTED by the City Council of Layton, Utah, this 15th day of August, 2013.

J. STEPHEN CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

SUBMITTING DEPARTMENT:



TERRY COBURN, Director
Public Works

APPROVED AS TO FORM:



GARY R. CRANE, City Attorney

August 1, 2013

North Davis Sewer District

**MEMORANDUM OF UNDERSTANDING BETWEEN LAYTON CITY
AND
THE NORTH DAVIS SEWER DISTRICT**

Re: Installation of Sewer Utilities and Redesign and Construction of a Storm Drain Detention Basin

Dear : Kevin Cowen
4252 West 2200 South
Syracuse, UT 84075

The purpose of this memorandum is to reduce to writing the respective responsibilities of Layton City (City) and the North Davis Sewer District (District) regarding a sewer utility project located within the City's storm water detention basin on parcel #11-525-0227, located just north of Weaver Lane in Layton City. In order to accomplish the District's goal of expanding sewer utilities on the previously mentioned parcel, the respective parties agree to do the following:

Layton City-

- 1- The City will grant the District temporary construction easements and a permanent easement for the construction of sewer utilities.

North Davis Sewer District-

- 1- The District will redesign (or the City will redesign if the City prefers) and reconstruct the storm water detention basin affected by the new sewer utilities to accommodate a capacity of 10,000 cubic feet.
- 2- Once reconstruction of the storm water detention basin is complete the District will also hydro-seed the affected areas to help prevent erosion.

Sincerely,

NORTH DAVIS SEWER DISTRICT

J. Stephen Curtis
Layton City Attorney

By: _____
Title: _____

EASEMENT

Owner, Grantor(s), hereby convey(s) and warrant(s) to North Davis Sewer District, its successors in interest and assigns, Grantee for the sum of One Dollar and other good and valuable consideration, a permanent non-exclusive easement and Right-of-Way for the construction, operation, maintenance, repair, alteration, enlargement, inspection, relocation, and replacement of an underground sewer and associated facilities related thereto, on, over, under, and across real property located in Davis County, Utah and described as follows:

A Permanent Easement described as follows:

Described in Exhibit "A" which is attached hereto and incorporated by this reference.

A Temporary Easement (easterly) described as follows:

Described in Exhibit "A" which is attached hereto and incorporated by this reference.

A Temporary Easement (westerly) described as follows:

Described in Exhibit "A" which is attached hereto and incorporated by this reference.

<u>County Serial No.</u>	<u>Sq.Ft.</u>	<u>Acres</u>	<u>Easement</u>
11-525-0227	15,111.80	0.3469	Permanent
11-525-0227	20,420.93	0.4688	Temporary Construction (easterly)
11-525-0227	24,341.33	0.5588	Temporary Construction (westerly)

Together with all necessary and reasonable rights of ingress and egress and the right to excavate and refill ditches and trenches for the location, installation, and repair of the above-mentioned facilities and to remove trees, shrubbery undergrowth, or other obstructions interfering with the repair and maintenance of said underground facilities.

The Grantor(s) reserve(s) the right to occupy, use and cultivate said property for all purposes not inconsistent with the rights herein granted. Grantor(s) shall not build or construct over or across said permanent Right-of-Way, any building or other improvement, nor change the contour thereof without the written consent of the Grantee. However, Grantee acknowledges that Grantor will be maintaining a storm drain detention basin around this easement. Grantee hereby grants the consent contemplated herein for the maintenance of this basin and the necessary supporting facilities.

The temporary easements shall remain in force a maximum of one year beyond the Contract Time as specified within the Contract Documents as agreed to by the Contractor selected to construct said pipeline. Upon termination of said one-year guarantee period, the temporary easement shall be dissolved and all previous rights of the Grantor(s) shall be restored with respect to the temporary easements.

The Grantor(s) hereby covenant(s) with the North Davis Sewer District that Grantor(s) is/are lawfully seized and possessed of the real estate above described; that Grantor(s) has/have a good and lawful right to convey it, or any part thereof; that it is free from all encumbrances and that Grantor(s) will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As part of the consideration for this grant, the Grantor(s) hereby release(s) any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted.

The property over which said easement passes and the location thereof are depicted in Exhibit "A", attached hereto and by reference made a part hereof as though set forth fully herein.

In Witness Whereof, the Grantor(s) have executed this Right-of-Way and easement this _____, day of _____, 2013

GRANTOR(S)

By: _____

By: _____


Approved as to Form

STATE OF UTAH)
 :ss.
COUNTY OF DAVIS)

On the _____ day of _____, 20____, personally appeared before me, _____, the signer(s) of the above instrument, who duly acknowledged to me they executed the same.

Notary Public

Exhibit A

Document Received from
Outside Source.

RBB

ROBINSON, BIEHN & BIEHN, INC.

Professional Land Surveyors
5330 South 900 East, Suite 120
Salt Lake City, Utah 84117-7261
(801) 266-1118 • (801) 262-5814 Fax

Ted M. Biehn, PLS
Tim E. Biehn, PLS

February 25, 2013
Project: North Davis Sewer District
East Outfall Pipeline
Davis County Parcel # 11-525-0227
Layton City Corporation



Permanent Easement

A 20 foot wide strip of land for a sewer line easement with the side lines being 10 feet on each side of the following described centerline with the side lines extending to or terminating at Grantor's property lines, said strip of land is located in the Northeast Quarter of Section 31, Township 4 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah and being more particularly described as follows.

Beginning on Grantor's southeasterly property line and the center of a North Davis Sewer District Pipeline at a point East 1,075.36 feet and South 958.58 from the north quarter corner of said Section 31, said north quarter corner bears N89°57'10"E 2631.34 feet from the northwest corner of said Section 31 (basis of bearing); thence along said pipeline the following three courses, (1) N36°25'26"W 563.12 feet, (2) S51°06'22"W 162.11 feet and (3) N36°27'20"W 30.36 feet to a point on Grantor's northwesterly property line, said point being S°45'40'41"E 834.18 feet, more or less, from said north quarter corner of said Section 31. Contains 0.3469 acre, more or less.

Temporary Construction Easement (Easterly Side)

A parcel of land for a temporary construction easement that lies easterly of and adjacent to the above described Permanent Easement and being more particularly described as follows.

Beginning on Grantor's southeasterly property line and the southeasterly corner of the above described Permanent Easement; thence along the easterly line of said Permanent Easement the following three courses (1) N36°25'26"W 572.42 feet, (2) S51°06'22"W 162.12 feet and (3) N36°27'24"W 20.34 feet to Grantor's northwesterly property line; thence N51°03'40"E 66.80 feet; thence N55°44'36"E 125.34 feet; thence S36°25'26"E 580.53 feet to Grantor's southeasterly property line; thence S47°02'19"W 30.20 feet to the point of beginning. Contains 0.4688 acre, more or less.



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

Item Number: 4D

Subject: 2012 Layton City Municipal Wastewater Planning Program Annual Report – Resolution 13-44

Background: Resolution 13-44 authorizes the review and adoption of the 2012 Municipal Wastewater Planning Program Annual Report by the Council.

Alternatives: Alternatives are to 1) Adopt Resolution 13-44 authorizing the review and adoption of the 2012 Wastewater Planning Program Annual Report; 2) Adopt Resolution 13-44 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-44 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-44 authorizing the review and adoption of the 2012 Wastewater Planning Program Annual Report and authorize the Mayor to sign the necessary documents.

RESOLUTION 13-44

A RESOLUTION AUTHORIZING THE ADOPTION OF THE 2012 LAYTON CITY MUNICIPAL WASTEWATER PLANNING PROGRAM

WHEREAS, the State of Utah, Department of Environmental Quality, Division of Water Quality requires Layton City to complete the 2012 Municipal Wastewater Planning Program Annual Report; and

WHEREAS, the State requires that the Annual Report be adopted by a Layton City resolution.

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

That the City Council of Layton City, Davis County, State of Utah, has reviewed and accepted the 2012 Municipal Wastewater Planning Program Annual Report.

PASSED AND ADOPTED by the City Council of Layton, Utah this 15th day of August, 2013.

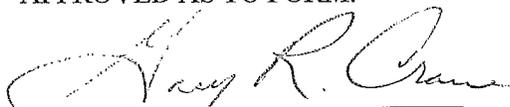
ATTEST:

THIEDA WELLMAN, City Recorder

J. STEPHEN CURTIS, Mayor

APPROVED AS TO FORM:

SUBMITTING DEPARTMENT:



GARY CRANE, City Attorney



TERRY COBURN, Public Works Director

STATE OF UTAH

MUNICIPAL WASTEWATER PLANNING PROGRAM

SELF-ASSESSMENT REPORT

FOR

LAYTON

2012



Resolution Number 13-44

MUNICIPAL WASTEWATER PLANNING PROGRAM RESOLUTION

RESOLVED that **LAYTON** informs the Water Quality Board the following actions were taken by the **CITY COUNCIL**

1. Reviewed the attached Municipal Wastewater Planning Program Report for 2012.
2. Have taken all appropriate actions necessary to maintain effluent requirements contained in the UPDES Permit (If Applicable)

Passed by a (majority) (unanimous) vote on

(date)

Mayor/Chairman

Attest:

Recorder/Clerk

Municipal Wastewater Planning Program (MWPP) Financial Evaluation Section

Owner Name: *LAYTON*

Name and Title of Contact Person:

Greg Harrah

Water Supervisor - Certificate #01898E260120

Phone: (801) 336-3720

E-mail: gharrah@laytoncity.org

PLEASE SUBMIT TO STATE BY: September 1, 2013

Mail to: MWPP - Department of Environmental Quality
c/o Paul Krauth, P.E.
Division of Water Quality
195 North 1950 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870
Phone : (801) 536-4346

NOTE: This questionnaire has been compiled for your benefit by a state sponsored task force comprised of representatives of local government and service districts. It is designed to assist you in making an evaluation of your wastewater system and financial planning. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please call, Emily Cantón. Utah Division of Water Quality: (801) 536-4342.

I. Definitions: The following terms and definitions may help you complete the worksheets and questionnaire:

User Charge (UC) - A fee established for one or more class(es) of users of the wastewater treatment facilities that generate revenues to pay for costs of the system.

Operation and Maintenance Expense - Expenditures incurred for materials, labor, utilities, and other items necessary for managing and maintaining the facility to achieve or maintain the capacity and performance for which it was designed and constructed.

Repair and Replacement Cost - Expenditures incurred during the useful life of the treatment works for obtaining and installing equipment, accessories, and/or appurtenances necessary to maintain the existing capacity and the performance for which the facility was designed and constructed.

Capital Needs - Cost to construct, upgrade or improve the facility.

Capital Improvement Reserve Account - A reserve established to accumulate funds for construction and/or replacement of treatment facilities, collection lines or other capital improvement needs.

Reserve for Debt Service - A reserve for bond repayment as may be defined in accordance with terms of a bond indenture.

Current Debt Service - Interest and principal costs for debt payable this year.

Repair and Replacement Sinking Fund - A fund to accumulate funds for repairs and maintenance to fixed assets not normally included in operation expenses and for replacement costs (defined above).

Part I: OPERATION AND MAINTENANCE

Complete the following table:

Question	Points Earned	Total
Are revenues sufficient to cover operation, maintenance, and repair & replacement (OM&R) costs <u>at this time</u> ?	YES = 0 points NO = 25 points	0
Are the projected revenues sufficient to cover operation, maintenance, and repair & replacement (OM&R) costs for the <u>next five years</u> ?	YES = 0 points NO = 25 points	0
Does the facility have sufficient staff to ensure proper O&M?	YES = 0 points NO = 25 points	0
Has a dedicated sinking fund been established to provide for repair & replacement costs?	YES = 0 points NO = 25 points	25
Is the repair & replacement sinking fund adequate to meet anticipated needs?	YES = 0 points NO = 25 points	25
TOTAL PART I =		50

Part II: CAPITAL IMPROVEMENTS

Complete the following table:

Question	Points Earned	Total
Are present revenues collected sufficient to cover all costs and provide funding for capital improvements?	YES = 0 points NO = 25 points	0
Are projected funding sources sufficient to cover all projected capital improvement costs for the <u>next five years</u> ?	YES = 0 points NO = 25 points	0
Are projected funding sources sufficient to cover all projected capital improvement costs for the <u>next ten years</u> ?	YES = 0 points NO = 25 points	0
Are projected funding sources sufficient to cover all projected capital improvement costs for the <u>next twenty years</u> ?	YES = 0 points NO = 25 points	0
Has a dedicated sinking fund been established to provide for future capital improvements?	YES = 0 points NO = 25 points	25
TOTAL PART II =		25

Part III: GENERAL QUESTIONS

Complete the following table:

Question	Points Earned	Total
Is the wastewater treatment fund a separate enterprise fund/account or district?	YES = 0 points NO = 25 points	0
Are you collecting 95% or more of your sewer billings?	YES = 0 points NO = 25 points	0
Is there a review, at least annually, of user fees?	YES = 0 points NO = 25 points	0
Are bond reserve requirements being met if applicable?	YES = 0 points NO = 25 points	N/A
TOTAL PART III =		0

Part IV: PROJECTED NEEDS

Estimate as best you can the following:

Cost of projected capital improvements (in thousands)	2014	2015	2016	2017	2018
	540	500	450	350	400

Point Summation

Fill in the values from Parts I through III in the blanks provided in column 1. Add the numbers to determine the MWPP point total that reflects your present financial position for meeting your wastewater needs.

Part	Points
I	50
II	25
III	0
Total	75

Municipal Wastewater Planning Program (MWPP) Collection System Section

Owner Name: LAYTON

Name and Title of Contact Person:

Greg Harrah

Water Supervisor - Certificate #01898E260120

Phone: (801) 336-3720

E-mail: gharrah@laytoncity.org

PLEASE SUBMIT TO STATE BY: September 1, 2013

Mail to: MWPP - Department of Environmental Quality
c/o Paul Krauth, P.E.
Division of Water Quality
195 North 1950 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870
Phone : (801) 536-4346

Form completed by

Shannon Hansen

Part I: SYSTEM AGE

A. What year was your collection system first constructed (approximately)?

Year 1945

B. What is the oldest part of your present system?

Oldest part 68 years

Part II: BYPASSES

A. Please complete the following table:

Question	Number	Points Earned	Total Points
How many days last year was there a bypass, overflow or basement flooding by untreated wastewater in the system due to rain or snowmelt?	0	0 times = 0 points 1 time = 5 points 2 times = 10 points 3 times = 15 points 4 times = 20 points 5 or more = 25 points	0
How many days last year was there a bypass, overflow or basement flooding by untreated wastewater due to equipment failure? (except plugged laterals)	0	0 times = 0 points 1 time = 5 points 2 times = 10 points 3 times = 15 points 4 times = 20 points 5 or more = 25 points	0
TOTAL PART II =			0

B. Please specify whether the bypass(es) was caused a contract or tributary communities, etc.

N/A

Part III: NEW DEVELOPMENT

A. Please complete the following table:

Question	Points Earned	Total Points
Has an industry (or other development) moved into the community or expanded production in the past two years, such that either flow or wastewater loadings to the sewerage system were significantly increased (10 - 20%)?	No = 0 points Yes = 10 points	0
Are there any major new developments (industrial, commercial, or residential) anticipated in the next 2- 3 years, such that either flow or BOD ₅ loadings to the sewerage system could significantly increase (25%)?	No = 0 points Yes = 10 points	0
TOTAL PART III =		0

B. Approximate number of new residential sewer connections in the last year

776 new residential connections

C. Approximate number of new commercial/industrial connections in the last year

8 new commercial/industrial connections

D. Approximate number of new population serviced in the last year

2,352 new people served

Part V: FACILITY MAINTENANCE

A. Please complete the following table:

Question	Points Earned	Total Points
Do you follow an annual preventative maintenance program?	Yes = 0 points No = 30 points	0
Is it written?	Yes = 0 points No = 20 points	0
Do you have a written emergency response plan?	Yes = 0 points No = 20 points	0
Do you have an updated operations and maintenance manual	Yes = 0 points No = 20 points	0
Do you have a written safety plan?	Yes = 0 points No = 20 points	0
TOTAL PART V =		0

Part VI: SUBJECTIVE EVALUATION

This section should be with the system operators.

A. Describe the physical condition of the sewer collection system: (lift stations, etc. included)
 Most are gravity flow systems with approximately 200 miles of gravity flow and 0.41 miles of pressurized main. The City has one sewer lift station.

B. What sewerage system improvements does the community have under consideration for the next 10 years?
 The system is divided into ten sections with one section being televised every year.
 There is an annual/bi-annual repair and replacement project.
 The City is in the process of hiring a consultant to develop a Master Plan and Management Plan.

Part VI: SUBJECTIVE EVALUATION (cont.)

C. Explain what problems, other than plugging have you experienced over the last year
We had a collapsed manhole at Delayne and Forbes

D. Is your community presently involved in formal planning for system expansion/upgrading? If so explain.

E. How many times in the last calendar year was there sewage in basements at any point in the collection system for any reason, except for plugging of the lateral connections?

There were 2 total basements with sewage in them in 2012.

How many different times different did flooding occur? 1

F. Does the municipality/district pay for the continuing education expenses of operators?

ALWAYS X SOMETIMES _____ NO _____

If they do, what percentage is paid?

approximately 100 %

G. Is there a written policy regarding continuing education and training for wastewater operators?

YES X NO _____

POINT SUMMATION

Fill in the values from Parts II through V in the blanks provided in column 1. Add the numbers to determine the MWPP point total that your wastewater facility has generated for the past twelve months.

Part	Points
II	0
III	0
IV	0
V	0
Total	0

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

Item Number: 4E

Subject: Off-Premise Beer Retailer License – Gluten Free Foods – 1596 North Hill Field Road Suite B

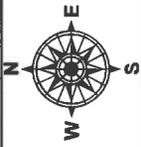
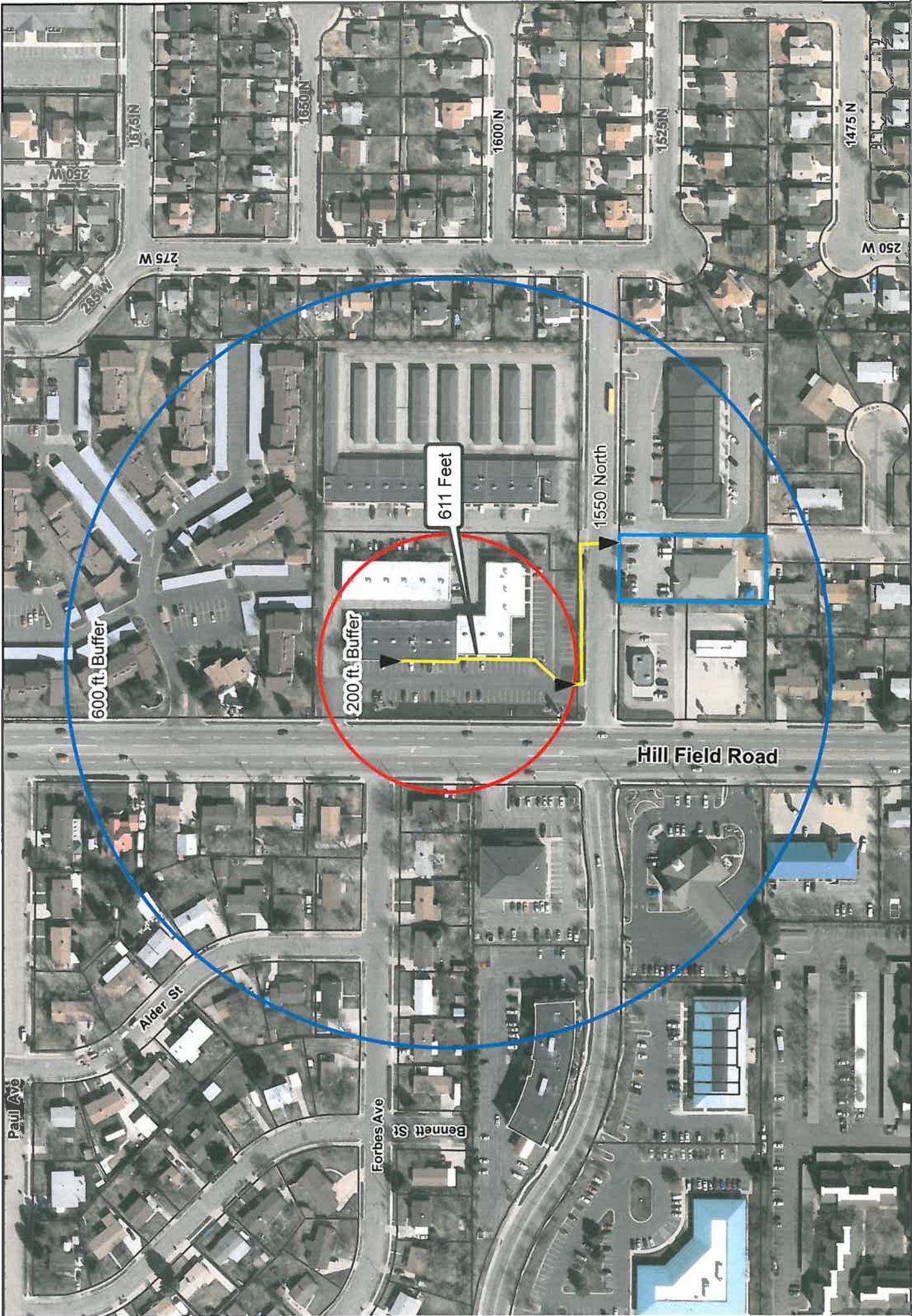
Background: Jennifer Stanger, owner of Gluten Free Foods, is requesting an off-premise beer retailer license. Section 5.16.100 of the Layton City Code regulates beer retailer licenses with the following location criteria.

- (1) An off-premise beer retailer license may not be established within 600 feet of any public or private school, church, public library, public playground, school playground or park measured following the shortest pedestrian or vehicular route.
- (2) An off-premise beer retailer license may not be established within 200 feet of any public or private school, church, public library, public playground, school playground or park measured in a straight line from the nearest entrance of the convenience store to the nearest property line.

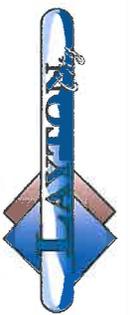
The attached map illustrates the 200-foot buffer circle and 600-foot buffer circle. A private pre-school, La Petite Academy, located at 325 West 1550 North, is located within the 600-foot buffer of the premise. However, the measurement following the shortest pedestrian or vehicular route is 611 feet to the private pre-school. Currently there are no other parks, schools, libraries or churches within the 200-foot or 600-foot distances to Gluten Free Foods. The location meets the location criteria. The criminal background check on Jennifer Stanger has been submitted to the Police Department for review and has been approved.

Alternatives: Alternatives are to 1) Approve the off-premise beer retailer license for Gluten Free Foods; or 2) Deny the request.

Recommendation: Staff recommends the Council approve the off-premise beer retailer license for Gluten Free Foods.



Gluten Free Foods
1596 North Hill Field Road, Ste B



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

Item Number: 4F

Subject: Final Plat Approval – Old Farm at Parkway Subdivision Phase 2 – Approximately 815 West Layton Parkway

Background: On January 24, 2012, the Planning Commission approved the preliminary plat for what was then titled Roberts Creek Subdivision and now has been changed to Old Farm at Parkway Subdivision. The applicant is requesting final plat approval for Phase 2 of the subdivision to be developed on 6.88 acres of vacant land. Similar residentially zoned subdivisions are to the east and north, Kaysville City is to the south, and agricultural land uses in unincorporated Davis County are to the west.

The proposed final plat consists of 19 lots with each lot being greater than 8,000 square feet in size. The lot sizes range from 8,000 to 15,500 square feet. The frontage of each lot meets the requirements of the Single-Family Residential (R-1-8) zone.

The development of this subdivision and each lot must adhere to the associated annexation agreement that was approved by the Council with the annexation of this property. The annexation agreement requires the developer to install the landscape buffer and an 8-foot masonry wall along their frontage of the subdivision on Layton Parkway.

Staff has met with residents from the Weaver Meadows Subdivision to address concerns about the limited access for the future phases of Old Farm at Parkway. The future residents of the Old Farm at Parkway Subdivision only have one access point to Layton Parkway, which is through the Weaver Meadows Subdivision. This single access point is allowed for 44 future lots within the Old Farm at Parkway Subdivision based on two access points that will be provided for future development west of the Old Farm at Parkway Subdivision.

Staff is willing to work with the residents of the Weaver Meadows Subdivision by having the developer of Old Farm at Parkway agree in writing that a lot backing onto Layton Parkway can be restricted to allow a temporary access for construction equipment only. Once the construction for the subdivision improvements and possibly a number of homes are complete the lot will be sold and the temporary access closed.

Alternatives: Alternatives are to 1) Grant final plat approval to Old Farm at Parkway Subdivision Phase 2 subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting final plat approval.

Recommendation: On June 11, 2013, the Planning Commission unanimously recommended the Council grant final plat approval to Old Farm at Parkway Subdivision Phase 2 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

Date: August 15, 2013

Re: Old Farm at Parkway Subdivision Phase 2 Final Plat

Location: Approximately 815 West Layton Parkway

Zoning: R-1-8 (Single Family Residential)

Background:

On January 24, 2012, the Planning Commission approved the preliminary plat of what was then titled Roberts Creek Subdivision and is now called Old Farm at Parkway Subdivision located at approximately 815 West Layton Parkway. Similar residentially zoned land is to the north and east, Kaysville City is to the south, and agricultural land uses in unincorporated Davis County are to the west.

The proposed final plat will consist of 19 lots with a required detention basin located at the southern edge of a future phase of the subdivision to the west. This phase will have to adhere to the annexation agreement requirements with regards to the 8-foot masonry wall installation and street side landscaping. Five lots will back onto the recently constructed Layton Parkway. These lots will have a landscape buffer easement adjacent to the Layton Parkway right-of-way. It is the developer's responsibility to construct an 8-foot masonry wall and landscape the 5-foot buffer adjacent to the required 8-foot masonry wall and to landscape the park strip within the Layton Parkway right-of-way. Maintenance of this landscape buffer is the responsibility of the Old Farm at Parkway homeowners association.

The proposed lots meet the R-1-8 requirements with regards to frontage and area. Each lot is greater than 8,000 square feet with lot sizes ranging from 8,000 to 15,500 square feet.

Several residents within the Weaver Meadows Subdivision Phase 1 have expressed concerns to City Staff and Council members the future phases of the Old Farm at Parkway Subdivision will have to access through the Weaver Meadows subdivision to reach Layton Parkway. The preliminary plat was approved showing two future street connections to the west for future development that will provide access points to Weaver Lane (see the concept plan for future development on adjacent properties). There is no planned secondary access

to Layton Parkway with the Old Farm at Parkway Subdivision. The Layton City Engineer, Woody Woodruff, has limited access points onto Layton Parkway because of the potential for high amounts of traffic as west Layton develops and because it is classified as an arterial street.

Resident's concerns include increased traffic flows through the Weaver Meadows Subdivision with only one street access for an additional 44 single family lots in the Old Farm at Parkway Subdivision, fire safety, and knowledge that the property owner west of the proposed Old Farm at Parkway Subdivision has written a letter stating that development will never occur on his farm property.

City Staff has been working with the residents and the developer of Old Farm at Parkway Subdivision to create a solution. Staff proposes to initiate a written agreement with the developer to restrict a single family lot that backs onto Layton Parkway to allow for a temporary access onto Layton Parkway for construction purposes only. This would eliminate large vehicular construction traffic from going through the Weaver Meadows Subdivision. Once the construction period is over for the subdivision improvements and possibly home construction, the temporary access would be closed and the lot sold.

Regardless of the solution suggested by City Staff, the residents in the Weaver Meadows Subdivision are still requesting permanent access to Layton Parkway for the future residents of Old Farm at Parkway.

Staff Recommendation:

Staff recommends final plat approval be granted for Old Farm at Parkway Subdivision Phase 2 subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering DR. Planning [Signature] Fire [Signature]

Planning Commission Action:

On June 11, 2013, the Planning Commission voted unanimously to recommend the Council grant final plat approval to Old Farm at Parkway Subdivision Phase 2 subject to meeting all Staff requirements.

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



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

• Public Works - Engineering •
Terry R. Coburn • Director
James (Woody) Woodruff • City Engineer
Telephone: (801) 336-3700
Fax: (801) 336-3713

July 19, 2013

Re: Secondary Access Request for Layton Parkway

Dear Residents,

Layton Parkway is classified as a Minor Arterial Street. According to the American Association of State Highway and Transportation Officials (AASHTO), "Every State and local transportation agency has the basic statutory authority to control all aspects of highway design to protect the public safety, health, and welfare".

"The Safety and operating benefits of controlling access to a highway have long been recognized and well documented. As access density increases, there is a corresponding increase in crashes and travel times. Access management is one of the primary components that streets are regulated." (AASHTO pg 91-92). This access management also improves the flow of traffic and reduces congestion and delay on streets.

Layton Parkway is a controlled access facility and according to the Layton City Development Guidelines and Design Standards Adopted November 2012, regarding Street Intersections - "On arterial and major collector streets, drive entrances may be required to be aligned as determined by the City Engineer. The number and location of drive access points may also be limited".

Layton Parkway is a Minor Arterial road with a Master Plan to locate intersections (connections) at ¼ mile increments (1,000 feet) in new development and reduce or minimize access in existing planned and developed areas. The closest spacing on Layton Parkway between 350 West and 700 West intersections is 650 feet. The spacing between 700 West and Weaver Lane is 1,091 feet. This spacing meets the desired 1,000 foot spacing requirement and Master Plan. An additional access between 700 West and Weaver Lane would also carry safety concerns of sight distance due to the curves of Layton Parkway.



The other classes of streets within our community are collector streets, residential collector streets, and residential streets. Examples of collector streets would be Flint and Angel Streets. These connect to a Minor Arterial Street such as Layton Parkway.

According to Layton City Municipal Code, "Residential Collector Street means a street, existing or proposed, which is supplementary to a collector or arterial street and of limited continuity and which serves or is planned to serve the needs of residential areas and gives access to local streets. This type of street shall be used as collector streets through residential areas which lead directly or indirectly to a collector or arterial street".

Currently, 700 West is a residential collector street that collects traffic from the Weaver Meadows Subdivision and will collect traffic from the future Old Farm at Parkway Phase 2&3 subdivisions. The residential collector will provide access for these residents to the Minor Arterial Street, Layton Parkway.

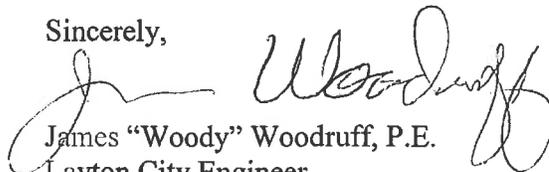
According to the Layton City "Development Guidelines and Design Standards" Adopted November 2012 Section IV- Second Access requirements "A second access to a site is required under the following conditions: A development of one or two family dwellings where the number of dwelling units exceeds 30, unless fire apparatus roads will connect with future development as determined by the City Engineer and the Fire code official".

The Fire Marshall and City Engineer have confirmed with the City Attorney and Community Development Director that the proposed development "will connect with future developments". No additional access or road connections will be approved to Layton Parkway.

However, to reduce the impacts and increase safety for the Weaver Meadows subdivision residents, Layton City staff is recommending to the developer to utilize an existing temporary driveway access off of Layton Parkway only during construction.

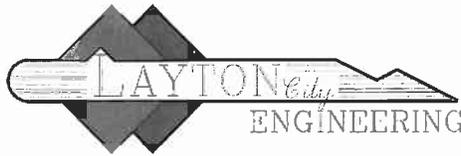
We are appreciative and acknowledge the concerns you share as a neighborhood and hope that you will support the Layton City Staff in this decision to provide this secondary temporary access during construction. Thank you for your courtesy and support.

Sincerely,


James "Woody" Woodruff, P.E.
Layton City Engineer







MEMORANDUM

TO: Phil Holland; Phil@henrywalkerhomes.com
Thomas Romney; tromney@focusutah.com

FROM: Shannon Hansen, Staff Engineer

CC: Fire Department
Community Planning and Development Department

DATE: July 25, 2013

RE: **Old Farm at Parkway Phase 2, Final Plans (Revised) (1st Submittal)**

I have reviewed the dedication plat and construction drawings transmitted on July 16, 2013 for the proposed Old Farm at Parkway Phase 2 Subdivision, located at approximately 850 West and 800 South. The plans have been stamped "APPROVED AS CORRECTED."

The following items will need to be addressed/completed prior to scheduling a preconstruction meeting.

- **Lighting** – The developer will be required to pay \$14,200 prior to the pre-construction meeting for this phase's required street lights (four SL02). This fee includes the installation costs (\$7,000) for the lights and conduit which will be installed by the City's contractor.
- **Bonding** – A cost estimate for the subdivision will need to be submitted for review and will need to include the costs for the sprinkling system and landscaping of the detention basin and the landscape buffer on Layton Parkway and for the masonry wall.
- **General** - Six complete sets of drawings that have been stamped and signed by a professional engineer will need to be submitted. The drawings will need to address the corrections from this memo.
- A letter of approval from Kays Creek Irrigation for the pressurized secondary water system will need to be submitted and will need to include written documentation that the fees for secondary water service have been paid.
- A letter of approval from Kays Creek Irrigation for the changes to the irrigation line on the east side of the project will need to be submitted.
- A copy of the Davis County Flood Control permit for the storm drain discharge into Kays Creek must be submitted.
- Based on the lot configuration on the dedication plat and the use of secondary water, the water exaction required for Phase 2 is 3.5 acre feet. The following three companies have water shares acceptable to Layton City:
 - Kays Creek Irrigation (A or B stock) (3 acre feet = 1 share)
 - Holmes Creek Irrigation (3 acre feet = 1 share)
 - Davis & Weber Canal Company (6 acre feet = 1 share)Each company can tell you a price per share and verify the amount of acre-feet of water included in a share or partial share.

- An electronic file of the drawings in AutoCAD format will need to be submitted.
- An electronic PDF and paper copy of the construction plans on 11x17 sheets will need to be submitted for submittal to the Utah Division of Drinking Water and will need to include a “water/sewer crossing table”. See Section 4 – Culinary Water Section item VII (F) located at <http://laytoncity.org/public/Depts/PubWorks/downloads.aspx>
- A Notice of Intent (NOI) from the State of Utah, Department of Environmental Quality, Division of Water Quality will need to be submitted before scheduling a preconstruction meeting. The NOI may be obtained via the Internet at <Http://waterquality.utah.gov>. (Click on the heading “Online Construction Stormwater Permit Issuance System” and follow the instructions).
- **Masonry Walls** - The city has secured a price of \$73.80/linear foot for the construction and installation of the masonry walls. This price includes the Developer providing an on-site construction area where the contractor can build the concrete forms. If the Developer chooses this option the cost for the walls must be submitted to the City prior to the pre-con and the plans must show the construction area for the walls.

Dedication Plat –

1. The length and bearing for the shared lot line of lots 218 and 219 will need to be added.
2. The two distances for the rear lot line of lot 203 have the same bearing and will need to be added together.
3. C15 should have a radius of 469’ as it is an offset of C7 which has a radius of 500’ (500’ – 31’ = 469’).

Grading Plan – C5 –

1. The 20’ Public Utility & Drainage Easement and Private irrigation easement note seen along the east boundary will need to be changed to a 10’ public utility easement.

Drainage Plan – C6 –

1. An easement for the land drain line, the storm drain line, and detention pond would need to be established until Phase 4 is constructed. The easement will need to be established by separate document and will need to be submitted for review prior to recording. A copy of the recorded document will need to be submitted for out files.
2. The FEMA 100 year flood elevation in the drainage notes (NGVD29 4287.85) does not match the FEMA elevations shown at the discharge point in Kays Creek (NGVD29 4282.85). This must be corrected.
3. The top of the control structure elevation must match the top of pond elevation (4288.74).

Sewer and Land Drain Plan – C7 –

1. The LDMH #202 will need to be a 5’ manhole due to the interior angle of the entering and exiting pipes.

Water Plan – C8 –

1. Because the flushing hydrants have been removed, the culinary laterals for lots 217, 218, and 219 will need to connect to the main in 800 West and the culinary lateral for the future lot on the south side of 850 South will need to connect to the main in 850 South east of fire hydrant #201. This will need to be noted on the plan and profile sheets.

Erosion Control Plan – C9 –

1. Based on discussions and concerns with residents of the neighboring subdivision, we are requesting that the point of access for construction come from Layton Parkway at the existing drive approach near the northwest boundary of the subdivision.

750 South Plan and Profile – PP1 –

1. The 90 degree bend in the culinary waterline in the knuckle will need to be changed to 2 – 45 degree bends.

800 West Plan and Profile – PP2 –

1. The minimum slope on a 12" storm drain is 1%. This will affect the main from SD inlet #202 to SD combo #201.
2. The invert for the 12" from the SW entering SD combo #201 is labeled as out in the notes in the plan and profile.

850 South Undeveloped Plan and Profile – PP4 –

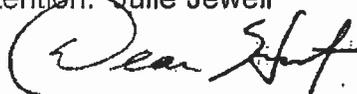
1. The future curb and gutter and sidewalk will need to be shown on the plans to verify proper placement of the manholes.
2. The minimum slope on a 12" storm drain is 1%. This will affect the main from SD inlet #201 to SDMH #204.



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

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell
FROM: Dean Hunt, Fire Marshal 
RE: Old Farm at Parkway Phase II @ 850 South 800 West
CC: 1) Engineering
2) Phil Holland, Phil@henrywalkerhomes.com
3) Tom Romney, tromney@focusutah.com
DATE: April 24, 2013

I have reviewed the site plan submitted on April 19, 2013 for the above referenced project. The Fire Prevention Division of this department has no further comments and concerns regarding this project **and recommends granting final approval.**

These plans have been reviewed for Fire Department requirements only. Other departments must 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 Old Farm Parkway PH 2kn
Plan #S13-045, District # 42
Project Tracker #LAY 1303121353

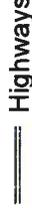
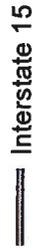


CITY COUNCIL

August 15, 2013

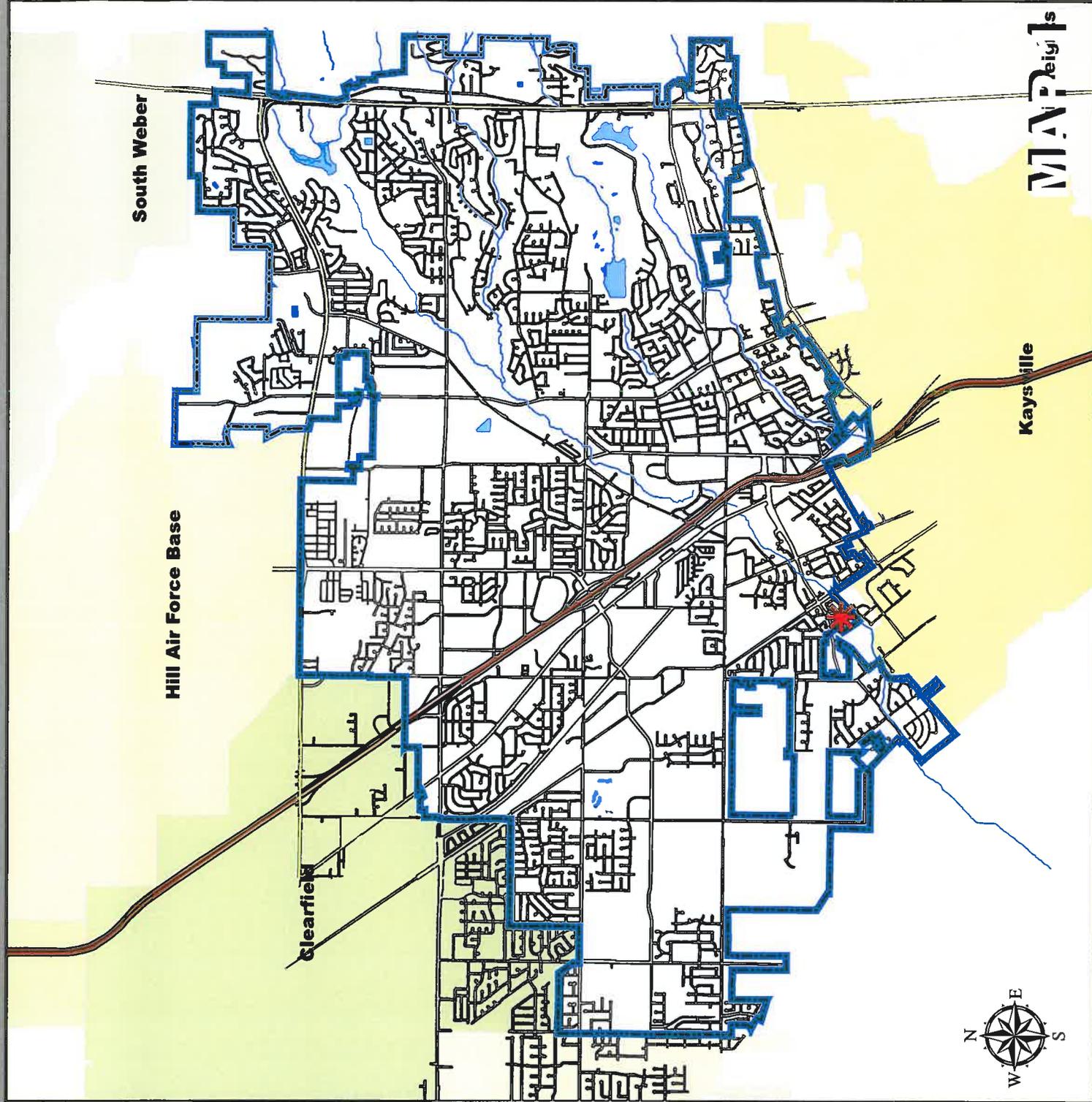
Old Farm at Parkway Phase 2 Final

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Site

1 inch = 5,000 feet





CITY COUNCIL

August 15, 2013

Old Farm at Parkway Phase 2 Final

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Area

 1 inch = 330 feet



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

Item Number: 4G

Subject: Final Plat Approval – Evergreen Farms Subdivision Phase 2 – Approximately 1950 West Layton Parkway

Background: The applicant, The Adams Company, is requesting final plat approval for Evergreen Farms Subdivision Phase 2. The phase is 19 acres and contains 44 lots. The density for this phase is 2.315 units per acre.

A landscape buffer and eight-foot masonry wall is required along Layton Parkway. The eight-foot masonry wall is to match the existing wall that has been installed along Layton Parkway east of Angel Street. The landscape buffer is to match the type of trees, shrubs and other plantings that are proposed for Evergreen Farms Subdivision Phase 1.

All lots meet the frontage and area requirements of a lot-averaged single-family R-S zoned subdivision.

Alternatives: Alternatives are to 1) Grant final plat approval to Evergreen Farms Subdivision Phase 2 subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting final plat approval.

Recommendation: On July 30, 2013, the Planning Commission unanimously recommended the Council grant final plat approval to Evergreen Farms Subdivision Phase 2 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



Date: August 15, 2013

Re: Evergreen Farms Phase 2 Final Plat

Location: Approximately 1950 West Layton Parkway

Zoning: R-S (Residential Suburban)

Background:

The applicant, The Adams Company, is proposing a second phase of a single-family subdivision within an R-S zone. Unincorporated County land is to the south, the Rocky Mountain Power corridor and R-S zoned property is to the east and Evergreen Farms Subdivision Phase 1 is to the west.

The proposed final plat consists of 44 lots, which are lot averaged on 19 acres; this equates to a density of 2.315 units per acre. All lots meet the requirements of the R-S zone when lot averaged with regards to frontage and area.

As part of developing the subdivision, the applicant is required to build half of the extension of Layton Parkway, which travels along the south side of the phase. The street is to be an 84-foot right-of-way and the applicant's responsibility will be to dedicate 42 feet of width adjacent to their subdivision. Outside of the right-of-way for Layton Parkway, the applicant is required to provide a minimum 5-foot landscape buffer easement along lots that back or side onto the arterial street. City ordinance requires the developer to install an 8-foot masonry wall to match the existing masonry walls further east on Layton Parkway. The wall will need to be installed along the entire Layton Parkway frontage of this phase of the development. The landscaping in the landscape buffer will need to match the landscaping for Evergreen Farms Subdivision Phase 1.

The Parks Department is requesting that fencing be installed on the rear of the lots that back onto the Rocky Mountain Power corridor. A minimum 6-foot chain link fence is required by ordinance if Rocky Mountain Power is allowing agricultural operations as part of a lease agreement on the property.

Staff Recommendation:

Staff recommends final plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering D.R.

Planning [Signature]

Fire [Signature]

Planning Commission Action: On July 30, 2013, the Planning Commission voted unanimously to recommend the Council grant final plat approval subject to meeting all Staff requirements.

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



MEMORANDUM

TO: Dave Adams; d2@8015466000.com
tyler@gardnerengineering.net

CC: Fire Marshall and Community Development

FROM: Shannon Hansen

DATE: July 23, 2013

RE: **Evergreen Farms Phase 2, Final Plans (2nd submittal)**

I have reviewed the dedication plat and construction drawings submitted on July 19, 2013 for the proposed Evergreen Farms Subdivision Phase 2 at approximately Layton Parkway and 2000 West. The plans have been stamped "APPROVED AS CORRECTED".

The following items will need to be addressed prior to scheduling a pre-construction meeting.

- **Bonding** – A cost estimate from a contractor will need to be submitted for review.
- **Lighting** – The developer will be required to pay \$9,200 (for 4 – SL-01), \$12,600 (for 7 – SL-02), and \$14,010 for installation for a total of \$35,810 for this phase's required street lights prior to the pre-construction meeting. The lights will be installed by the City's contractor. The city will be responsible for the cost difference between an SL-04 and SL-01 lights installed on Layton Parkway (\$1,770.00 per light, \$21,600 for conduit). The developer required amount above includes this cost reduction.
- Six complete sets of drawings that have been stamped and signed by a professional engineer will need to be submitted. The drawings will need to incorporate the following corrections.
- Written approval from Kays Creek Irrigation Company for the secondary waterlines will need to be submitted. They will determine the size of line to be installed in Layton Parkway. The size of this line will need to be indicated on the plans. In Robert's Farms Phase 8 and Kennington Parkway Phase 1, both to the east, Kays Creek Irrigation provided the irrigation line and paid the contractor to install the line in Layton Parkway. It is anticipated that the same thing will happen with this subdivision, however, the developer will need to coordinate with Kays Creek for installation.
- A Notice of Intent (NOI) from the State of Utah, Department of Environmental Quality, Division of Water Quality will need to be submitted before scheduling a preconstruction meeting. The NOI may be obtained via the Internet at [Http://waterquality.utah.gov](http://waterquality.utah.gov). (Click on the heading "Online Construction Stormwater Permit Issuance System" and follow the instructions).
- An electronic PDF copy of the construction plans on 11x17 sheets will need to be submitted for submittal to the Utah Division of Drinking Water and will need to include a "water/sewer crossing table". See Section 4 – Culinary Water Section item VII (F) located at <http://laytoncity.org/public/Depts/PubWorks/downloads.aspx>
- This property is in the tri-lateral agreement area. The dedicated water shares are to be paid for at Weber Basin to meet the exaction requirement. Written confirmation that this payment has been made from Weber Basin will need to be submitted.

Dedication Plat – All closure errors will need to be resolved to within 0.015’.

1. The notes on sheets 2 and 3 that match the notes on sheet 1 can be removed.
2. The curve table on sheet 3 can be removed.
3. There is an overlap of 0.11’ with phase 1.
4. The centerline of Blue Spruce Drive has a failure to match with the centerline in Phase 1 of 0.04’
5. The total length of northwest line of lot 127 (bears S2544’44”W) will need to be added.
6. The total length of the easterly line of lot 220 (bears S9d41’01”W) will need to be added.
7. The length of the centerline of Layton Parkway from the east boundary to the centerline of White Pine Drive will need to be added to sheet 3.
8. The length of the line from the south boundary to the north right of way of Layton Parkway along the east boundary will need to be added to sheet 3.
9. The centerline of White Pine Drive has a failure to match the centerline established with Phase 1 of 0.06’.
10. When placing the right-of-way lines beginning from the east end of Layton Parkway and progressing along Layton Parkway, White Pine Drive, and Blue Spruce Drive and when placing the lot lines for lots 205-208 from the ROW of Layton Parkway towards the ROW for Blue Spruce Drive, there is a failure to match the corresponding points of the lot lines to the ROW of Blue Spruce by 1.3’. This will need to be corrected.
11. The radius and length of C13 should match C12. This correction will likely resolve #10 above.

Sheet P1 – Layton Parkway

1. The flow elevation of the 30” storm drain at the west boundary is indicated to be 55.96 on this sheet and 55.46 on the approved Phase 1 plans.
2. The minimum allowed slope on a land drain line is 0.4%. This will need to be corrected on all applicable sheets.

Sheet P2 – Layton Parkway

1. Due to the below standard slope on Layton Parkway, the SDMH at 13+63.28 will need to be changed to a combination box.

Sheet P3 – Blue Spruce Drive

1. The flow elevation of the land drain at the west boundary is indicated to be 55.38 on this sheet and 55.36 on the approved Phase 1 plans.

Sheet P5 – Black Pine Circle

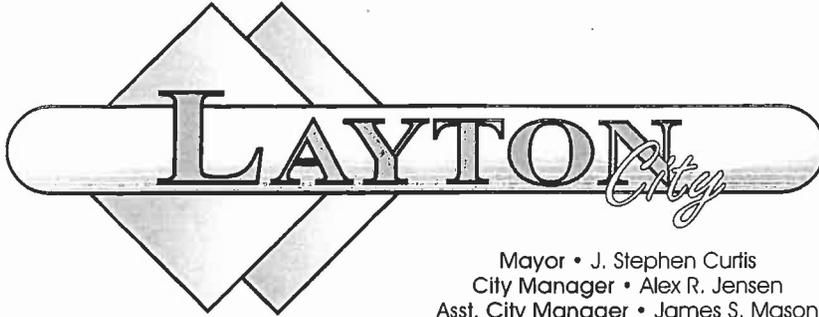
1. The minimum slope on the curb and gutter through the cul-de-sac radius is 1%. The note in-front of lot 240 indicates the slope on the west half of the cul-de-sac to be 0.5%.

Sheet P7 – White Pine Drive

1. In the profile, the note for the LDMH at 8+93.34 has the invert as “IN” rather than “OUT”.

General Notes –

1. Based on our water model, there is 2,630 gpm available.

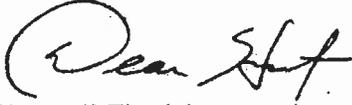


• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
FAX: (801) 546-0901

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Dean Hunt, Fire Marshal 

RE: Evergreen Farms Subdivision Phase II Final Approval
@ 2000 West Layton Parkway

CC: 1) Engineering

DATE: July 29, 2013

I have reviewed the site plan submitted on July 19, 2013 for the above referenced project. The Fire Prevention Division of this department has no further comments or concerns regarding this project. Refer to a Memorandum by Douglas Bitton, dated July 8, 2013, for comments on this development. The Fire Prevention Division of this department **recommends granting final approval for this project.**

These plans have been reviewed for Fire Department requirements only. Other departments must 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\Evergreen Farms PH 2 FINAL:kn
Plan # S13-105, District # 42
Project Tracker #LAY 1307051383





Memorandum

To: Planning Commission
From: Scott Carter, Parks Planner
Date: July 26, 2013
Re: Evergreen Farms – Phase 2 – Final Approval – 600 South 2000 West

The Layton City Parks & Recreation Trails Plan indicates that the Rocky Mountain Power corridor, which runs along the east line of this development, is to eventually contain a trail. This trail is part of the integrated, City-wide trail system and has been adopted as a part of the Regional Trails Plan. The power corridor therefore becomes an important part of the City's overall open space, recreation and transportation system.

All lots backing the power corridor should be properly fenced to provide proper separation between the trail and the homes. The corridor is currently being farmed, which would require fencing regardless.

Parks & Recreation did not receive any landscape plans for the Layton Parkway buffer with the Phase 2 drawing package. The landscape plans that need to be submitted should include a planting plan and irrigation plan.

The irrigation connection(s) for the Layton Parkway buffer are to be separate from any connection to a lot. If the irrigation connection is to culinary water backflow prevention must be provided.

Parks & Recreation has reviewed the CC&R's for the development. The document needs to have more explicit language to ensure the HOA will maintain all buffer spaces in perpetuity. There are also antiquated references in the existing document that need to be updated, i.e. the reference to Barnes Banking Company.

Recommendation

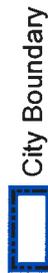
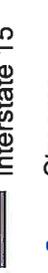
Parks & Recreation supports granting final approval of Evergreen Farms Phase 2 upon submitting the above noted information.

CITY COUNCIL

August 15, 2013

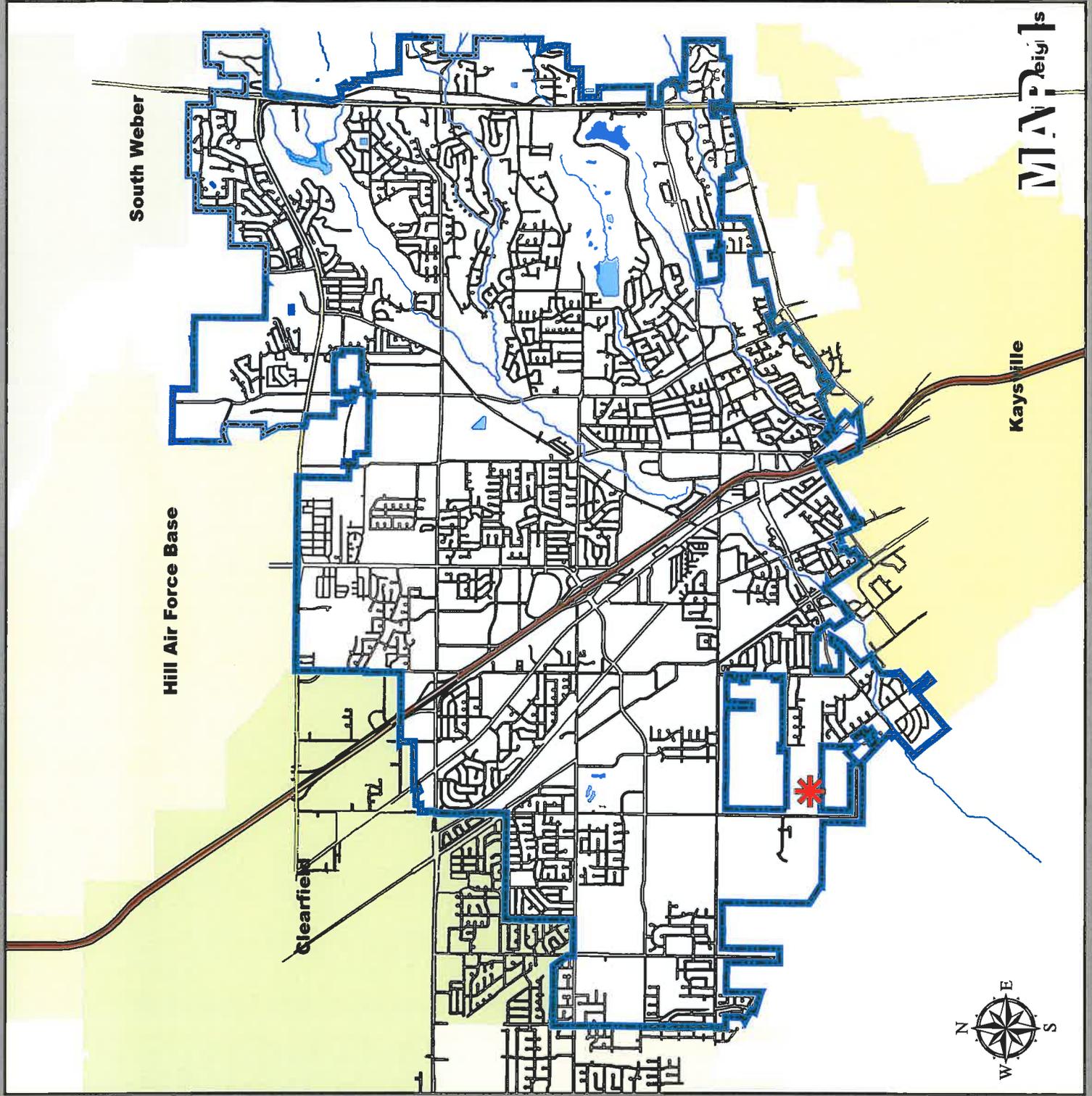
Evergreen Farms Phase 2 Final Plat

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Site

1 inch = 5,000 feet

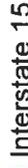
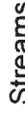


CITY COUNCIL

August 15, 2013

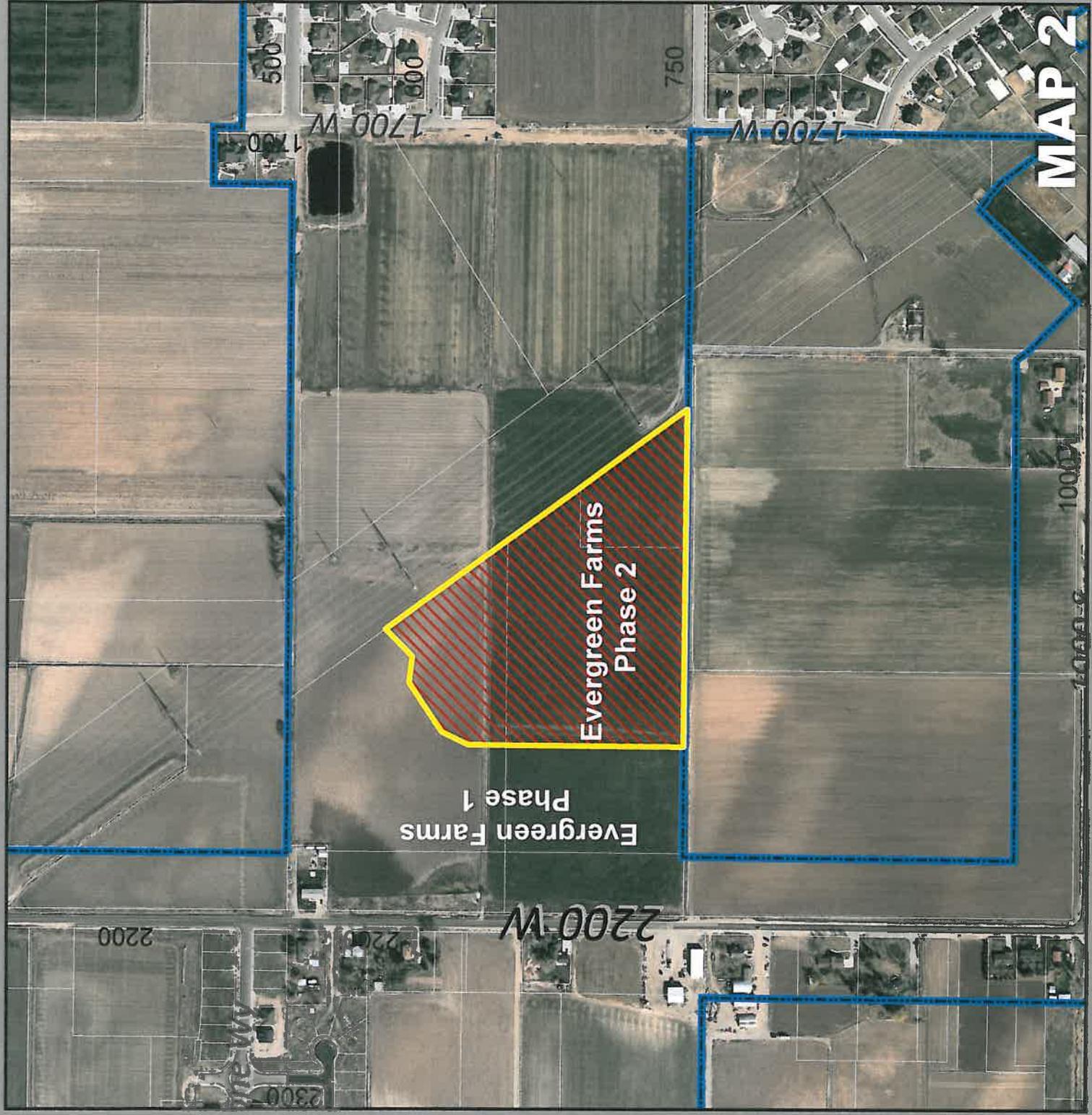
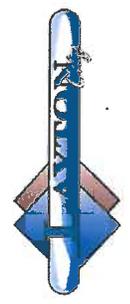
Evergreen Farms Phase 2 Final Plat

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Area

 1 inch = 440 feet



MAP 2

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

Item Number: 4H

Subject: Parcel Split Approval – Lowe’s Home Improvement – 1055 West Antelope Drive

Background: The applicant, Matt Freidman with Net 3 Real Estate, is requesting a parcel split of commercial property on the Lowe’s Store parcel. The proposed parcel split will create another commercial parcel by removing .74 acres (32,367 square feet) from the larger parcel of 13.332 acres. With the reduction of .74 acres, the larger parcel would retain 12.592 acres for the Lowe’s Home Improvement Store.

The purpose for the parcel split is to create a commercial building pad for the construction of a 6,800 square foot retail building. With the recently approved parking ordinance amendment for Lowe’s and other large home improvement stores, the site will have enough parking spaces to accommodate the new retail building and the Lowe’s Store. Both parcels meet the area requirements of the CP-3 zone, which is a minimum parcel size of 20,000 square feet.

Alternatives: Alternatives are to 1) Grant parcel split approval for Lowe’s Home Improvement subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting parcel split approval.

Recommendation: On July 30, 2013, the Planning Commission unanimously recommended the Council grant parcel split approval to Lowe’s Home Improvement 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, appearing to be "Kem Weaver", written over a horizontal line.

Date: August 15, 2013

Re: Lowe's Home Improvement Parcel Split

Location: 1055 West Antelope Drive

Zoning: CP-3 (Planned Regional Commercial)

Background:

The applicant, Matt Friedman with Net 3 Real Estate, is requesting a parcel split of commercial property on the Lowe's store parcel. The parking ordinance amendment was approved by the City Council on August 1, 2013, which reduced the parking requirements for large home improvement stores, provides an opportunity to create a second commercial parcel for the Lowe's Store site.

The proposed parcel split would create another commercial parcel by removing .74 acres from the 13.332 acres of the Lowe's Store site or larger parcel. With the .74 acre reduction the Lowe's Store parcel will retain 12.592 acres.

The .74 acre parcel is proposed to create a commercial building pad for retail type uses. The commercial building will be a maximum 6,800 square feet. The parking ordinance amendment will allow for this size of building, and parking requirements for Lowe's and the 6,800 square foot commercial building will be met.

Staff Recommendation:

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

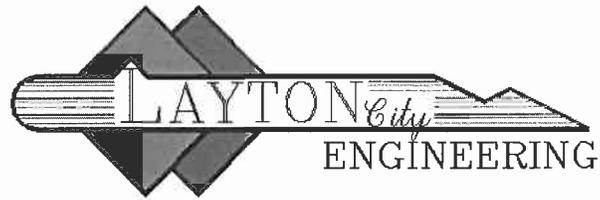
Engineering

Planning

Fire

Planning Commission Action: On July 30, 2013, 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.



MEMORANDUM

To: Matt Friedman – mfriedman@net3re.com
Mark Stoner – mark.a.stoner@lowes.com
Chris Cave – ccave@reeve-assoc.com

From: Stephen Jackson, Engineering Department

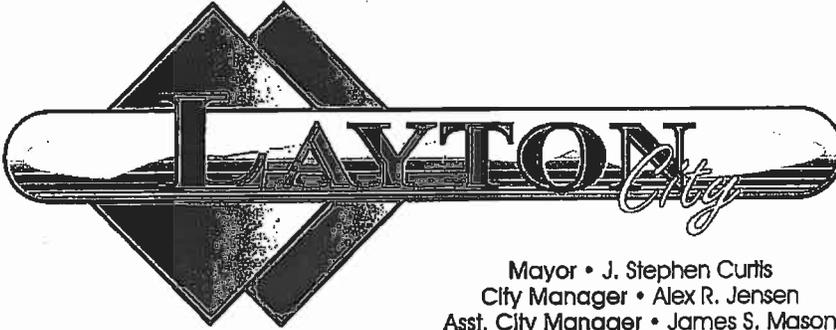
CC: Building/Community Development/Fire Department

Date: July 22, 2013

RE: **Lowe's Parcel Split**

I have reviewed the parcel split request for the Lowe's HIW, a Washington Corporation property located at 1055 W. Antelope Drive received July 22, 2013. The Engineering Department recommends that the parcel split be approved as submitted.

1. The water model indicates an available fire flow of 6,400 gpm from the 12-inch waterline in 1000 West. The fire department will determine the fire flow requirements for the new parcel.



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

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Douglas K. Bitton, Fire Prevention Specialist 

RE: Lowe's Parcel Split @ 1055 West Antelope Drive

CC: 1) Engineering
2) Matt Friedman, mfriedman@net3re.com
3) Mark Stoner, mark.a.stoner@lowes.com

DATE: July 15, 2013

I have reviewed the site plan received on July 10, 2013 for the above referenced project. The Fire Department, with regards to the parcel split, does not have any comments 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.

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.

DB\Lowe's Parcel Split: kn
Plan # S13-091, District # 81
Project Tracker: #LAY 1307101384



CITY COUNCIL

August 15, 2013

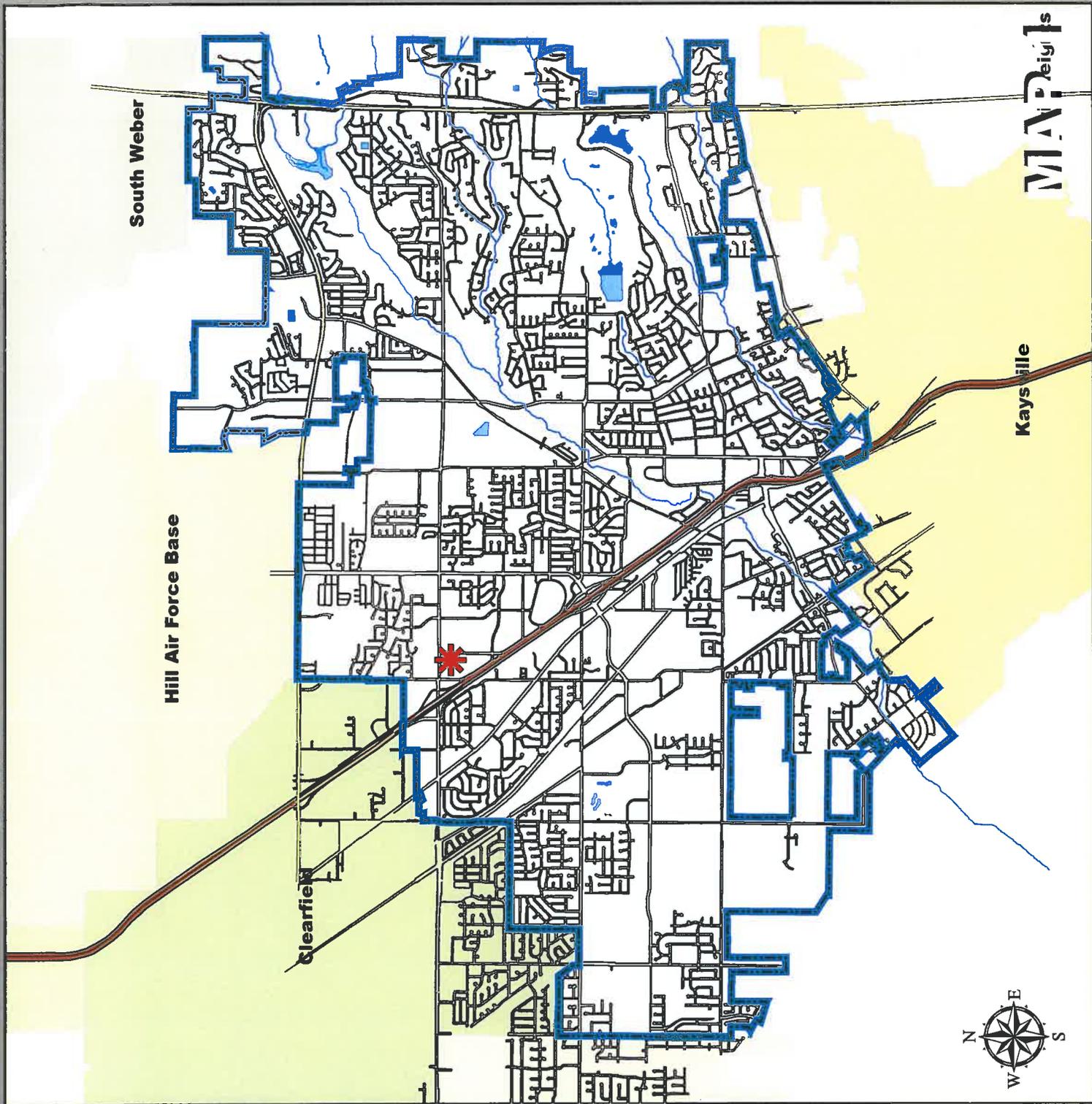
Lowe's Commercial Parcel Split

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Site

1 inch = 5,000 feet



CITY COUNCIL

August 15, 2013

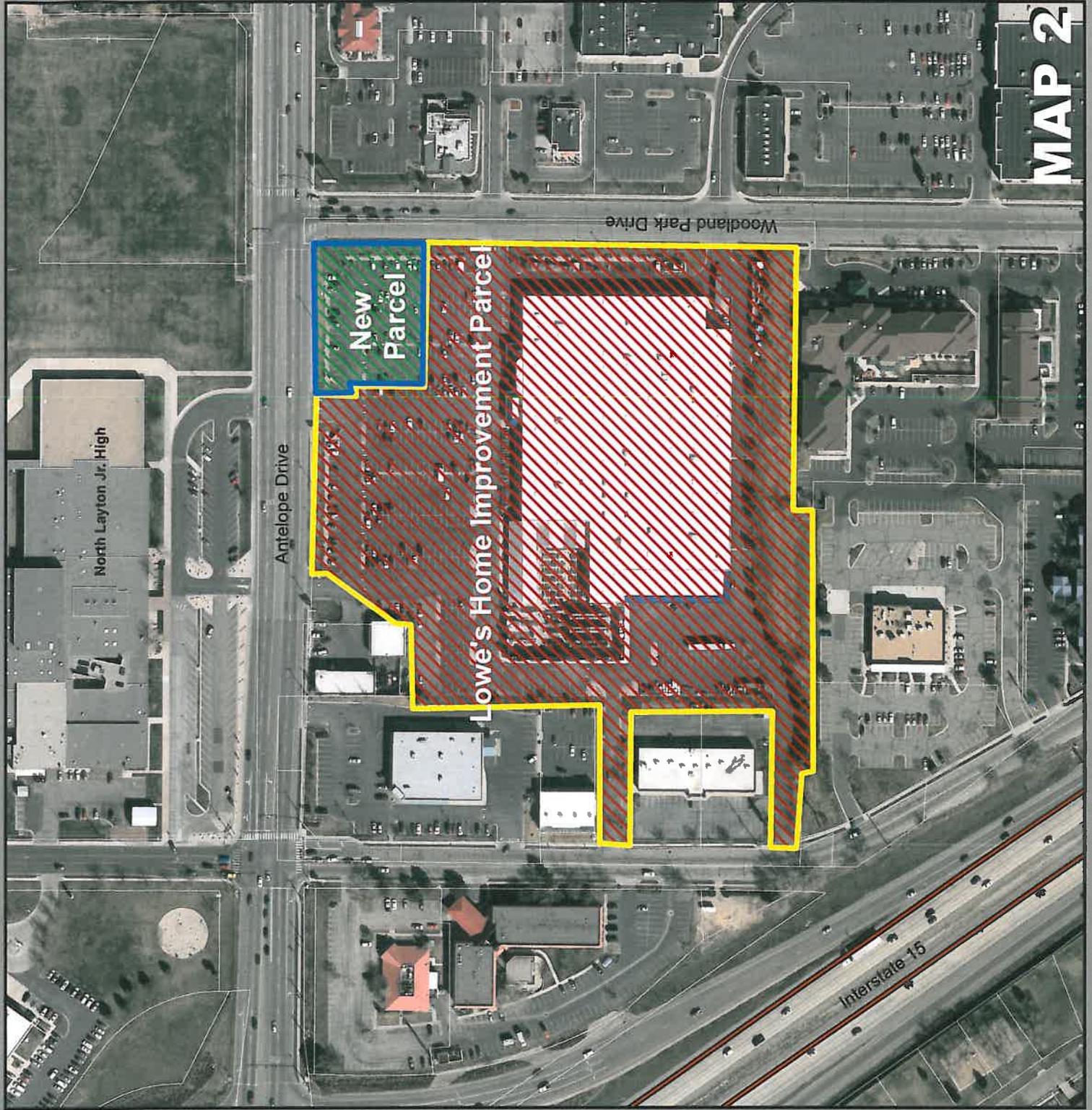
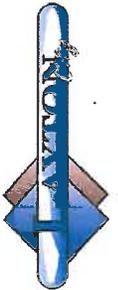
Lowe's Commercial Parcel Split

Legend

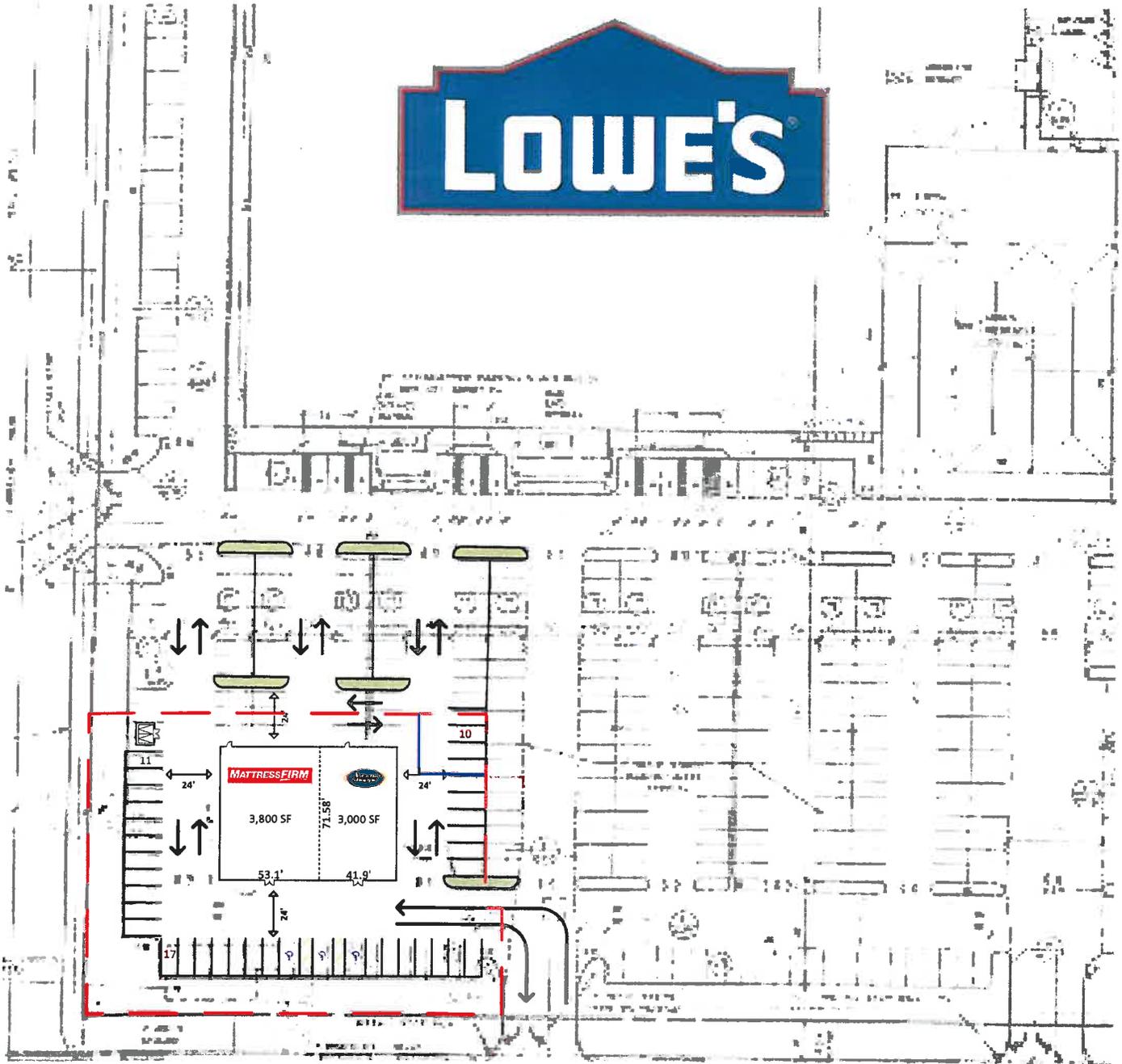
-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Area

 1 inch = 204 feet



MAP 2



REVISIONS	DATE	DESCRIPTION

Eagle Hardware & Garden, Inc. Property
 PART OF THE NW 1/4 OF SECTION 17, T.14N., R. 10E., S.18E. & M. U.S. SURVEY
 LAYTON CITY, DAVIS COUNTY, UTAH

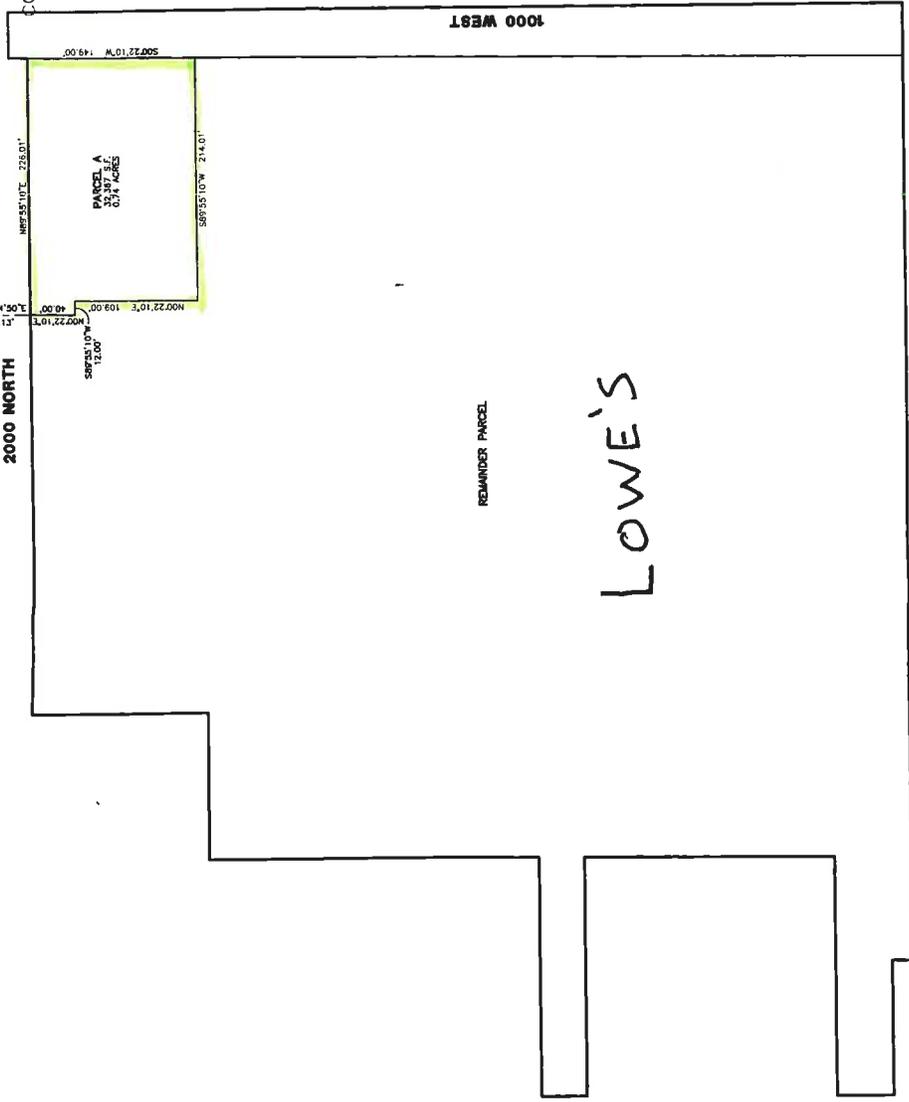
Project Info.
 Engineer: _____
 Designer: C. Greer
 Begin Date: _____
 Issue Date: 11.13.2013
 Name: Eagle Hardware & Garden, Inc. Property
 Address: _____
 Number: 9242-01

Sheet **1** of **1**
 Sheets

RECEIVED
 JUL 10 2013

LAYTON CITY
 COMMUNITY DEVELOPMENT

Developer:
 Next Level Estates
 2803 Butterfield Rd, Ste.310
 Oak Brook, IL 60523
 (603) 235-8745



Eagle Hardware & Garden, Inc. Property

Layton City, Davis County, Utah

Legal Descriptions

PARCEL A, PARTSWEST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 1 WEST, S.18E. & M. U.S. SURVEY, DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT WHICH LIES N89°55'10"E 723.57 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 17 AND RUNNING THENCE N89°55'10"E 226.01 FEET, THENCE S00°22'10"W 149.00 FEET, THENCE S89°55'10"W 12.00 FEET, THENCE N00°22'10"E 40.00 FEET TO THE POINT OF BEGINNING.
 CONTAINING 32.87 SQUARE FEET AND 0.14 ACRES

REMAINDER PARCEL:
 PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 1 WEST, S.18E. & M. U.S. SURVEY, DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT WHICH LIES N89°55'10"E 723.57 FEET AND S00°22'10"W 33.13 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 17 AND RUNNING THENCE S00°22'10"W 108.00 FEET, THENCE N89°55'10"E 40.00 FEET, THENCE S89°55'10"E 12.00 FEET, THENCE N00°22'10"E 40.42 FEET, THENCE S00°04'50"E 788.00 FEET, THENCE S89°55'10"W 844.00 FEET, THENCE N00°04'50"W 197.75 FEET, THENCE N89°55'10"E 210.39 FEET, THENCE N00°22'10"E 220.00 FEET, THENCE S89°55'10"W 210.39 FEET, THENCE N00°22'10"E 220.00 FEET, THENCE N00°04'40"W 199.80 FEET, THENCE N89°55'10"E 129.27 FEET, THENCE N00°04'50"W 288.14 FEET, THENCE S89°55'10"E 22.70 FEET, THENCE N89°55'10"E 255.67 FEET TO THE POINT OF BEGINNING.
 CONTAINING 548.514 SQUARE FEET OR 12.592 ACRES

Note
 OPEN SPACE HAS BEEN REVIEWED AND THE REMAINDER PARCEL HAS OPEN SPACE IN EXCESS OF 108

SURVEYOR'S CERTIFICATE

I, **ROBERT D. KUNZE**, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THIS SURVEY WAS MADE IN ACCORDANCE WITH THE UTAH SURVEYING ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED HEREON AND THAT THE PROPERTY IS ACCURATELY REPRESENTED ON ALL MEASUREMENTS, AND I HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT. I FURTHER CERTIFY THAT THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE UTAH SURVEYING ACT AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

SIGNED THIS _____ DAY OF _____, 20____

190229-2201
 UTAH LICENSE NUMBER
 ROBERT D. KUNZE



THESE PLATS AND INSTRUMENTS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 1000 WEST 1000 SOUTH, SUITE 100, SALT LAKE CITY, UTAH 84119. THEY SHALL NOT BE REPRODUCED, RE-COPIED, OR USED FOR ANY PURPOSE OTHER THAN THE PURPOSE SPECIFICALLY INTENDED FOR UNLESS EXPRESSLY PERMITTED BY REEVE & ASSOCIATES, INC. REEVE & ASSOCIATES, INC. SHALL NOT BE HELD LIABLE FOR ANY DAMAGES OR LOSSES INCURRED BY ANY PARTY USING THESE PLATS OR INSTRUMENTS UNLESS SUCH PARTY HAS BEEN ADVISED BY REEVE & ASSOCIATES, INC. OF SUCH LIABILITY.

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

Item Number: 4I

Subject: Preliminary Plat Approval – Foothills at Cherry Lane PRUD – Approximately 2100 East Oakridge Drive

Background: The applicant, Brighton Homes, is requesting preliminary plat approval for the Foothills at Cherry Lane Planned Residential Unit Development (PRUD) to be developed on 5.42 acres of vacant land. Single-family residentially zoned subdivisions are to the west and south and Low/Medium Density Residential (R-M1) zoning is adjacent to the east.

On June 27, 2013, the Council approved the rezone of both the Single-Family Residential (R-1-10) and R-M1 zones to the R-1-10 PRUD and R-M1 PRUD zones. Based on the acreage of the combined two zones, the development could receive a maximum of 48 units. A density bonus is not required based on the 30 proposed small lots being significantly less than 48 units.

The Design Review Committee (DRC) met with Staff and the applicant and provided a number of recommendations for the Planning Commission and Council to consider in their decision to approve the PRUD development.

Alternatives: Alternatives are to 1) Grant preliminary plat approval to Foothills at Cherry Lane PRUD subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting preliminary plat approval.

Recommendation: On July 30, 2013, the Planning Commission unanimously recommended the Council grant preliminary plat approval to Foothills at Cherry Lane PRUD 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, appearing to read "Kem Weaver", written over a horizontal line.

Date: August 15, 2013

Re: Foothills at Cherry Lane PRUD Preliminary Plat

Location: Approximately 2100 East Oakridge Drive

Zoning: R-1-10 PRUD (Single Family Residential with the planned residential unit development overlay) and R-M1 PRUD (Low / Medium Density Residential with the planned residential unit development overlay)

Background:

On June 27, 2013, the City Council approved the rezone of 5.42 acres of vacant land from R-1-10 and R-M1 to R-1-10 PRUD and R-M1 PRUD for the development of small lots with private streets. The development includes 2.59 acres of R-1-10 PRUD zoned property and 2.83 acres of R-M1 PRUD zoned property.

The applicant, Brighton Homes, is requesting preliminary plat approval of the Foothills at Cherry Lane PRUD development. The base density for the R-1-10 zone in a PRUD is 3.5 units per acre (u/a). With the 2.59 acres, the base density would allow for 9 total units. The R-M1 zone has a base density in the PRUD ordinance of 14 u/a. With 2.83 acres, the base density would allow for 39 total units. By combining the zones, the proposed development could yield 48 total units as a base density. The 30 proposed total units is significantly less than what could be allowed in the two zones combined under the PRUD ordinance.

The land surrounding the building lots will be common area. The development will meet the required base open space of 25 percent by having 37 percent open space. The large portion of the proposed open space will be located over the petroleum transmission lines that run through the eastern portion of the proposed development.

The proposed development will have six patio home style lots that will access onto Oakridge Drive. These lots are necessary for the development to be viable. The remaining 24 lots will front onto private streets within the development, which includes the stubbed street from Foothills at Cherry Lane Phase 3.

During the Planning Commission's review of the rezone, the Planning Commission requested Staff to research other alternatives for removing the patio homes from having to be accessed onto Oakridge Drive. The applicant has examined an alley-fed or rear-loaded concept for the six lots along Oakridge Drive as well as an alternative to design the entire project in a rear-loaded fashion. Upon completion of their design analysis, the applicant has concluded that all rear-loaded design alternatives considered resulted in a decrease in the overall number of lots as well as a reduction in required open space. In the event that an alternative design can be accommodated, the Development Agreement notes that the applicant still has the option to pursue an alley-fed development, in which case the total lot count is not to exceed 31. The City Engineer has studied various traffic calming techniques for this portion of Oakridge Drive. The Development Agreement addresses the City Engineer's efforts to examine and implement appropriate design and possible improvements on Oakridge Drive to enhance vehicular and pedestrian safety. Design and improvements could include striping techniques for Oakridge Drive and streetscape designs with landscaping.

The applicant and Staff met with the Design Review Committee (DRC) to review the proposed development. The DRC met not to award density bonuses but to review the design of the homes and open space. The DRC has the following recommendations to the Planning Commission and City Council.

- The design of the homes should closely match the architecture of the single family homes within the Foothills at Cherry Lane Subdivision.
- For corner lots, place the living portion of the house (not the garage) on the visible corner of corner lots.
- For corner lots, have a better designed side elevation that is seen by the public. This includes lots not just on a corner lot but any side elevation as seen by the public. Add design elements to the side elevation, which include windows or dormer treatments (see the building elevations highlighted in green). Ensure the added design elements are consistent with the front of the home.
- Flip Lots 107 and 130 to move the garage to the other side, away from the street corner. City ordinance requires the drive approach to be 40 feet from the street corner.
- Prevent homes with similar building elevations from having the same color treatments.
- Reduce the proposed mulch around the foundation of the homes from 3 feet to 2 feet out from the home.
- Plant additional trees adjacent to Lots 124, 108 (rear) and 109 (rear).

If the preliminary plat is approved by the City Council, the applicant will be required to provide new building elevations and an open space plan incorporating the above recommendations from the DRC. These items will need to be submitted during the final plat review.

Staff Recommendation:

Staff recommends preliminary plat approval be granted subject to meeting all Staff requirements and DRC recommendations as outlined in Staff memorandums.

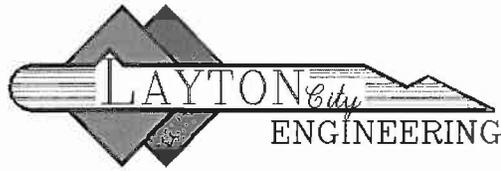
Engineering D.R.

Planning [Signature]

Fire [Signature]

Planning Commission Action: On July 30, 2013, the Planning Commission voted unanimously to recommend the Council grant preliminary plat approval subject to meeting all Staff requirements.

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



MEMORANDUM

TO: Patrick Scott, patrick@beightonhomes-utah.com
Greg Day, gday@foculutah.com

CC: COMMUNITY DEVELOPMENT & FIRE DEPARTMENT

FROM: Ryan Bankhead, Staff Engineer

DATE: July 22, 2013

**SUBJECT: Foothills at Cherry Lane PRUD (preliminary review 2nd submittal)
2100 EAST OAKRIDGE DRIVE -**

I have reviewed the preliminary plan received on July 18, 2013, for the proposed Foothills at Cherry Lane PRUD located at 2100 East Oakridge Drive. The plans have been stamped "**Approved as Corrected**". The following comments and corrections must be addressed on the final plans.

General – A preliminary approval letter from Phillips 66 Petroleum Company for proposed improvements within their petroleum easement must be submitted. Final approval will require a letter for both petroleum companies addressing the proposed grading and retaining wall within their easement.

The petroleum lines must be potholed and accurately located on the final plat and plans.

Plat – The description of the plat was checked for closure. The streets and lots will be checked at final.

All streets that are private should be identified as such on the plat.

Water –The culinary water line material will need to be changed to C-900 DR¹⁴ PVC pipe not DR15 as shown in the notes.

Based on the city water model the available fire flow with a looped 8 inch line is 2,560 GPM. The Fire Marshall will determine the required fire flow and any additional fire protection improvements.

A method to flush, either by a flushing hydrant or a blow-off valve, the dead end water line by lot 122 will be required.

Water Exactions - Layton City passed a water exaction ordinance on November 4, 2004 requiring all developments to purchase and bring a quantity of water (3 acre-feet per "developed" acre) based

on a modified total square footage of lots plus any additional open space. The exact amount of water to be dedicated to Layton City will be determined at the final review stage of the potential development. A credit for 1.5 acre feet will be given for the exactions submitted for the previous layout of Foothills at Cherry Lane Phase 5. The water exaction requirement can be reduced by 2/3 with the use of secondary water.

Secondary Water –For final approval a letter from Kays Creek Irrigation Company approving the plans and indicating the fees have been paid must be submitted.

Based on the proposed street layout this subdivision will be private with private streets and utilities which will be owned and maintained by a Home Owner’s Association. CC&R’s will need to be submitted for review at the time of the final.

Sewer – For the final the proposed sewer laterals that tie into manholes must be 6” laterals and laterals that tie into the main must be 4” laterals.

Lighting – The cost for the installation of the lights will be determined at the time of the final.



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

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Douglas K. Bitton, Fire Prevention Specialist 

RE: Foothills at Cherry Lane Phase V @ 2019 East Oak Ridge Drive

CC: 1) Engineering
2) Greg Day, gday@focusutah.com
3) Patrick Scott, Patrick@brightonhomesutah.com

DATE: July 8, 2013

I have reviewed the preliminary site plan received on July 3, 2013 for the above referenced project. The Fire Prevention Division of this department has the following comments/concerns.

1. Ensure that all items are met on a previous review letter dated February 1, 2013.
2. The 26-foot right-of-way street, as drawn, will require at "No Parking" signs at the front entrance on both sides of the street signs. This shall be added onto the plat as well as the site and civil plans, with a detail listed in the site and civil plans. Please see the following download for the "No Parking" sign designation. See <http://www.laytoncity.org/public/Depts/Fire/downloads.aspx> for a copy of the current standards.

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

DKBVfoothills at Cherry PH 5kn
Plan # S13-089, District #32
Project Tracker #LAY 1305291369





Memorandum

To: Planning Commission
From: Scott Carter, Parks Planner
Date: July 10, 2013
Re: Foothills at Cherry Lane PRUD, Preliminary – 2100 East Oakridge Drive

The Parks & Recreation Department will not be adversely affected by Foothills at Cherry Lane PRUD, so long as any required landscape buffer along Oakridge Drive is maintained in perpetuity by an HOA and not by the City.

The subdivision falls within the service area of Andy Adams Park.

Recommendation

Parks & Recreation supports granting preliminary approval to Foothills at Cherry Lane PRUD.

CITY COUNCIL

August 15, 2013

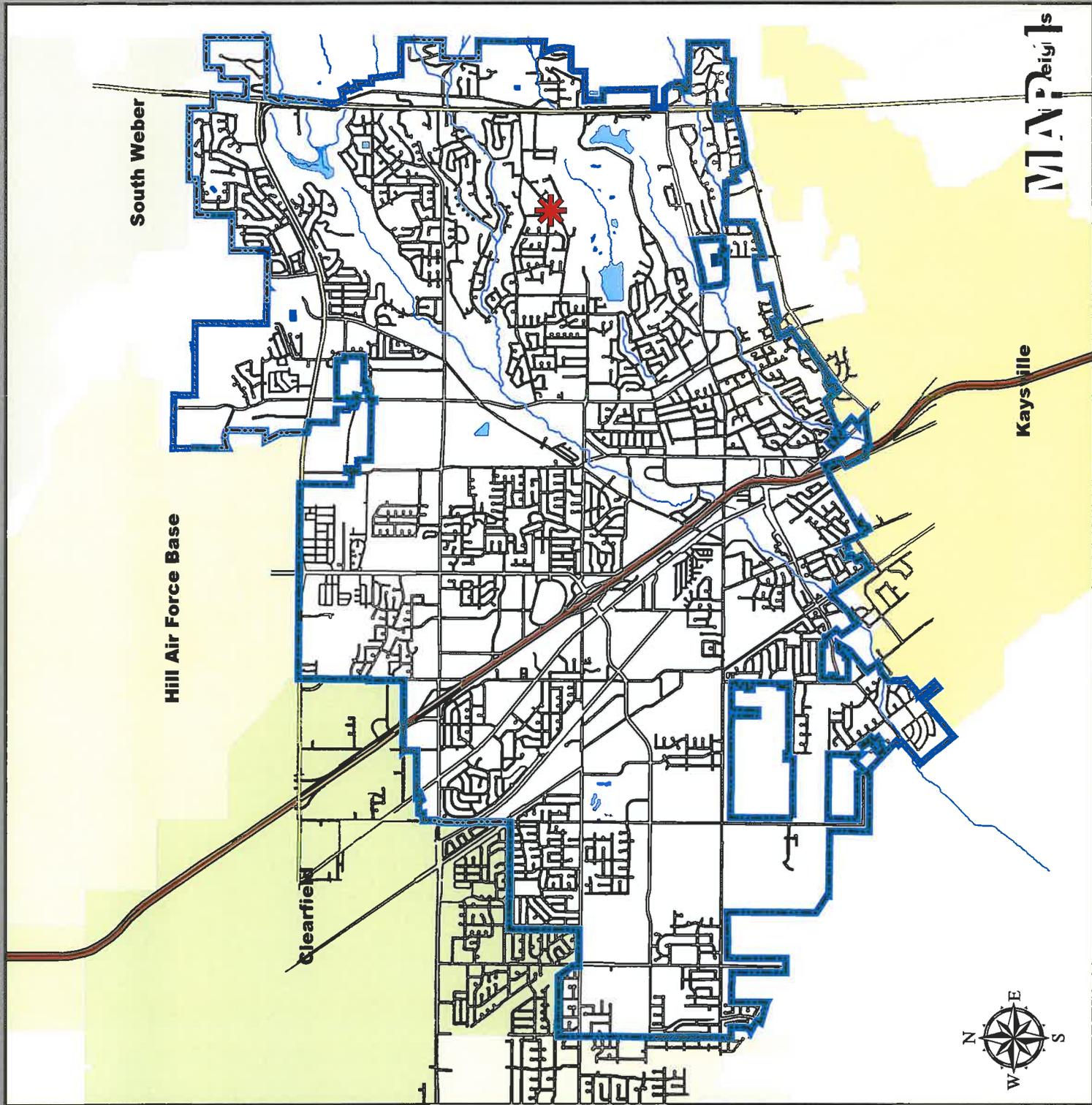
Foothills at Cherry Lane PRUD

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Site

1 inch = 5,000 feet

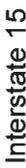
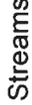


CITY COUNCIL

August 15, 2013

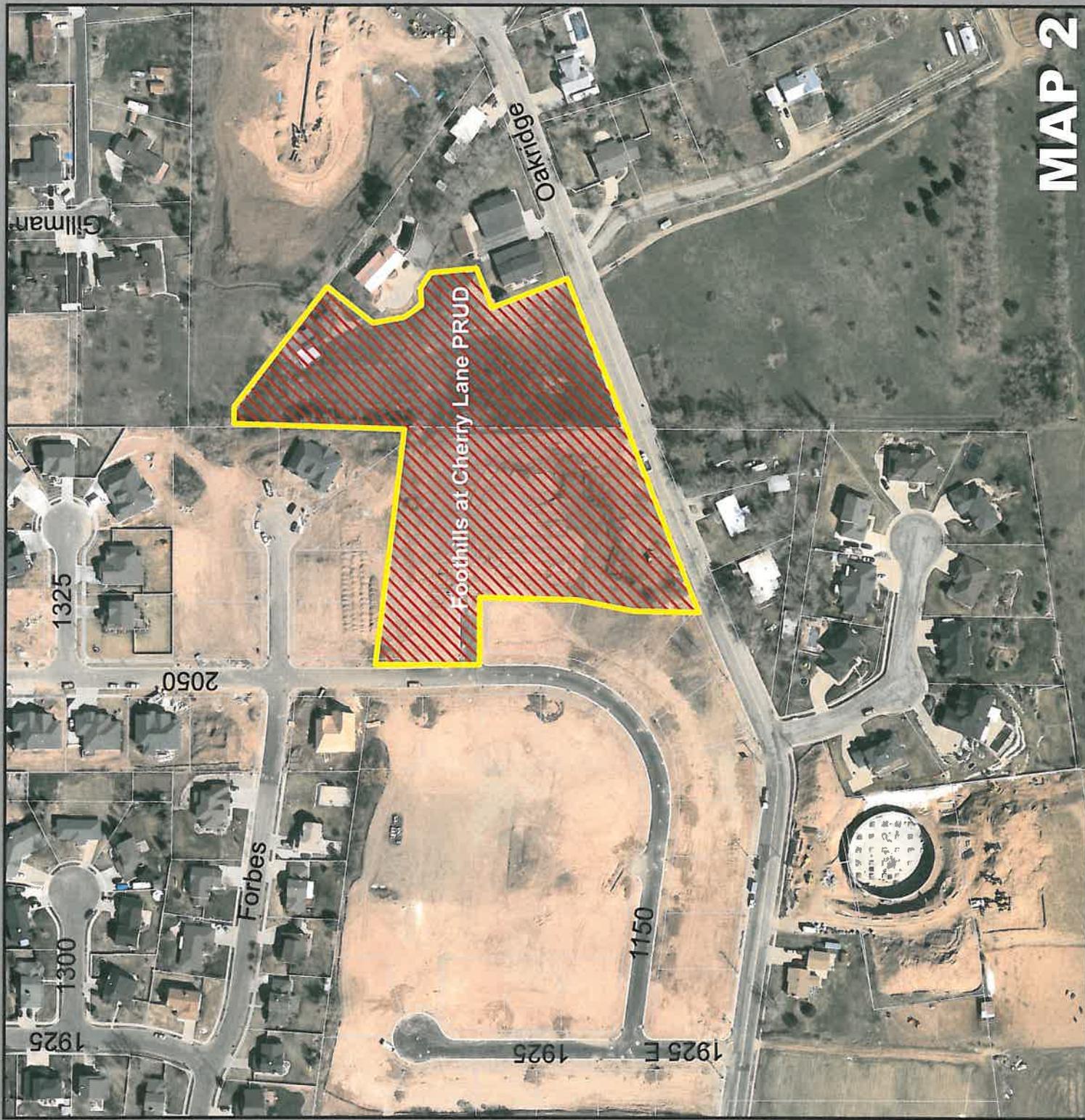
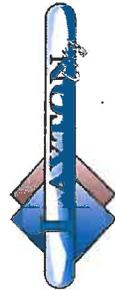
Foothills at Cherry Lane PRUD

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Area

 1 inch = 207 feet

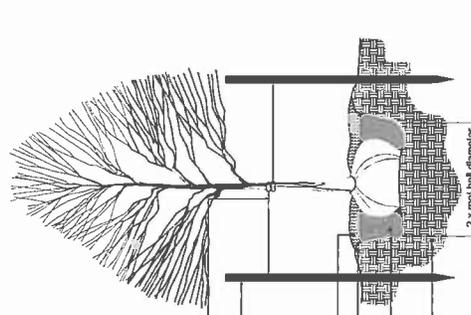




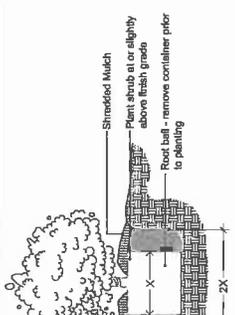
Plant so that top of root ball is even with or slightly higher than the finished grade.

Two strands of twisted 16 gauge gal. wire attached to 12" nylon strap

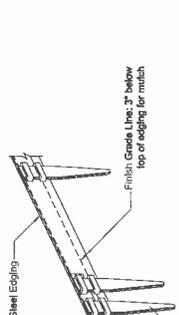
Hardwood 2"x2" stakes (or metal) - 24" long - driven firmly into substrate (min 18") prior to backfilling. Stake above first branches or as necessary for firm support



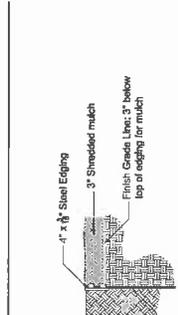
DETAIL L2.4
TYPICAL TREE PLANTING DETAIL
NO SCALE



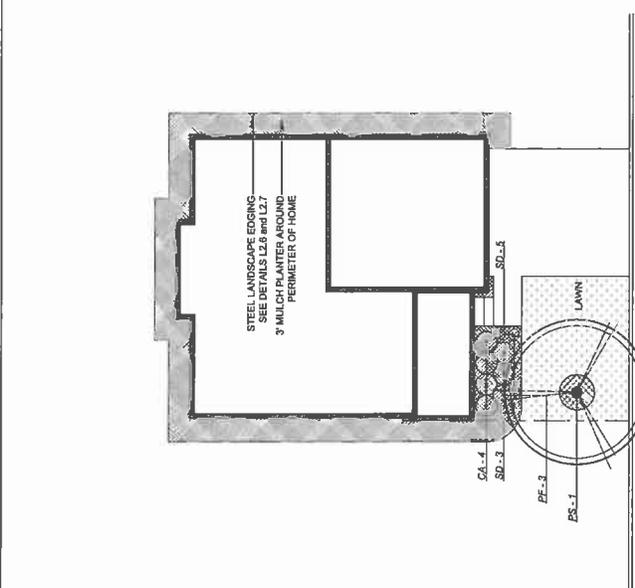
DETAIL L2.5
TYPICAL SHRUB PLANTING DETAIL
NO SCALE



DETAIL L2.6
TYPICAL STEEL LANDSCAPE EDGING DETAIL
NO SCALE



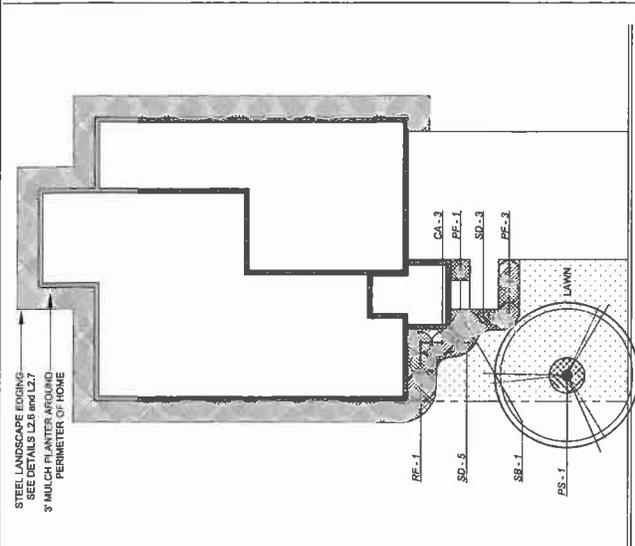
DETAIL L2.7
TYPICAL STEEL LANDSCAPE EDGING DETAIL
NO SCALE



PLANT MATERIALS SCHEDULE

SCIENTIFIC NAME	COMMON NAME	SIZE	QTY.
TREES PS <i>Prunus pennsylvanica</i> 'Weinmann'	Flowering Cherry	2" cal Total: 1	1
SHRUBS PS <i>Potentilla fruticosa</i> 'Jacobus'	Shrubby Cineraria	#5 Total: 3	3
GRASSES CA <i>Calamagrostis canadensis</i> 'Soft Footprint'	Feather Reed Grass	#1 Total: 4	4
PERENNIALS SD <i>Hemerocallis</i> 'Stark D'Or'	Daylily	#1 Total: 8	8

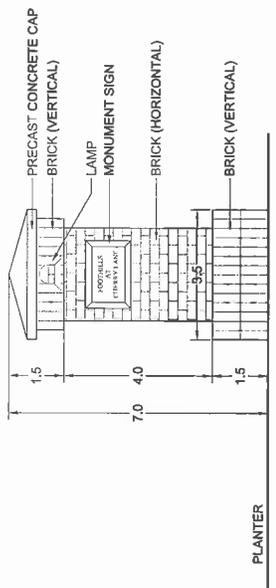
DETAIL L2.2
TYPICAL FRONT YARD PLANTING DETAIL
NO SCALE



PLANT MATERIALS SCHEDULE

SCIENTIFIC NAME	COMMON NAME	SIZE	QTY.
TREES PS <i>Prunus pennsylvanica</i> 'Weinmann'	Flowering Cherry	2" cal Total: 1	1
SHRUBS PE <i>Ribes coccineum</i> 'Lackland'	Shrubby Cineraria	#5 Total: 4	4
PS <i>Rubus</i> 'Mystic'	Blackberry	#5 Total: 1	1
SD <i>Spiraea dumalis</i> 'Autumn Water'	Spiraea	#5 Total: 8	8
GRASSES CA <i>Calamagrostis canadensis</i> 'Soft Footprint'	Feather Reed Grass	#1 Total: 3	3
PERENNIALS SD <i>Hemerocallis</i> 'Stark D'Or'	Daylily	#1 Total: 8	8

DETAIL L2.1
TYPICAL FRONT YARD PLANTING DETAIL
NO SCALE



DETAIL L2.3
OAKRIDGE DRIVE ENTRY MONUMENT DETAIL
NOT TO SCALE



DETAIL L2.3
OAKRIDGE DRIVE ENTRY MONUMENT DETAIL
NOT TO SCALE

Project No. AMC
Drawn By: AMC
Reviewed By: AMC

Date

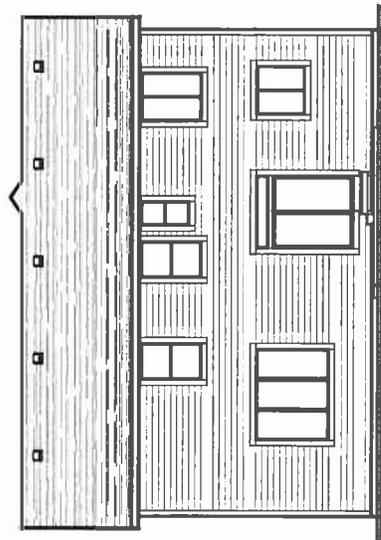
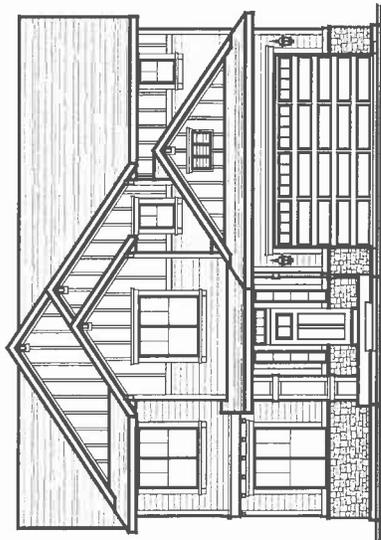
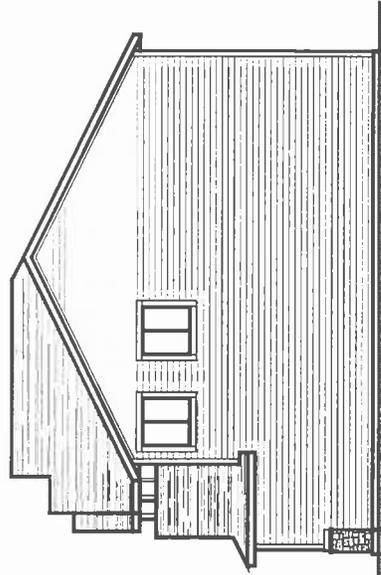
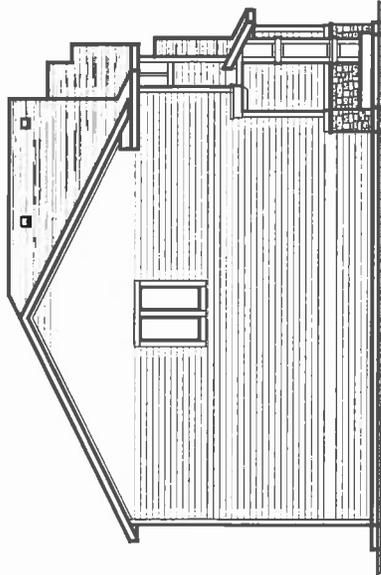
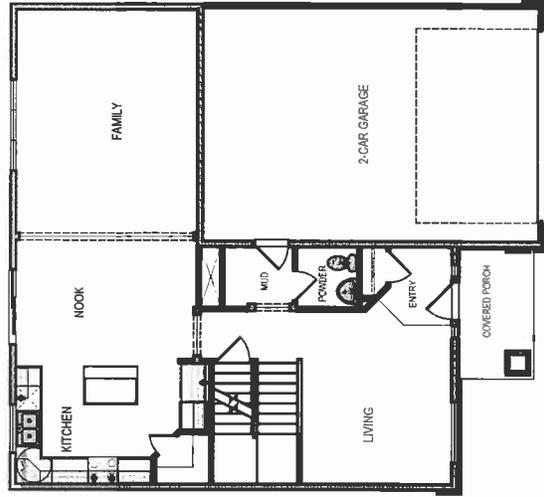
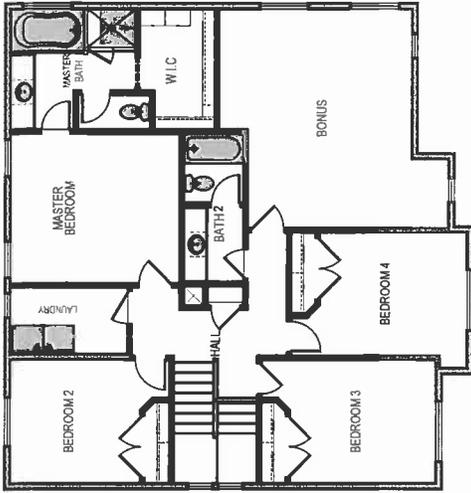
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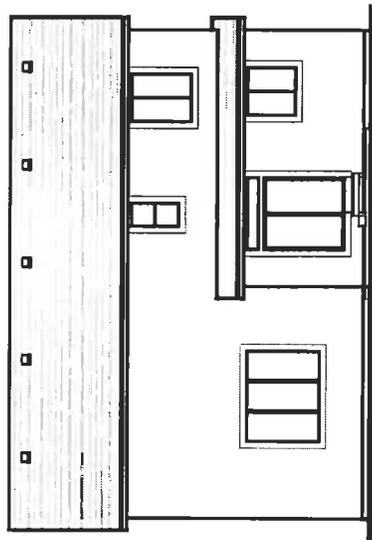
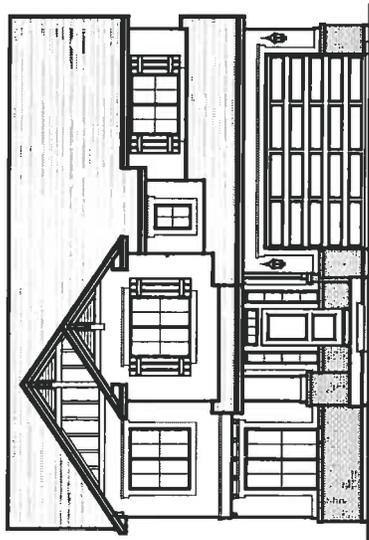
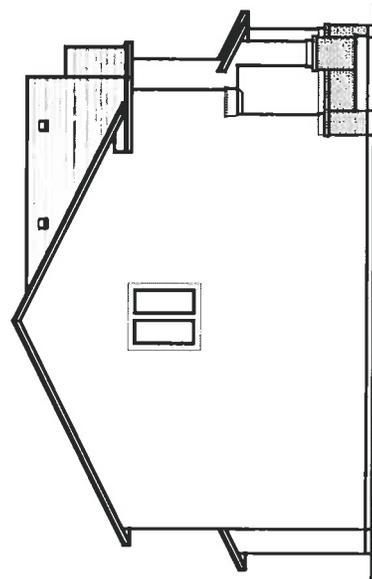
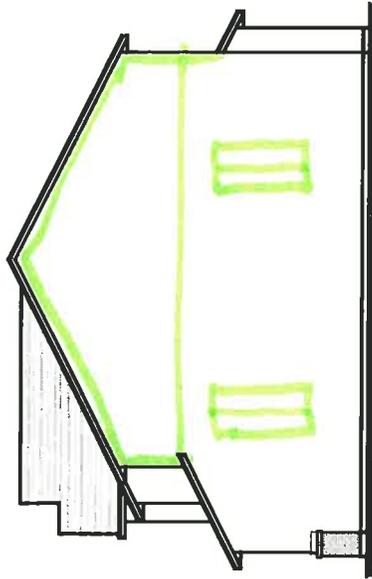
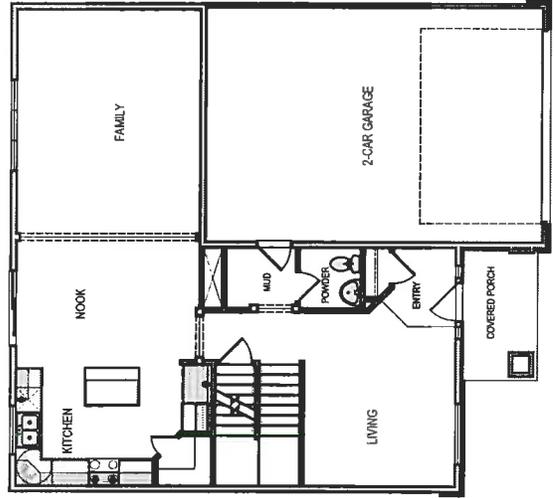
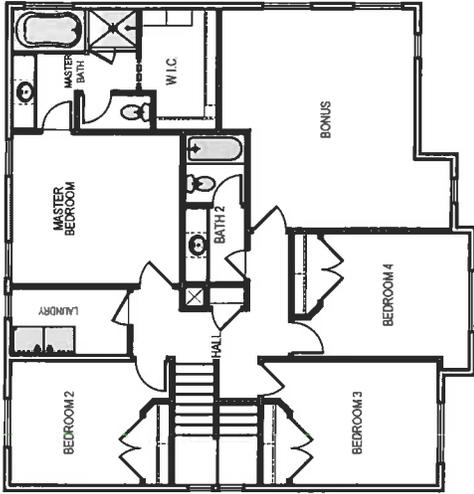
FOOTHILLS AT CHERRY LANE - PHASE 5
LAYTON, UTAH

BRIGHTON HOMES

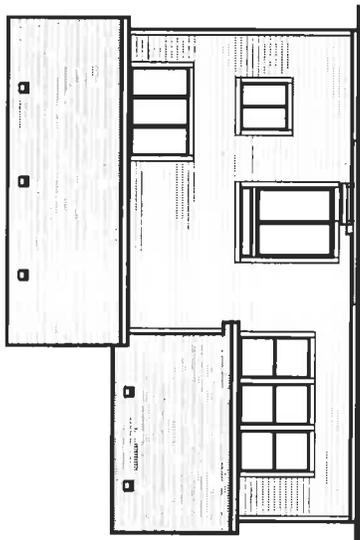
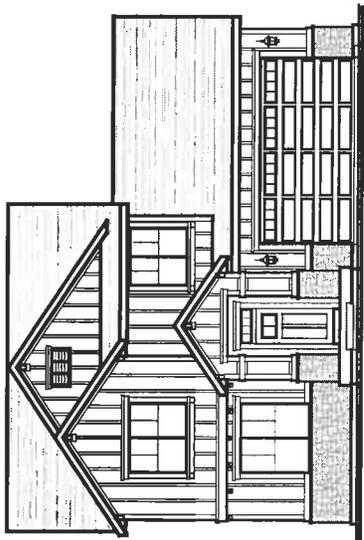
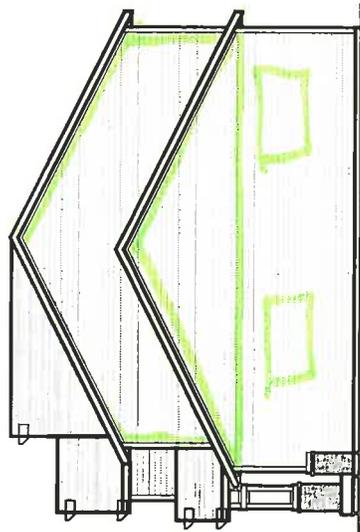
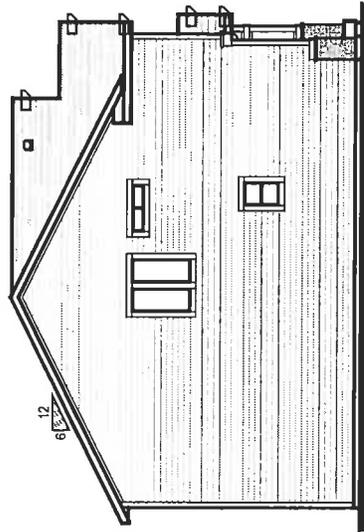
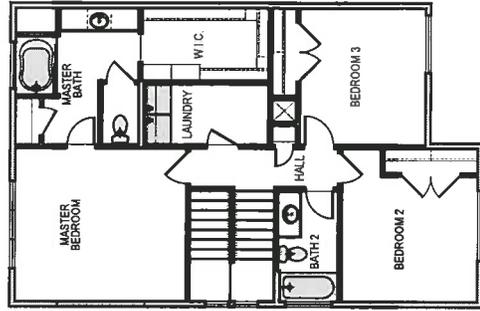
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DATE: 7/20/13
DESIGNER: LANDSCAPE ARCHITECTS
PROJECT: PRELIMINARY
PROJECT NO.: LP-02
PROJECT DATE: 11-20-01

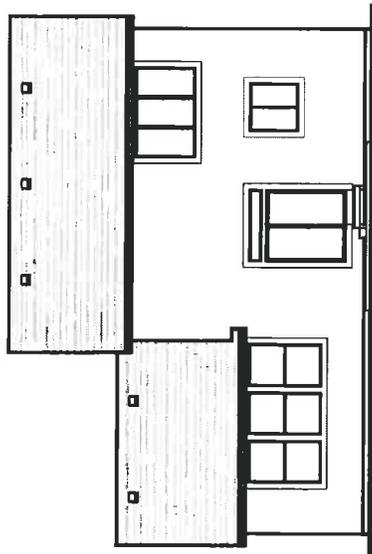
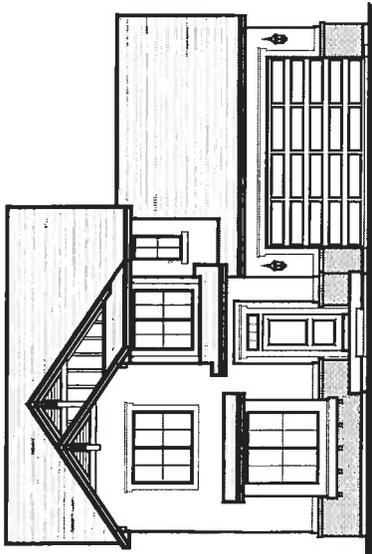
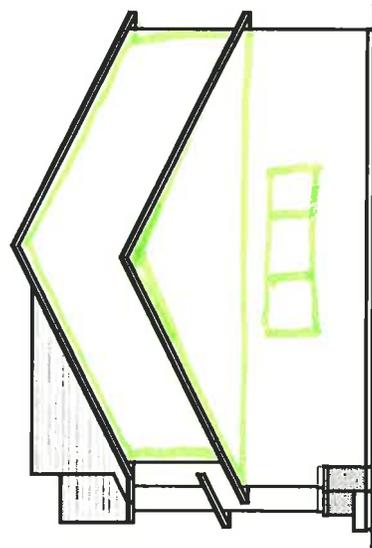
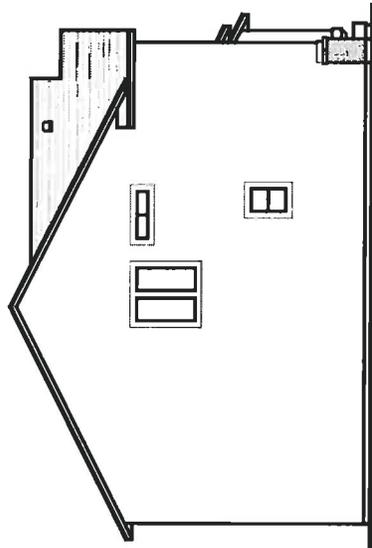
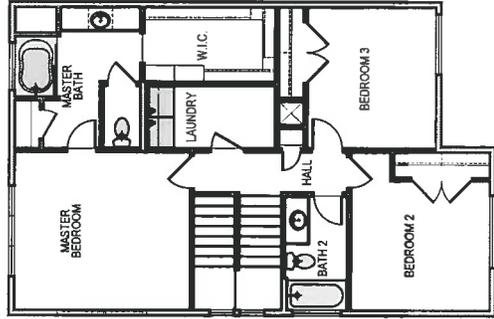




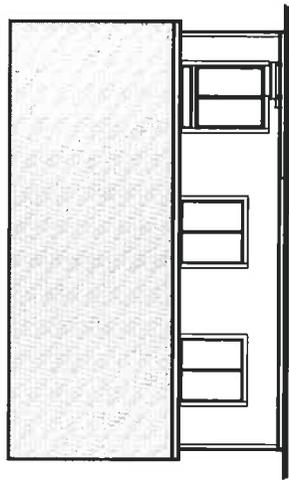
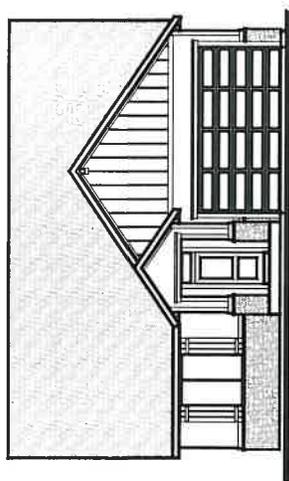
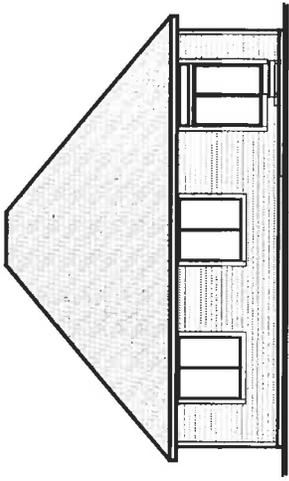
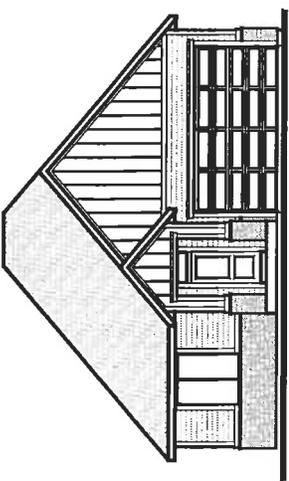
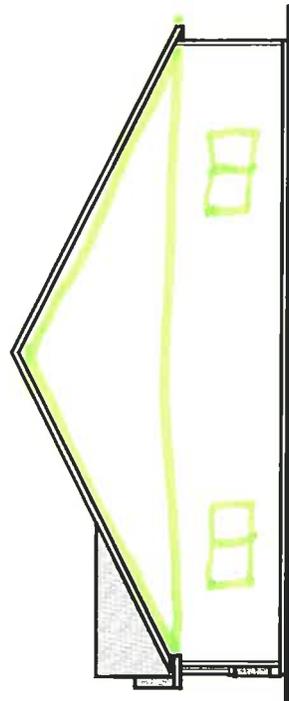
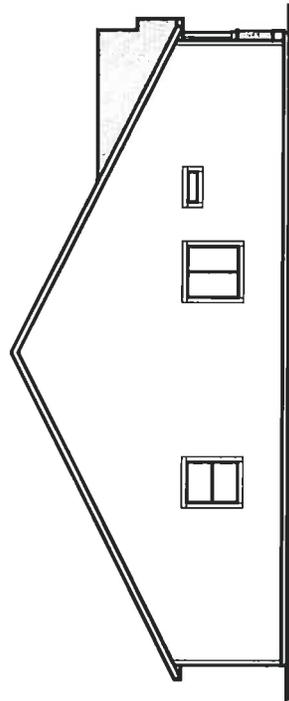
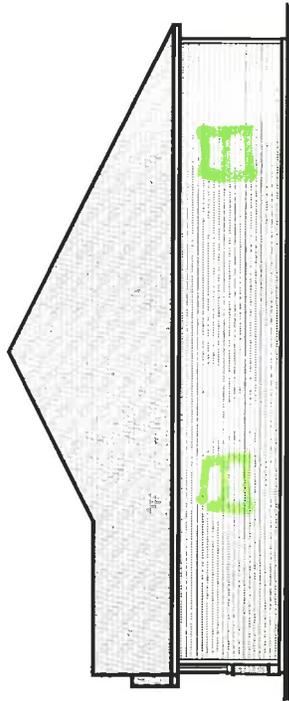
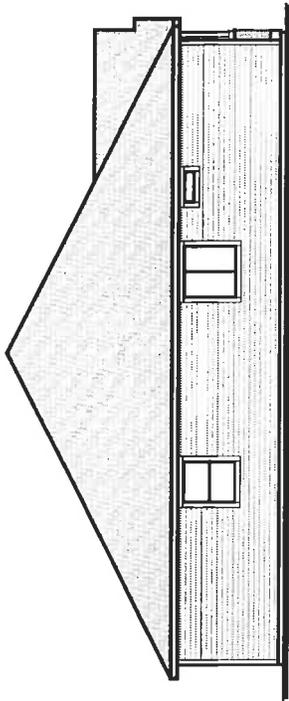
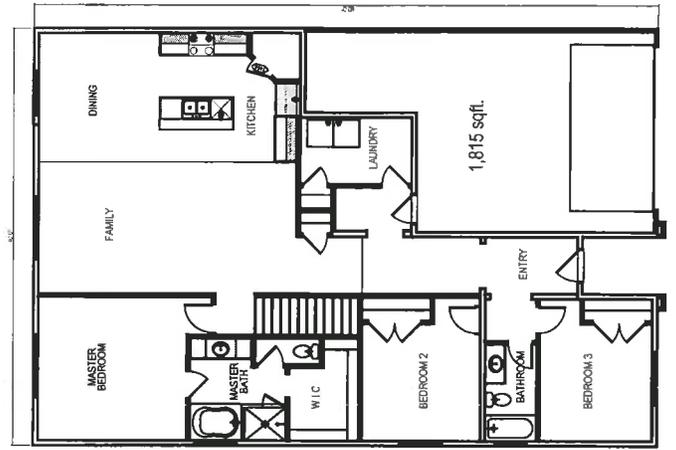
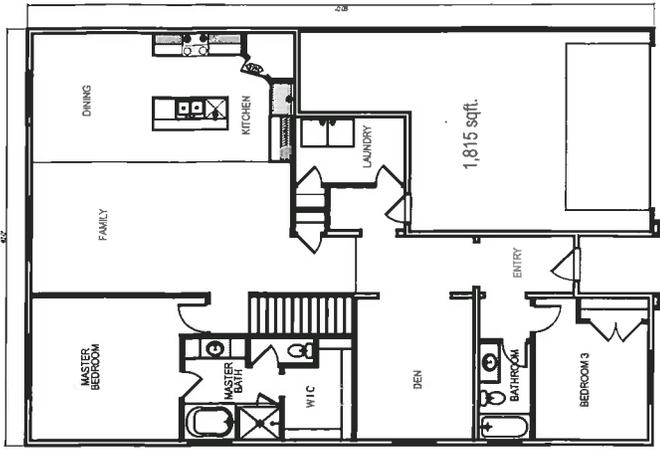
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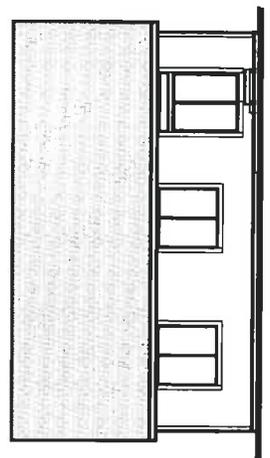
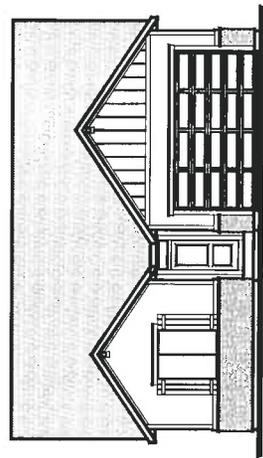
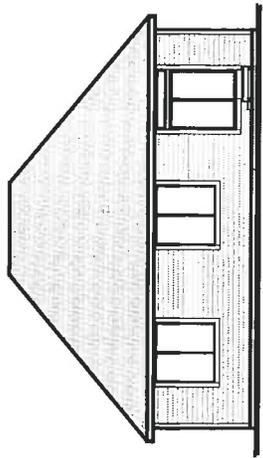
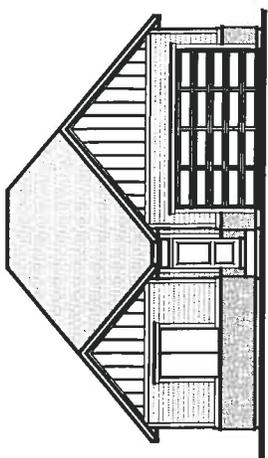
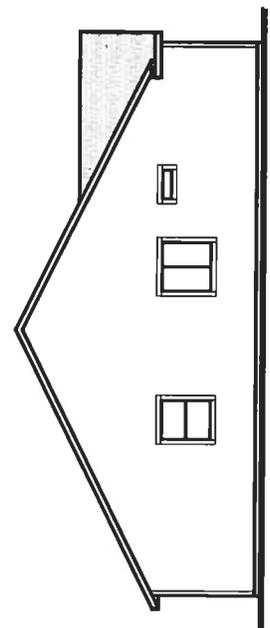
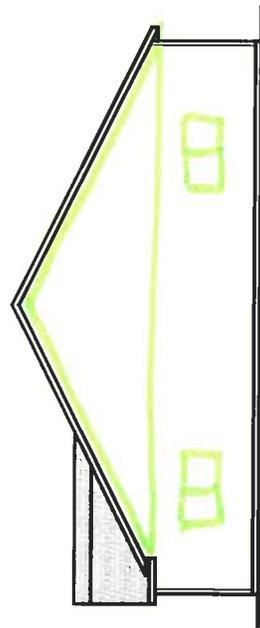
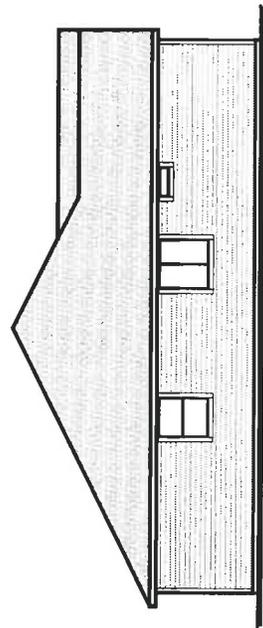
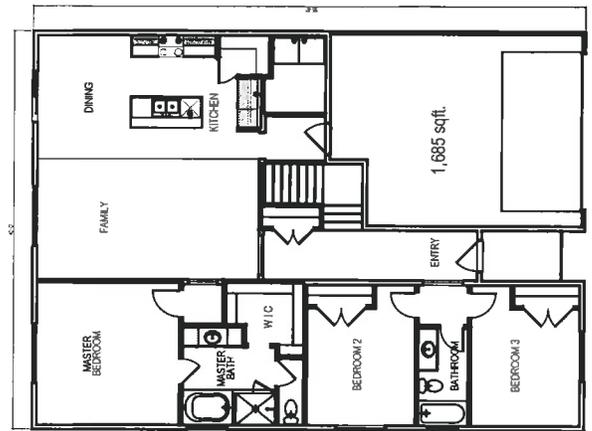
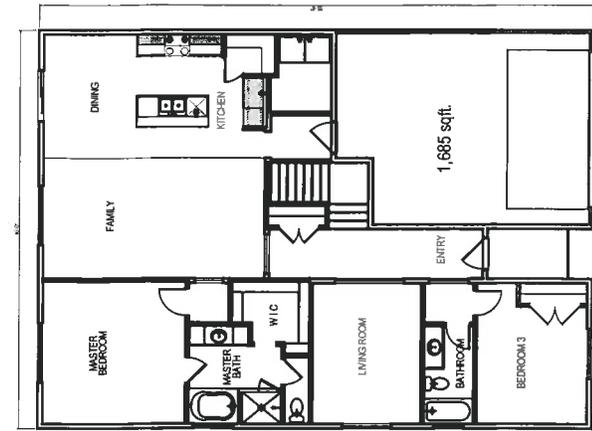
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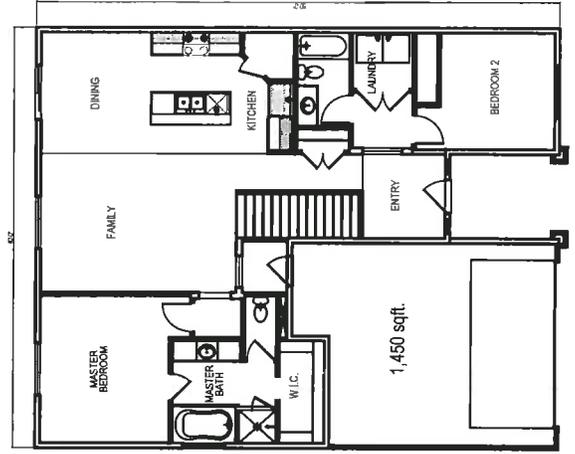
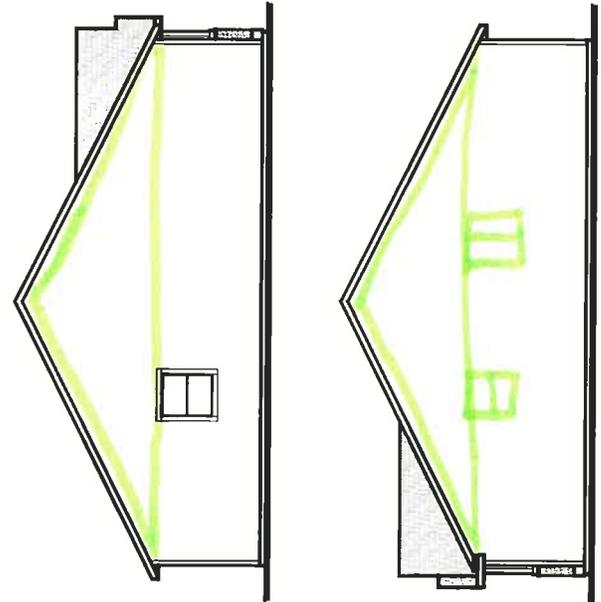
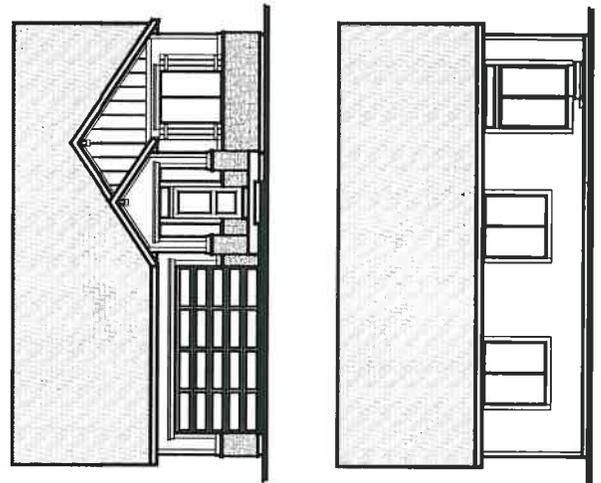
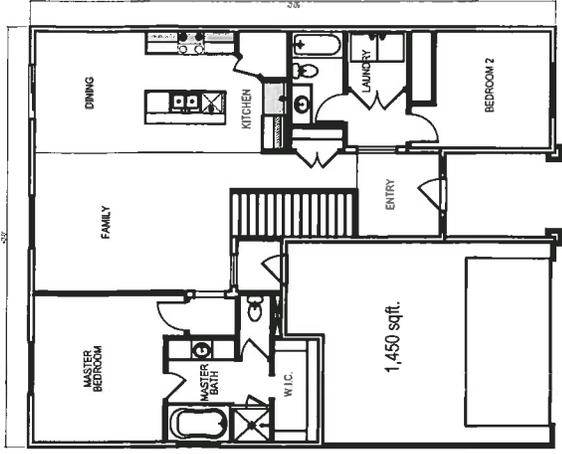
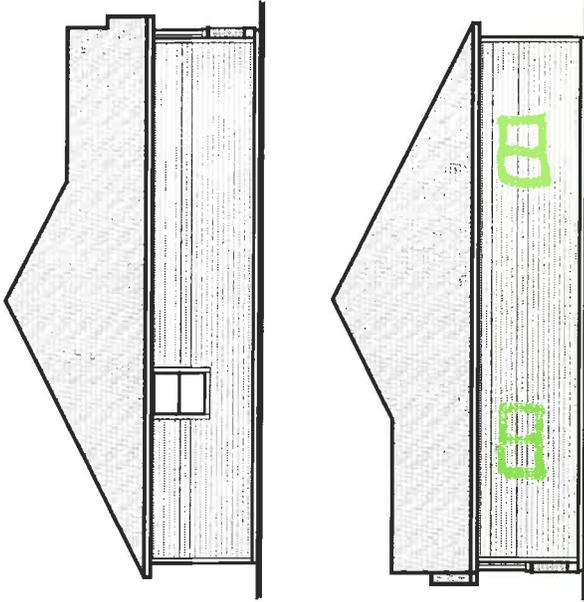
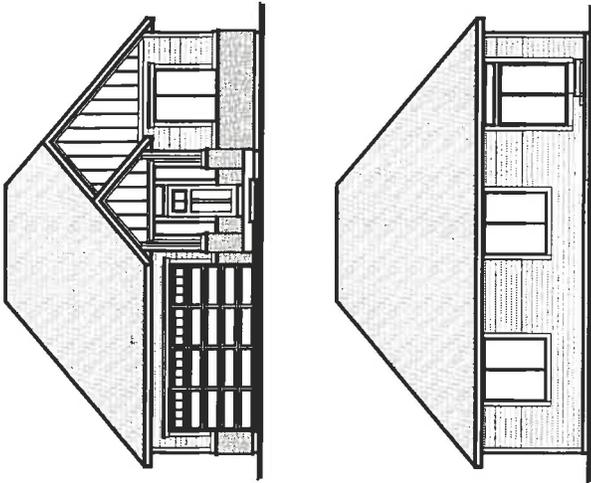
"For corner lots or as can be viewed by the public for side building elevations."



"For corner lots or as can be viewed by the public for side building elevations."



"For corner lots or as can be viewed by the public for side building elevations."



"For corner lots or as can be viewed by the public for side building elevations."

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

Item Number: 5A

Subject: Amended Plat Approval – Foothills at Cherry Lane Subdivision Phase 3 – Ordinance 13-25
Approximately 2000 East Oakridge Drive

Background: On August 16, 2012, the Council approved the final plat for Phase 3 of the Foothills at Cherry Lane Subdivision.

The applicant, Brighton Homes, is requesting an amended final plat approval to remove Lot 315 from Foothills at Cherry Lane Subdivision Phase 3. Lot 315 is a single-family residential lot that will be converted to two patio home style lots as part of the Foothills at Cherry Lane planned residential unit development (PRUD).

An ordinance is required by the Davis County Recorder's Office to vacate Lot 315 from the Foothills at Cherry Lane Subdivision Phase 3 plat. Both the amended plat and the ordinance will be recorded simultaneously with the Davis County Recorder's Office.

Alternatives: Alternatives are to 1) Grant amended plat approval to Foothills at Cherry Lane Subdivision Phase 3 subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting amended plat approval.

Recommendation: On July 30, 2013, the Planning Commission unanimously recommended the Council grant amended plat approval to Foothills at Cherry Lane Subdivision Phase 3 subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.

ORDINANCE 13-25
(Lot Vacation)

**VACATING LOT 315 OF THE FOOTHILLS AT CHERRY LANE PHASE 3
LOCATED AT APPROXIMATELY 1218 NORTH 2050 EAST**

WHEREAS, Layton City has received a petition to vacate Lot 315 as part of the Foothills at Cherry Lane Phase 3 plat amendment located at 1218 North 2050 East; and,

WHEREAS, the Owner of parcel 09-394-0315, Brighton Homes, desires to incorporate Lot 315 into the proposed Foothills at Cherry Lane PRUD, a separate development from the single family lots in the remaining Foothills at Cherry Lane development, and,

WHEREAS, Lot 315 will be re-platted as part of the Foothills at Cherry Lane PRUD; and,

WHEREAS, the City Council of Layton City has determined that the granting of the petition will not be detrimental to the public interest in general nor to any person, and that good cause exists for the vacation; and,

WHEREAS, the City Council has received a recommendation from the Planning Commission to adopt Ordinance 13-25.

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

SECTION I: Layton City has accepted a petition from Brighton Homes to vacate Lot 315 of the Foothills at Cherry Lane Phase 3 subdivision plat and has deemed it in the public interest to do so.

SECTION II: The City Council finds that:

1. Good cause exists for the vacation of Lot 315.
2. Neither the general public interest, nor any person will not be materially injured by the Lot 315 vacation.

SECTION III: This vacation expressly excludes any public or private utility easement, except for the east public utility easement, that may exist at the date hereof and expressly reserves a perpetual easement for such utilities.

SECTION IV: Except as otherwise provided by this Ordinance, Lot 315, is hereby vacated and declared no longer to be property for use as a single family residential lot as described in the following legal description:

ALL OF LOT 315 IN THE FOOTHILLS AT CHERRY LANE PHASE 3
SUBDIVISION

CONTAINS 11,277 SQ. FT. / 0.26 ACRES

SECTION V: **Effective date.** This ordinance shall go into effect immediately from the date that the City Council adopts Ordinance 13-25.

PASSED AND ADOPTED by the City Council of Layton, Utah, this ____ day of _____, 2013.

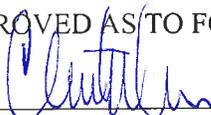
J. STEPHEN CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

FOR:



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

A handwritten signature in black ink, appearing to read "Kem Weaver", is written over a horizontal line.

Date: August 15, 2013

Re: Foothills at Cherry Lane Phase 3 Amended Plat

Location: Approximately 2000 East Oakridge Drive

Zoning: R-1-10 (Single Family Residential)

Background:

On August 16, 2012, the City Council approved the final plat for Phase 3 for the Foothills at Cherry Lane Subdivision. The final plat for Phase 3 was recorded shortly after receiving City approval.

The applicant, Brighton Homes, is requesting that Phase 3 be amended by removing Lot 315 from the plat. The purpose for removing Lot 315 is to incorporate the property into the proposed Foothills at Cherry Lane planned residential unit development (PRUD). The PRUD development replaces Phase 5 of the Foothills at Cherry Lane Subdivision and incorporates all of the Yeates property that was recently zoned to R-M1 PRUD.

Amending the subdivision plat through a public hearing both with the Planning Commission and City Council gives the current lot owners within Phase 3 an opportunity to be notified of the amendment and give comment if desired. Having public hearings and notifying lot owners removes the requirement of having every lot owner in Phase 3 sign the amended plat. The signatures of all property owners supporting this amended plat have been submitted to the City.

The stubbed road fronting along Lot 315 will be changed from a public street in Foothills at Cherry Lane Phase 3 to a private street in the Foothills at Cherry Lane PRUD.

There are no other proposed changes to Phase 3. All other lots with regards to size and frontage remain the same. Street cross sections will remain the same and all the improvements have been completed in this phase.

The Davis County Recorder's Office is requiring an ordinance from Layton City to vacate Lot 315. The attached, Ordinance 13-25, will be recorded with the amended plat for Foothills at Cherry Lane Phase 3.

Staff Recommendation:

Staff recommends amended plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

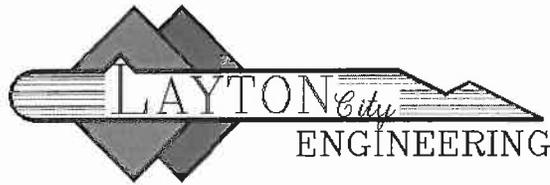
Engineering D.R.

Planning [Signature]

Fire [Signature]

Planning Commission Action: On July 30, 2013, the Planning Commission voted unanimously to recommend the Council grant amended plat approval subject to meeting all Staff requirements.

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



MEMORANDUM

TO: Patrick Scott, pscott@brightonhomes-utah.com
Greg Day – gday@focusutah.com

FROM: Stephen Jackson, Staff Engineer

DATE: July 18, 2013

SUBJECT: Foothills at Cherry Lane Phase 3 Amended – Plat (1st Submittal)

I have reviewed the plat submitted for the Foothills at Cherry Lane Phase 3 Amended subdivision received on July 17, 2013. The proposed subdivision is located at approximately 2000 East and Oakridge Drive. The plat has been stamped "Approved as Corrected." The following correction must be corrected on the final mylar submittal.

1. The label for the call on Oakridge Drive at the southeast corner of the subdivision is covered and not legible. The text must be clearly readable. (S 65°36'04" W 198.98')



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

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell
FROM: Dean Hunt, Fire Marshal 
RE: Foothills at Cherry Lane Phase III Amended for Final Approval @ 1218 N 2050 E
CC: 1) Engineering
DATE: July 18, 2013

I have reviewed the plat submitted on July 17, 2013 for the above referenced project. The Fire Prevention Division of this department has no further comments or concerns at this time **and recommends granting final approval of this project.**

These plans have been reviewed for Fire Department requirements only. Other departments must 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\Foothills at Cherry PH # AmendFinal:kn
Plan #S13-094, District #22
Project Tracker #LAY 1307171387

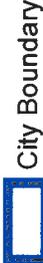
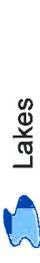


CITY COUNCIL

August 15, 2013

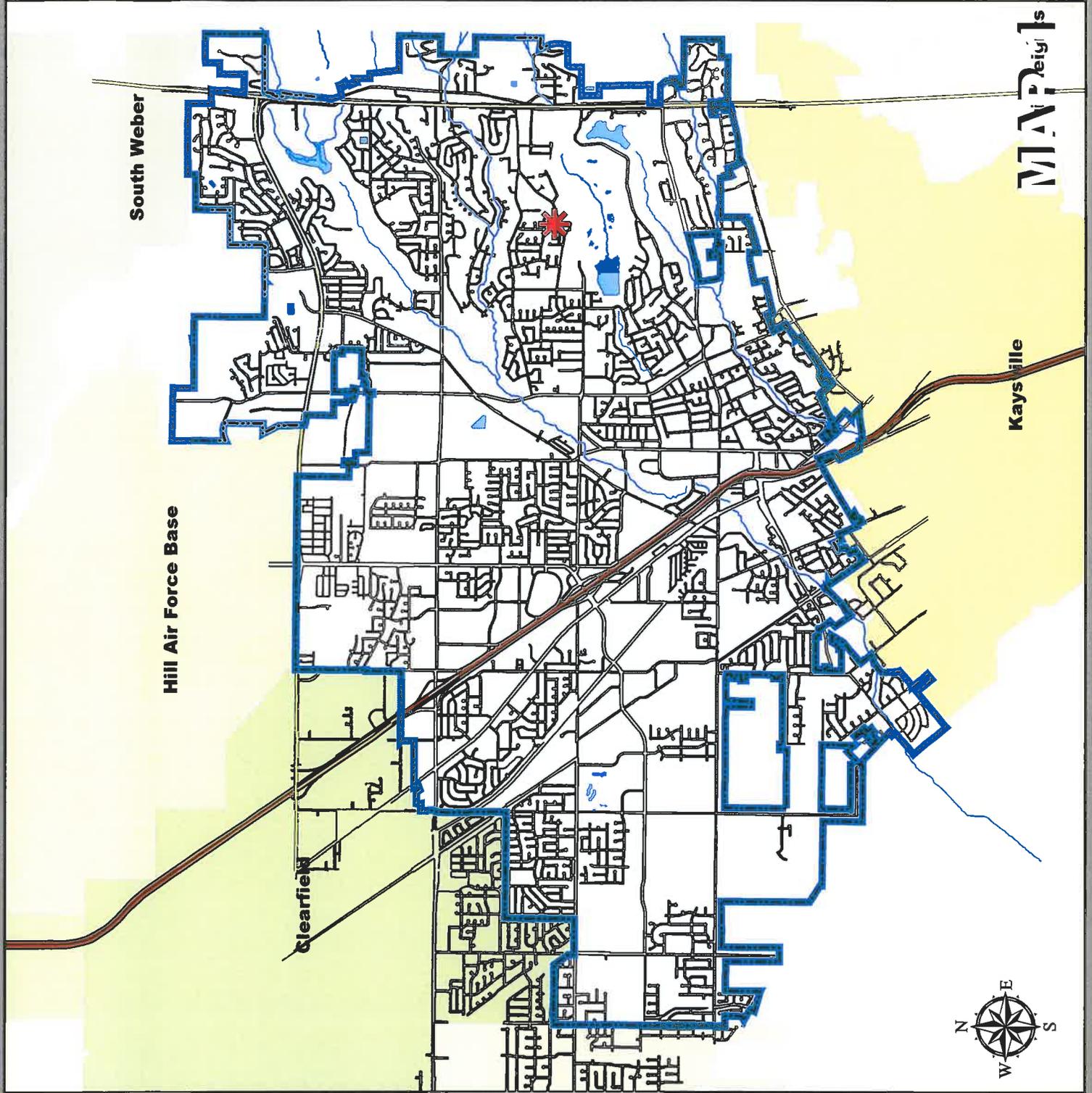
Foothills at Cherry Lane Phase 3 Amended

Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Site

1 inch = 5,000 feet

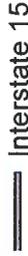


CITY COUNCIL

August 15, 2013

Foothills at Cherry Lane Phase 3 Amended

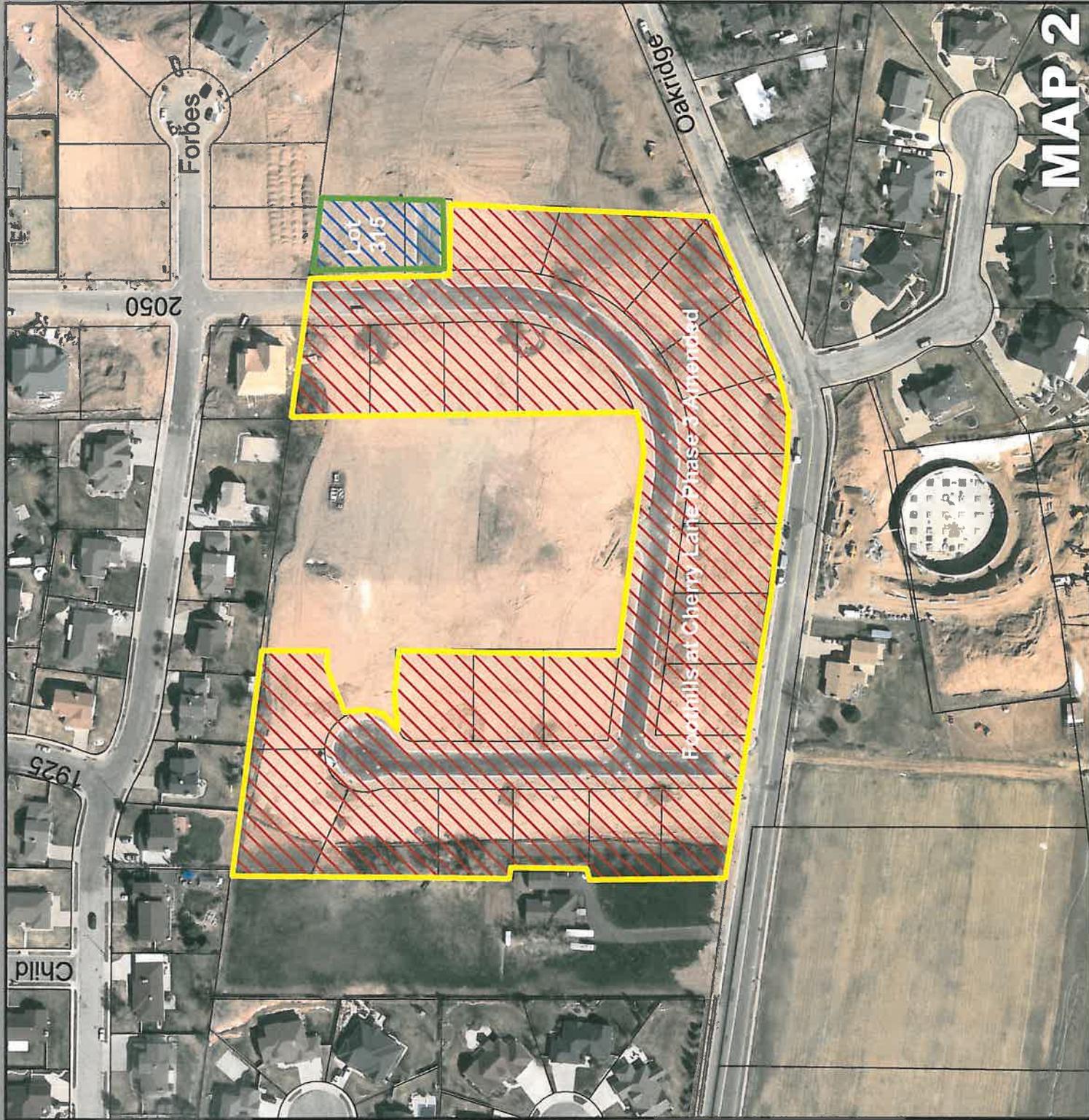
Legend

-  City Boundary
-  Highways
-  Interstate 15
-  Streams
-  Lakes

 - Project Area



1 inch = 167 feet



MAP 2

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

Item Number: 5B

Subject: Ordinance Amendments – Amending Section 3 of the Layton City Development Guidelines and Design Standards Entitled Street Improvements; Amending Title 16, Section 16.04.010-D103.4 of the Layton Municipal Code Entitled Dead Ends; Amending Title 18, Section 18.24.070 Entitled Temporary Turnarounds; and Amending Title 19, Section 19.07.120 Entitled Development Standards – Ordinance 13-17

Background: On August 1, 2013, the Council continued the public hearing for the temporary turnaround ordinance amendments. Questions were asked by the Council concerning the requirement of fire suppression systems in homes when a turnaround has not been provided and the lots are at a distance greater than 150 feet or two lots from an intersection (Option 2). Appendix D in the National Fire Code gives options for the use of both permanent and temporary turnarounds. Appendix D of the National Fire Code has been adopted by Layton City and unless otherwise amended in this code is used to create options for the developer for temporary turnarounds as outlined in these amendments. Changes from the first draft to the second draft are highlighted in blue in the attached Ordinance 13-17.

As stated in the initial cover sheet, the City has initiated a text amendment to address temporary turnarounds that are required and installed at the end of stubbed streets in residential developments. In order to make sure all possible issues will be addressed, Staff has met with developers who develop in Layton City to make them aware of the proposed change to temporary turnarounds.

The temporary turnaround is required when a stubbed street is extended more than 150 feet from an intersection or extended the distance of one typical single-family lot length. The current system of requiring the developer to bond for the removal of the temporary turnaround when the street is eventually extended is problematic. In some cases the bond for removal of the temporary turnaround has been released and there is no financial source to remove the temporary turnaround when new development occurs on adjacent property. In addition, a fairness issue arises if the developer extending the street right-of-way is encumbered to remove the temporary turnaround at their cost.

Another significant cost associated with the removing of the temporary turnaround is the repairing of landscaping, irrigation, sidewalks and driveways on private property. These repairs may leave driveways that will not meet the grade or slope to the street right-of-way, and with hillside lots the driveway grade change may leave the driveway too steeply sloped.

A portion of developers will request a “letter in lieu” to finance the improvements of a development instead of providing an escrow bond. The letter in lieu only requires a bond for the one-year warranty period or 10 percent cost of the installed improvements of the development. The 10 percent bond is required to be submitted to the City before a plat is recorded. An escrow bond requires a bond up front for the full cost of the improvements, which includes the 10 percent for the one-year warranty period. A problem can occur because the letter in lieu request does not provide a bond for the removal of the temporary turnaround as would an escrow bond.

With the economic down turn when some escrow bonds were foreclosed on and because the current system

is problematic to provide for the removal of temporary turnarounds, the Staff is requesting a change to engineering standards and ordinances that address temporary turnarounds.

Ordinance 13-17 proposes three alternatives in dealing with temporary turnarounds in the City as shown in Appendix 8 Standard and Temporary Cul-De-Sac (see the attached ST-ST-14 graphic sheet). The first graphic is a typical cul-de-sac that is not temporary. The second graphic is the first option for developers to use for a temporary turnaround. This first option will require the developer to ask for an easement on an adjacent undeveloped piece of property to install a temporary turnaround at the end of a dead end street. The temporary turnaround would require a minimum of road base. An on-site temporary turnaround easement can be implemented by the developer by reserving a buildable single-family lot for the temporary turnaround. A note would be placed on the subdivision plat stating that the lot is restricted but can receive a building permit when the street is extended and the temporary turnaround is no longer needed.

The second option, not shown on Appendix 8, is to require the developer to phase the development to where a stubbed street is not longer than either 150 feet or two residential lots. If phasing the development with this requirement is difficult, then the stubbed street can extend further than 150 feet or two residential lots. However, the residential units in this situation will be required to install a fire suppression system in each home.

The third option is the third graphic in Appendix 8. This option will allow for a temporary turnaround on the developers property as part of the street right-of-way and a neck for the connection of a future street right-of-way extension. The temporary turnaround becomes permanent and residential lots fronting onto the turnaround will have to be designed with the turnaround being permanent with the lots meeting front yard setbacks. This option will be considered as a last resort if the first two options cannot be utilized.

Alternatives: Alternatives are to 1) Adopt Ordinance 13-17 amending Section 3 of the Layton City Development Guidelines and Design Standards entitled Street Improvements; Amending Title 16, Section 16.04.010-D103.4 of the Layton Municipal Code entitled Dead Ends; Amending Title 18, Section 18.24.070 entitled Temporary Turnarounds; and Amending Title 19, Section 19.07.120 entitled Development Standards; or 2) Not Adopt Ordinance 13-17 and keep the current process to remove improved temporary turnarounds in place.

Recommendation: On June 25, 2013, the Planning Commission recommended the Council Adopt Ordinance 13-17 amending Section 3 of the Layton City Development Guidelines and Design Standards entitled Street Improvements; Amending Title 16, Section 16.04.010-D103.4 of the Layton Municipal Code entitled Dead Ends; Amending Title 18, Section 18.24.070 entitled Temporary Turnarounds; and Amending Title 19, Section 19.07.120 entitled Development Standards.

The Planning Commission asked for public comment. A citizen that resides on a temporary turnaround with curb gutter and asphalt commented that the expectation was for the temporary turnaround to be removed and the street straightened with future adjacent development. It was explained to the citizen that each of the existing temporary turnarounds that have curb gutter and asphalt are being addressed on a case by case basis by Layton City and that contact should be made with the Layton City Engineering Department.

Staff supports the recommendation of the Planning Commission.

ORDINANCE 13-17

AN ORDINANCE AMENDING THE DESIGN STANDARDS FOR TEMPORARY TURNAROUNDS BY AMENDING SECTION 3 OF THE “LAYTON CITY DEVELOPMENT GUIDELINES AND DESIGN STANDARDS” ENTITLED “STREET IMPROVEMENTS”; AMENDING TITLE 16, SECTION 16.04.010-D103.4 OF THE LAYTON MUNICIPAL CODE ENTITLED “DEAD ENDS”; AMENDING TITLE 18, SECTION 18.24.070 ENTITLED “TEMPORARY TURNAROUNDS”; AMENDING TITLE 19, SECTION 19.07.120 ENTITLED “DEVELOPMENT STANDARDS”; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

WHEREAS, the City has determined that the existing standard of bonding for the removal of temporary turnarounds in existing subdivisions with stubbed streets that are to be extended with new development is inefficient, ineffective, and overly burdensome; and

WHEREAS, existing standards have resulted in occasions where removal of temporary turnarounds have placed undue responsibility on the City, developers and property owners; and

WHEREAS, upon review, evaluation and input from the development community, the City has determined that new developments and developers should have reasonable alternatives when creating stubbed street connections for future development while meeting City Fire Code requirements; and

WHEREAS, reasonable alternatives and clear guidelines will allow the City and developers to design the residential street system, which limits vehicle turnarounds in neighborhoods where subdivisions, or subdivision phases connect; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposed updates to the guidelines and regulations for temporary turnarounds; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council has determined that these amendments are rationally based, are reasonable, are 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: Enactment. Development Guidelines and Design Standards, Section 3 is amended to read as follows:

Section 3 Street Improvements

...
X

Temporary Turnaround

- A. A temporary turnaround shall be required on any fire access road for future development dead end (stub) street that is more than 150 feet or two lot lengths (maximum of 200 feet) from an intersection. All distances in this section are measured from the face of the curb of the intersection.
1. An off-site temporary turnaround with a minimum 80 foot diameter drivable surface may be located on abutting property with proper easements (see ST-ST-14). An on-site temporary turnaround with a minimum 80 foot diameter drivable surface may be located within the development as part of a building lot or future phase with proper easements and noted on the subdivision plat (see ST-ST-14).

2. If a street extends more than 150 feet or two lot lengths (maximum of 200 feet) from an intersection and the Developer is not able to obtain an easement for a temporary turnaround from the adjacent property owner, the Developer will be required to install a fire suppression system meeting the requirements of the currently adopted NFPA 13(d) standard in all of the homes located greater than 150 feet or two lots from an intersection. All lots with fire suppression systems must be identified on the final site plan and plat.
3. The City Engineer and Fire Chief Marshal may approve a permanent turnaround cul-de-sac with a future street tie in as shown in standard drawing ST-ST-14, for a street that extends more than 450 feet from an intersection and is planned to be extended in the future.

....

~~X. Existing Temporary turn around Standard~~

- ~~A. A temporary turn around shall be provided where the streets extend more than 150 feet from an intersection.~~
- ~~B. The temporary turn around may be located on the developed subdivision with proper easements or may be located abutting the development with proper easements.~~
- ~~C. The developer will place in escrow, the cash amount determined to be necessary for the removal of the temporary turn around.

 - ~~1. Where the turn around is located on developed lots, the escrow shall be sufficient to remove the existing improvements and construct the new improvements necessary to change the street from a turn around to a through street.~~
 - ~~2. Where the turn around is located on un-improved property, the escrow shall be sufficient to remove the existing improvements.~~~~

SECTION II: Enactment. Title 16, Appendix D, Section D103.4 is amended to read as follows:

Section D103.4 Dead Ends

Dead-end fire apparatus access roads for future development in excess of one hundred fifty feet (150') shall be provided with width and turnaround provisions in accordance with Layton City Development Guidelines and Design Standards Manual, Street Improvements, Section IX Cul-de-sac/Turnaround Requirements and Section X Temporary turnaround.

SECTION III: Enactment. Title 18, Chapter 18.24, Section 18.24.070 is amended to read as follows:

18.24.070 Temporary Turnaround

(1) A temporary turnaround is required on any street which is anticipated to be extended at any time in the future, but, for the time being said street is a dead end street. A temporary turnaround shall be required on any fire access road for future development dead end (stub) street that is more than 150 feet or two adjacent lots from an intersection and shall meet the provisions as outlined in the Layton City Development Guidelines and Design Standards Manual, Street Improvements, Section X. Temporary turnaround. (1) ~~Temporary turnarounds may be required on any street which is anticipated to be extended at any time in the future, but, for the time being said street is a dead end street. Temporary turnarounds shall be required on any dead end (stub) street that is one hundred fifty feet (150') or more in length.~~

~~(2) Any developer who is required to construct a temporary turnaround on a stub street shall bond for the entire amount of construction and removal of any improvements considered to be temporary. The construction of the improvements may be bonded as prescribed in Section 18.36.041. However, bonding for the removal of the improvements shall only be in the form of cash deposited with the City. All bond amounts are to be approved by the City Engineer.~~

~~(2)(3)~~ Where a temporary turnaround is required by the City, said turnaround shall be clearly indicated on the subdivision plat.

~~(3)(4)~~ When a temporary turnaround is required, the nature of that turnaround shall be clearly disclosed by the seller to all lot buyers within the subdivision.

SECTION IV: Enactment. Title 19, Chapter 19.07, Section 19.07.120 is amended to read as follows:

19.07.120 Development Standards

...

(6)(c) Cul-de-sacs shall not exceed six hundred feet (600') in length and shall have a turn-around with a radius of fifty feet (50'). Fire access roads for future development ~~Stub streets~~ that are longer than the width or length of one hundred fifty feet (150') or two adjacent lots, whichever is less, shall have an approved temporary turn-around at the end thereof as prescribed in section 18.24.070.

....

SECTION V: Enactment. Title 19, Appendix A-16 is added to read as follows:

Title 19, Appendix A-16 Temporary Turnarounds

“See attachment”

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

SECTION VII: 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 this ordinance.

SECTION VIII: 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 the most remote from the date of passage thereof.

PASSED AND ADOPTED by the City Council of Layton, Utah, this ____ day of _____, 2013.

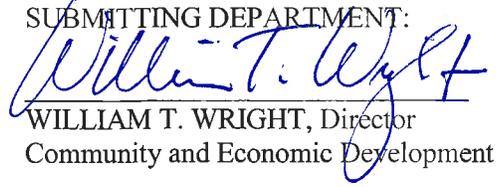
ATTEST:

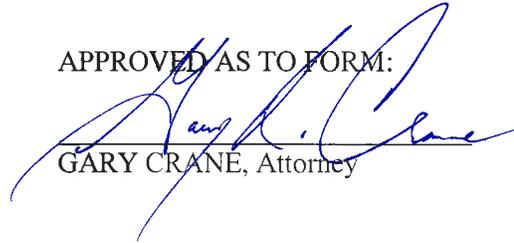
THIEDA WELLMAN, City Recorder

J. STEPHEN CURTIS, Mayor

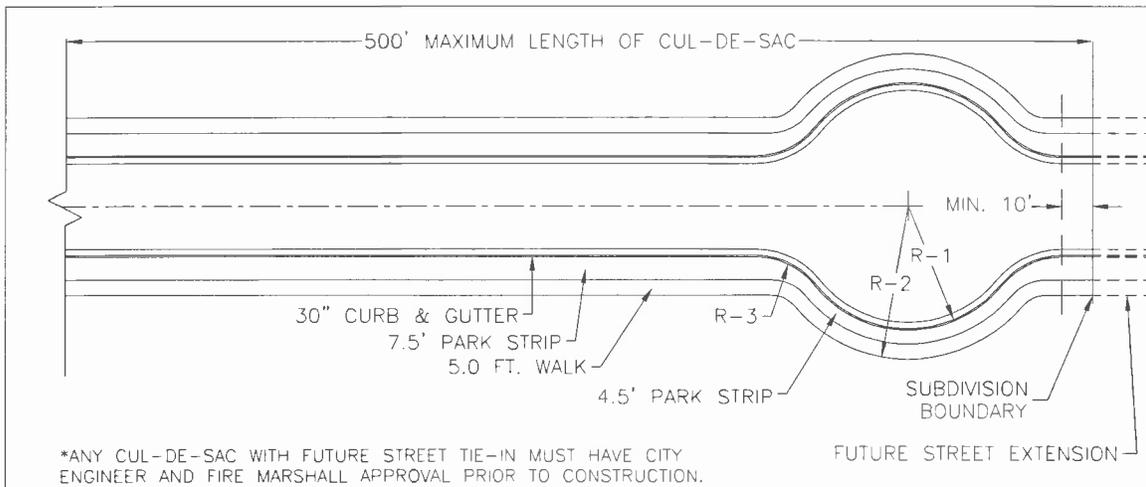
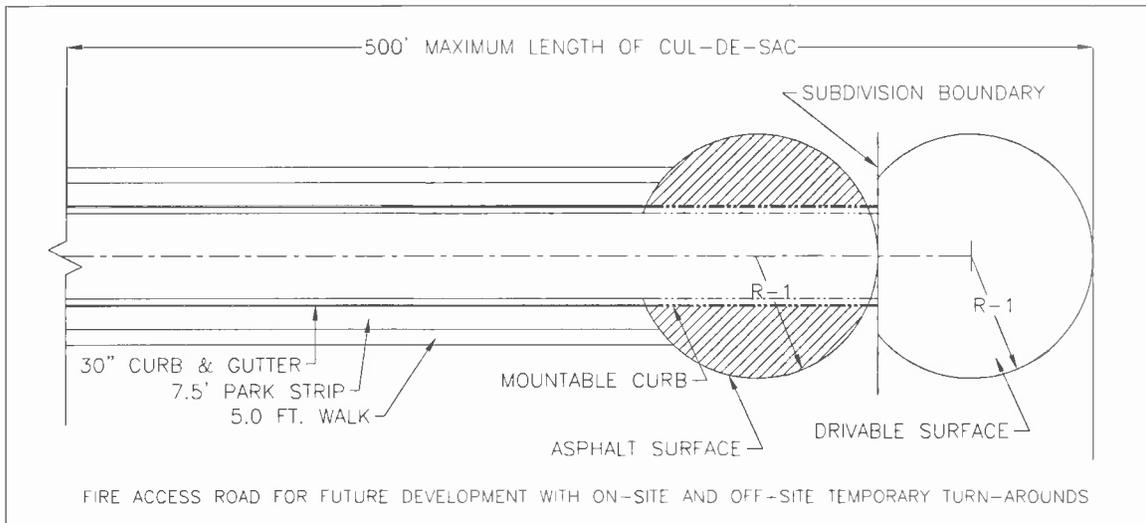
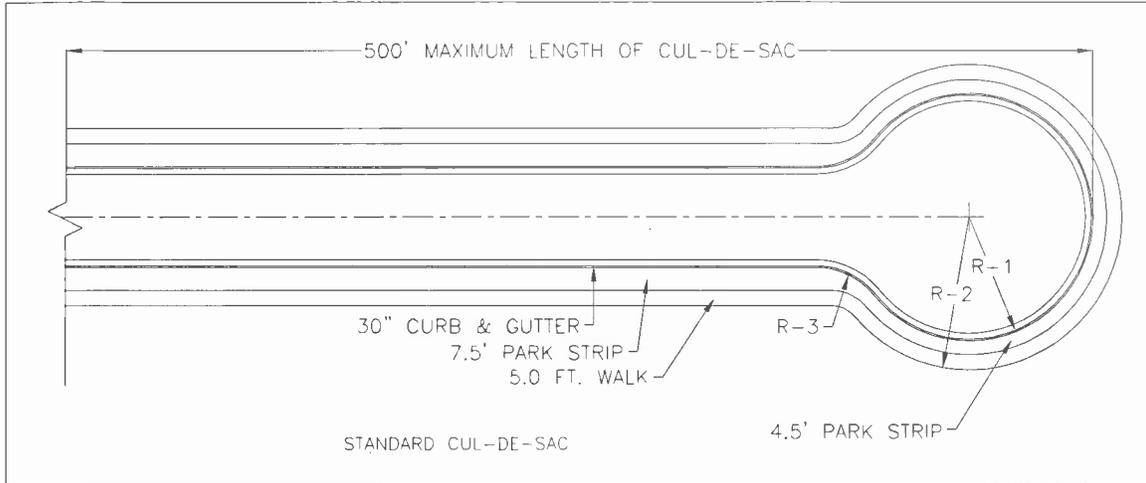
SUBMITTING DEPARTMENT:

APPROVED AS TO FORM:


WILLIAM T. WRIGHT, Director
Community and Economic Development


GARY CRANE, Attorney

STANDARD AND TEMPORARY CUL-DE-SAC



DRAWN BY
DHR
SCALE
NONE
DATE
3/96
REVISIONS
8/13



STANDARD
DRAWING
CUL-DE-SAC
ST-ST-14

RADIUS (FT.)	
R-1 MINIMUM DRIVEABLE SURFACE	40
R-2 CENTER TO RIGHT-OF-WAY	50
R-3 BACK OF CURB RADIUS	25

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

Item Number: 5C

Subject: Development Agreement and Rezone Request (Green and Green) – R-S (Residential Suburban) to PB (Professional Office) – Resolution 13-35 and Ordinance 13-18 – 836 South Angel Street

Background: The property proposed for rezone from R-S to PB contains 0.79 acres located on the west side of Angel Street at 836 South. The subject property is located at the southwest corner of the intersection of Angel Street and Layton Parkway and consists of two lots (815 and 816) in Phase 8 of the Roberts Farms Subdivision (see attached Phase 8 subdivision plat). Phase 8 is currently under construction together with the extension of Layton Parkway. Subject to zoning approval, the applicant will combine the two building lots to create one parcel for a professional office building that fronts onto Angel Street.

The rezone area is surrounded by R-S (Residential Suburban) zoning on all four sides with an area of unincorporated county located further east of Angel Street.

Alternatives to the First Motion: Alternatives are to 1) Adopt Resolution 13-35 approving the Development Agreement; 2) Adopt Resolution 13-35 approving the Development Agreement with any amendments or modifications the Council deems appropriate; or 3) Not adopt Resolution 13-35 denying the Development Agreement.

Alternatives to the Second Motion: Alternatives are to 1) Adopt Ordinance 13-18 approving the rezone request from R-S to PB based on consistency with General Plan recommendations; or 2) Not adopt Ordinance 13-18 denying the rezone request.

Recommendation: The Planning Commission recommends the Council adopt Resolution 13-35 approving the Development Agreement and adopt Ordinance 13-18 approving the rezone request from R-S to PB based on consistency with General Plan recommendations.

RESOLUTION 13-35

ADOPTING AN AGREEMENT FOR THE DEVELOPMENT OF LAND BETWEEN LAYTON CITY AND GREEN AND GREEN LC. FOR PROPERTY LOCATED AT APPROXIMATELY 836 SOUTH ANGEL STREET.

WHEREAS, Owner, Green and Green LC., (hereafter "Owner") desires to develop certain property located at approximately 836 South Angel Street (hereafter "Subject Area") in Layton City; and

WHEREAS, Owner and Layton City have entered into an agreement setting forth the responsibilities of both parties relative to various aspects of the development of the Subject Area to accommodate development with appropriate site design, landscaping and architecture to enhance the general area; and

WHEREAS, the City Council has determined it to be in the best interest of the citizens of Layton City to enter into this agreement to ensure that the Subject Area will be developed according to the overall objectives and intent of the City's General Plan and the best interest of the City.

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

1. The agreement entitled "Agreement for the Development of Land between Layton City and Green and Green LC" is hereby adopted and approved.
2. The Mayor is authorized to execute the Agreement, which is attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the City Council of Layton, Utah, this _____ **day of** _____, 2013.

J. STEPHEN CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

SUBMITTING DEPARTMENT:

FOR!

GARY CRANE, City Attorney

for

WILLIAM T. WRIGHT, Director
Community & Economic Development

**AGREEMENT FOR DEVELOPMENT OF LAND BETWEEN LAYTON CITY AND
GREEN AND GREEN LC.**

THIS AGREEMENT for the development of land (hereinafter referred to as this “Agreement”) is made and entered into this _____ day of _____, 2013, between LAYTON CITY, a municipal corporation of the State of Utah (hereinafter referred to as “City”), and GREEN AND GREEN LC. (hereinafter referred to as “Owner”), with City and Owner collectively referred to as the “Parties” and separately as “Party”.

RECITALS

WHEREAS, in furtherance of the objectives of the Layton City General Plan, City has approved an application for a zone change from R-S (Residential Suburban) to PB (Professional Office), of certain property located at approximately 836 South Angel Street in Layton City (hereinafter the “Subject Area”); and

WHEREAS, the Subject Area consists of approximately 0.79 acres and is depicted on Exhibit “A” attached hereto (hereinafter “Exhibit A”); and

WHEREAS, Parties desire to enter into this Agreement to provide for the development of the Subject Area, in a manner consistent with the City’s General Plan and the intent reflected in that Plan; and

WHEREAS, City has granted PB zoning approval on the Subject Area, subject to Owner agreeing to certain limitations and undertakings described herein, which Agreement will provide protection to surrounding property values and will enable the City Council to consider the approval of such development at this time; and

WHEREAS, City finds that entering into the Agreement with Owner is in the vital and best interest of the City and health, safety, and welfare of its residents.

NOW, THEREFORE, each of the Parties hereto, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, covenant and agree as follows:

**ARTICLE I
DEFINITIONS**

The following terms have the meaning and content set forth in this Article I, wherever used in this Agreement:

- 1.1 “Owner’s Property” shall mean that property owned by GREEN AND GREEN LC.

- 1.2 “City” shall mean Layton City, a body corporate and politic of the State of Utah. The principal office of City is located at 437 North Wasatch Drive, Layton, Utah, 84041.
- 1.3 “Owner” shall mean GREEN AND GREEN LC. The principal office for Owner is 2150 North Valley View Drive, Layton, UT 84040.
- 1.4 “Owner’s Undertakings” shall have the meaning set forth in Article IV.
- 1.5 “Subject Area” shall have the meaning set forth in the Recitals hereto.
- 1.6 “Exhibit A” shall have the meaning set forth in the Recitals hereto.

ARTICLE II CONDITIONS PRECEDENT

- 2.1 This Agreement shall not take effect until City has approved this Agreement pursuant to a resolution of the Layton City Council.
- 2.2 Owner agrees to restrict the uses permitted under a PB zoning designation, to those listed herein.

ARTICLE III CITY’S UNDERTAKINGS

- 3.1 Subject to the satisfaction of the conditions set forth in Section Article IV, City shall approve the rezone of the Subject Area from its present zoning of R-S to PB, with an effective date of no sooner than the effective date and adoption of this Agreement by the City Council. Any zoning amendment shall occur upon a finding by the City Council that it is in the best interest of the health, safety and welfare of the citizens of Layton City to make such a change at this time. All permits and site plan reviews and approvals shall be made pursuant to City ordinances. Nothing herein shall be construed as a waiver of the required reviews and approvals required by City ordinance.

ARTICLE IV OWNER’S UNDERTAKINGS

Conditioned upon City’s performance of its undertakings set forth in Article III with regard to rezone approval of the Subject Property and provided Owner has not terminated this Agreement pursuant to Section 7.8, Owner agrees to the following:

- 4.1. With this property being placed within the PB Zoning District, Owner agrees that not all uses allowed in that zone are compatible with this property.

4.1.1. Therefore, development on the property shall be limited, in that the following uses typically allowed in the PB zone shall **not** be permitted, or requested by the Owner:

- a. Cemetery, Mausoleum
- b. College or University
- c. Commercial School
- d. Home for Elderly, Elderly Apartment
- e. Hospital (Acute Care)
- f. Nursing Home
- g. Private Country Club
- h. Electric Substation
- i. Bank or Credit Union with Drive-in
- j. Reception Center

4.1.2. Owner agrees to restrict development by relinquishing any right or interest in the above uses. If other uses are desired, that are not specifically enumerated by ordinance, Owner agrees to seek amendment of this Agreement before pursuing the development of those uses.

4.2. In addition to the requirements of the PB zone, Owner agrees that the site plan, building architecture and landscape plan will be reviewed by the Layton City Design Review Committee (DRC). The DRC will provide input and recommendations to the staff regarding basic design elements as presented in the final site plan.

4.3 The office building constructed on the Subject Area shall be situated on the development site in a manner that provides positive architectural and landscape features at the intersection of Angel Street and Layton Parkway.

4.4 Vehicular access to the Subject Area shall occur at the southern portion of Angel Street frontage to provide for an adequate and safe distance from the Angel Street/Layton Parkway intersection.

ARTICLE V GENERAL REQUIREMENTS AND RIGHTS OF CITY

5.1 Issuance of Permits - Owner. Owner, or its assignee, shall have the sole responsibility for obtaining all necessary building permits in connection with Owner's Undertakings and shall make application for such permits directly to the Layton City Community and Economic Development Department and other appropriate departments and agencies having authority to issue such permits in connection with the performance of Owner's Undertakings. City shall not unreasonably withhold or delay the issuance of its permits.

- 5.2 Completion Date. The Owner shall, in good faith, diligently pursue completion of the development.
- 5.3 Access to the Subject Area. For the purpose of assuring compliance with this Agreement, so long as they comply with all safety rules of Owner and its contractor, representatives of City shall have the right of access to the Subject Area without charges or fees during the period of performance of Owner's Undertakings. City shall indemnify, defend and hold Owner harmless from and against all liability, loss, damage, costs or expenses (including attorneys' fees and court costs) arising from or as a result of the death of a person or any accident, injury, loss or damage caused to any person, property or improvements on the Subject Area arising from the negligence or omissions of City, or its agents or employees, in connection with City's exercise of its rights granted herein.

ARTICLE VI REMEDIES

- 6.1 Remedies for Breach. In the event of any default or breach of this Agreement or any of its terms or conditions, the defaulting Party or any permitted successor to such Party shall, upon written notice from the other, proceed immediately to cure or remedy such default or breach, and in any event cure or remedy the breach within thirty (30) days after receipt of such notice. In the event that such default or breach cannot reasonably be cured within said thirty (30) day period, the Party receiving such notice shall, within such thirty (30) day period, take reasonable steps to commence the cure or remedy of such default or breach, and shall continue diligently thereafter to cure or remedy such default or breach in a timely manner. In case such action is not taken or diligently pursued, the aggrieved Party may institute such proceedings as may be necessary or desirable in its opinion to:
- 6.1.1 Cure or remedy such default or breach, including, but not limited to, proceedings to compel specific performance by the Party in default or breach of its obligations; or
- 6.1.2 Owner agrees not to contest the reversion of the zoning by the City Council to the previous zoning on the property, and hereby holds the City harmless for such reversion of the zoning from PB to R-S.
- 6.2 Enforced Delay Beyond Parties' Control. For the purpose of any other provisions of this Agreement, neither City nor Owner, as the case may be, nor any successor in interest, shall be considered in breach or default of its obligations with respect to its construction obligations pursuant to this Agreement, in the event the delay in the performance of such obligations is due to unforeseeable causes beyond its fault or negligence, including, but not restricted to, acts of God or of the public enemy, acts of the government, acts of the other Party, fires, floods, epidemics,

quarantine restrictions, strikes, freight embargoes or unusually severe weather, or delays of contractors or subcontractors due to such causes or defaults of contractors or subcontractors. Unforeseeable causes shall not include the financial inability of the Parties to perform under the terms of this Agreement.

- 6.3 Extensions. Either Party may extend, in writing, the time for the other Party's performance of any term, covenant or condition of this Agreement or permit the curing of any default or breach upon such terms and conditions as may be mutually agreeable to the Parties; provided, however, that any such extension or permissive curing of any particular default shall not eliminate any other obligations and shall not constitute a waiver with respect to any other term, covenant or condition of this Agreement nor any other default or breach of this Agreement.
- 6.4 Rights of Owner. In the event of a default by Owner's assignee, Owner may elect, in its discretion, to cure the default of such assignee, provided, Owner's cure period shall be extended by thirty (30) days.
- 6.5 Appeals. If the Owner desires to appeal a determination made hereunder by Staff, said appeal shall be to the Planning Commission, whose decision shall be final. If the appeal is regarding the interpretation of this Agreement the appeal shall be to the City Council with a recommendation from the Planning Commission and Staff.

ARTICLE VII GENERAL PROVISIONS

- 7.1 Successors and Assigns of Owner. This Agreement shall be binding upon Owner and its successors and assigns, and where the term "Owner" is used in this Agreement it shall mean and include the successors and assigns of Owner, except that City shall have no obligation under this Agreement to any successor or assign of Owner not approved by City. Notwithstanding the foregoing, City shall not unreasonably withhold or delay its consent to any assignment or change in ownership (successor or assign of Owner) of the Subject Area. Upon approval of any assignment by City, or in the event Owner assigns all or part of this Agreement to an assignee, Owner shall be relieved from further obligation under that portion of the Agreement for which the assignment was made and approved by City.
- 7.2 Notices. All notices, demands and requests required or permitted to be given under this Agreement (collectively the "Notices") must be in writing and must be delivered personally or by nationally recognized overnight courier or sent by United States certified mail, return receipt requested, postage prepaid and addressed to the Parties at their respective addresses set forth below, and the same shall be effective upon receipt if delivered personally or on the next business day

if sent by overnight courier, or three (3) business days after deposit in the mail if mailed. The initial addresses of the Parties shall be:

To Owner: GREEN AND GREEN, LC.
ED GREEN
2150 North Valley View Drive
Layton, Utah 84040

To City: LAYTON CITY CORPORATION
437 North Wasatch Drive
Layton, Utah 84041
Attn: Alex R. Jensen, City Manager
801/336-3800, 801/336-3811 (FAX)

Upon at least ten (10) days' prior written notice to the other Party, either Party shall have the right to change its address to any other address within the United States of America.

If any Notice is transmitted by facsimile or similar means, the same shall be deemed served or delivered upon confirmation of transmission thereof, provided a copy of such Notice is deposited in regular mail on the same day of such transmission.

- 7.3 Third Party Beneficiaries. Any claims of third party benefits under this Agreement are expressly denied, except with respect to permitted assignees and successors of Owner.
- 7.4 Governing Law. It is mutually understood and agreed that this Agreement shall be governed by the laws of the State of Utah, both as to interpretation and performance. Any action at law, suit in equity, or other judicial proceeding for the enforcement of this Agreement or any provision thereof shall be instituted only in the courts of the State of Utah.
- 7.5 Integration Clause. This document constitutes the entire agreement between the Parties and may not be amended except in writing, signed by the Parties.
- 7.6 Exhibits Incorporated. Each Exhibit attached to and referred to in this Agreement is hereby incorporated by reference as though set forth in full where referred to herein.
- 7.7 Attorneys' Fees. In the event of any action or suit by a Party against the other Party for reason of any breach of any of the covenants, conditions, agreements or provisions on the part of the other Party arising out of this Agreement, the prevailing Party in such action or suit shall be entitled to have and recover from the other Party all costs and expenses incurred therein, including reasonable attorneys' fees.
- 7.8 Termination. Except as otherwise expressly provided herein, the obligation of the Parties shall terminate upon the satisfaction of the following conditions:

7.8.1 With regard to Owner’s Undertakings, performance by Owner of Owner’s Undertakings as set forth herein.

7.8.2 With regard to City’s Undertakings, performance by City of City’s Undertakings as set forth herein.

Upon either Party’s request (or the request of Owner’s assignee), the other Party agrees to enter into a written acknowledgment of the termination of this Agreement, or part thereof, so long as such termination (or partial termination) has occurred.

7.9 Recordation. This Agreement shall be recorded in reference to the property, and shall run with the land and be binding upon all successors in interest of the property.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives effective as of the day and year first above written.

LAYTON CITY CORPORATION

By:

J. STEPHEN CURTIS, Mayor

ATTEST:

By: _____
THIEDA WELLMAN, City Recorder

Signed by

GREEN AND GREEN, LC.

ED GREEN

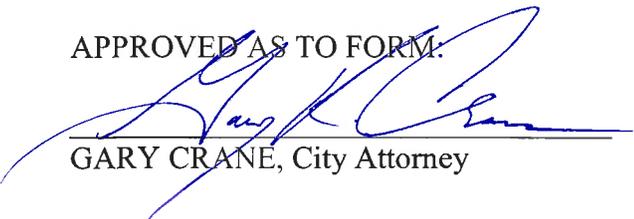
Subscribed and sworn to me this _____ day of _____, 2013.

Notary

Subscribed and sworn to me this _____ day of _____, 2013.

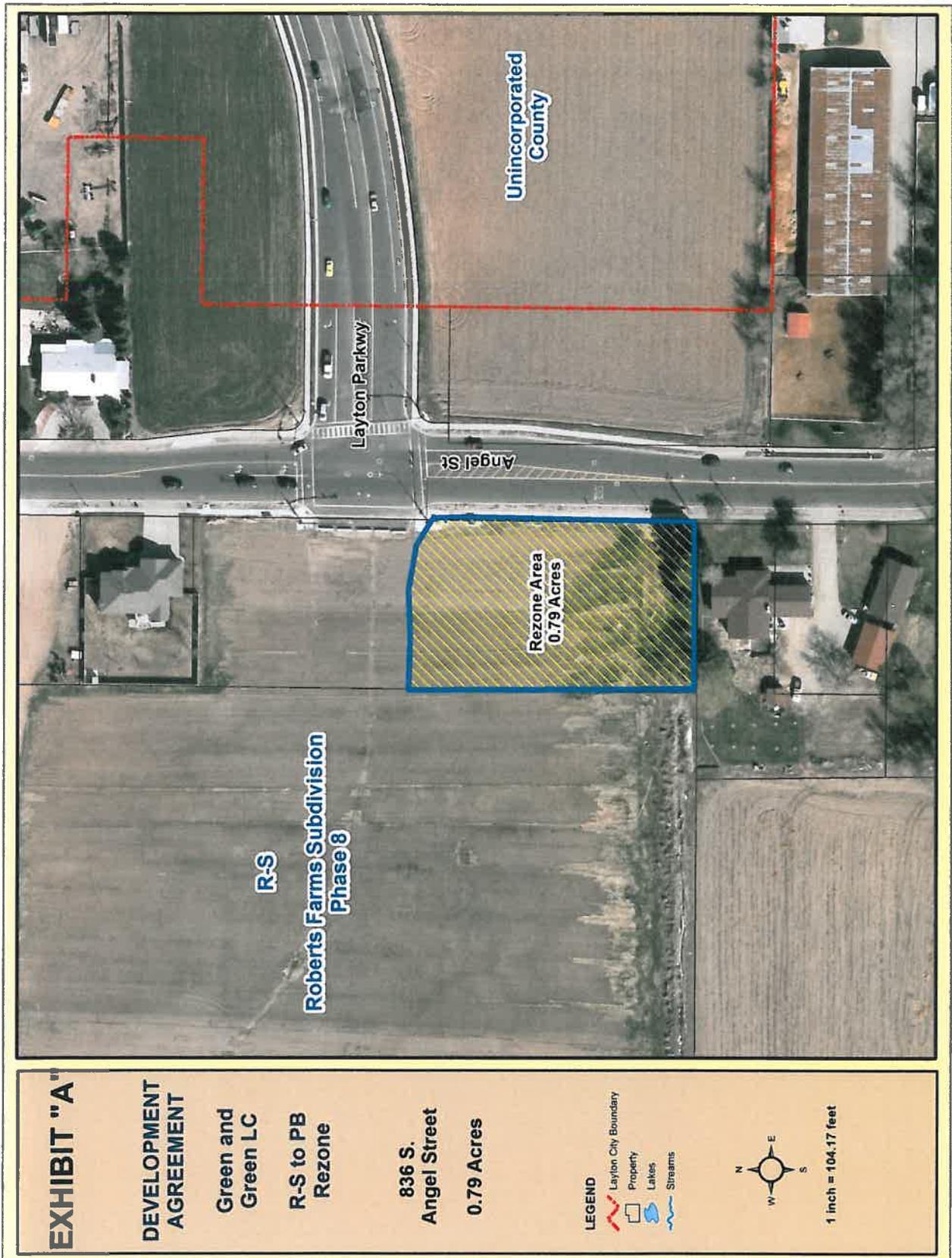
Notary

APPROVED AS TO FORM:



GARY CRANE, City Attorney

EXHIBIT "A"



ORDINANCE 13-18
(Green and Green Roberts Farms 8 Rezone)

AN ORDINANCE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION OF THE HEREINAFTER DESCRIBED PROPERTY, LOCATED AT APPROXIMATELY 836 SOUTH ANGEL STREET FROM R-S (RESIDENTIAL SUBURBAN) TO PB (PROFESSIONAL OFFICE) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has been petitioned for a change in the zoning classification for the property described herein below; and

WHEREAS, the Planning Commission has reviewed the petition and has recommended that the petition to rezone said property from R-S to PB be approved with a development agreement which provides for development of the rezone area in a manner consistent with the General Plan; 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 R-S (Residential Suburban) to PB (Professional Office).

PART OF THE SOUTHEAST QUARTER OF SECTION 30, T.4N., R.1W., S.L.B.&M., U.S. SURVEY. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF ANGEL STREET, SAID POINT BEING N00°12'40"E 693.68 FEET AND N89°47'20"W 33.00 FEET FROM THE SOUTHEAST CORNER OF SECTION 30; THENCE S89°57'42"W 150.01 FEET; THENCE N00°12'40"E 235.25 FEET TO THE SOUTH RIGHT OF WAY LINE OF LAYTON PARKWAY; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES: (1) S84°39'19"E 41.86 FEET; (2) ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 46.96 FEET, A RADIUS OF 500.00 FEET, A CHORD BEARING OF S87°20'45"E, AND A CHORD LENGTH OF 46.94 FEET; (3) N89°57'50"E 43.36 FEET; (4) S22°31'32"E 26.07 FEET; AND (5) EAST 7.99 FEET TO THE WEST RIGHT OF WAY LINE OF ANGEL STREET; THENCE S00°12'40"W ALONG SAID WEST RIGHT OF WAY LINE, 205.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 34,264 SQUARE FEET OR 0.79 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 _____, 2013.

J. STEPHEN CURTIS, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:

SUBMITTING DEPARTMENT:

for _____
GARY CRANE, City Attorney

for _____
WILLIAM T. WRIGHT, Director
Community & Economic Development



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

STAFF REPORT

TO: City Council

FROM: Peter Matson, AICP - City Planner

A handwritten signature in black ink, appearing to read "Peter Matson", is written over a horizontal line.

DATE: August 15, 2013

RE: Development Agreement and Rezone Request (Green and Green) – R-S (Residential Suburban) to PB (Professional Office) – Resolution 13-35 and Ordinance 13-18

LOCATION: 836 South Angel Street (1200 West)
Lots 815 and 816 of Roberts Farms Subdivision Phase 8

CURRENT ZONING: R-S (Residential Suburban)

CURRENT MINIMUM LOT SIZE: 15,000 square feet

PROPOSED ZONING: PB (Professional Office)

PROPOSED MINIMUM LOT SIZE: 10,000 square feet

Description of Rezone Area:

The property proposed for rezone from R-S to PB contains 0.79 acres located on the west side of Angel Street at 836 South. The subject property is located at the southwest corner of the intersection of Angel Street and Layton Parkway and consists of two lots (815 and 816) in Phase 8 of the Roberts Farms Subdivision (see attached Phase 8 subdivision plat). Phase 8 is currently under construction together with the extension of Layton Parkway. Subject to zoning approval, the applicant will combine the two building lots to create one parcel for a professional office building that fronts onto Angel Street.

The rezone area is surrounded by R-S (Residential Suburban) zoning on all four sides with an area of unincorporated county located further east of Angel Street.

Background Information and Staff Review:

The City's Zoning Ordinance describes that the proposed PB (Professional Office) zoning district is intended to provide areas throughout the City for offices and institutional uses in which the intensity of the use, in terms of hours of operation and number of customers, is less than that of a commercial zone. It is further described that the PB zone should be located along arterial and collector streets, abutting residential neighborhoods, which would patronize these uses. Land uses typically found in the PB zone include medical and dental offices, small businesses such as real estate and appraisal offices.

The design of Phase 8 of Roberts Farms Subdivision includes 21 lots and the extension of Layton Parkway from Angel Street to the west. Lots 815 and 816 are situated just south of Layton Parkway on the west side of Angel Street. These two lots combined create an opportunity for the applicant to utilize the PB zone and eventually build a neighborhood-scale office building. At .79 acres (34,412 square feet), the subject property meets the minimum 10,000 square foot lot area requirement of the PB zone. The subject property is approximately 150' x 235' with the 150' depth measured from Angel Street. All applicable setback, landscape buffer and parking requirements can be accommodated on the site together with the construction of a building that could accommodate a number of different professional and medical-related office users.

Although the applicant has no contract with a specific office user at this time, the applicant has been approached by a few different buyers interested in developing the site for a dental practice. One of the potential site users has provided a concept plan and building elevation sketch, which is attached to this report as an example of how the site could develop.

The Land Use/Population Element of the General Plan recommends that professional businesses, if located on a collector street, needs to be adjacent to an arterial street and on the edge of single family neighborhoods. Layton Parkway is an arterial street and Angel Street is a collector street with a traffic signal located at the intersection.

The General Plan also recommends that professional businesses at a location such as this should take into account the adjacent neighbors and attempt to blend into the area through the appropriate use of architectural motifs, scale, height, and signage. The guidelines and regulations of the PB zone, together with the requirements of the Development Agreement, should ensure that development of the subject property is consistent with General Plan recommendations.

Staff Recommendation:

Staff recommends the Council adopt Ordinance 13-18 approving the rezone request from R-S to PB subject to approval of Resolution 13-35 approving the Development Agreement. This recommendation is also based on consistency with General Plan land use recommendations for professional offices at the intersection of an arterial and collector street.

Engineering D.L. Planning PJ Fire [Signature]

Planning Commission Proceedings and Recommendation:

The Planning Commission reviewed this rezone request on July 9, 2013 and unanimously recommended the City Council adopt Resolution 13-35 and Ordinance 13-18 approving the Development Agreement and the Rezone from R-S to PB. The Commission discussed the details of the draft Development Agreement and they were of the opinion that the proposed PB zoning was a very workable alternative for this corner of the Layton Parkway and Angel Street.

One area resident from the Pheasant Place neighborhood (north of rezone area) expressed concern regarding traffic and pedestrian safety around the Layton Parkway/Angel Street intersection. She mentioned that Angel Street is a main school route to Heritage Elementary on Weaver Lane and she was concerned about the increased traffic that may accompany a professional or dental office building on the subject property.

Neighborhood Issues and Concerns:

On July 16, 2013, the same resident, together with others from the Pheasant Place neighborhood, met with City Staff to discuss the proposed PB zoning further. The intent of this meeting was to allow these residents an opportunity to present issues of concern and to learn more about the proposed PB zoning, the land uses allowed in the zone, and the details of the draft development agreement. Although a variety of issues were discussed, most of the concerns focused on traffic impacts and pedestrian safety associated with the proposed change in use on the subject property. In response to these concerns, Exhibits "C" through "H" of this report provide supplemental information regarding the following:

- Existing and future neighborhood street and pedestrian connectivity;
- Professional Office (PB) zoning examples throughout the city;
- Site and building design alternatives for the subject property; and
- Traffic count and trip generation data and analysis.

Street and Pedestrian Connectivity:

The attached Neighborhood Connectivity Map (Exhibit "C") shows the Pheasant Place and Roberts Farms Subdivisions (air photo) with the plats for phases 1 and 2 of Kennington Place Subdivision and phase 8 of Roberts Farms Subdivision. The arrows on the map indicate existing and future connections for vehicle and pedestrian traffic between the existing and future subdivisions, and Heritage Elementary School. Roberts Farms Phase 8 is under construction, which will complete the west leg of the Angel Street/Layton Parkway intersection and provide a street/sidewalk connection from Layton Parkway to Heritage Elementary School.

The Engineering Division collected traffic count data during the last week of July. Counts were collected on Layton Parkway at 1100 West and on Angel Street at 400 South and 900 South. The data is not surprising given classification and function of the two streets (see summary table below).

LOCATION	LANE	AADT	85% SPD	PM PEAK	AM PEAK
1100 W. LAYTON PARKWAY	WB	2458	38 mph	299	118
	EB	2366	37 mph	149	233
900 S. ANGEL ST.	SB	3037	28 mph	287	188
	NB	3541	28 mph	308	273
400 S. ANGEL ST.	NB	3494	34 mph	371	195
	SB	3333	38 mph	308	204

As the area continues to build out and Layton Parkway is extended further to the west, connectivity will improve and trips will be distributed throughout the area on a system that is designed to handle growth and associated traffic.

The amount of square footage, occupancy type (general office, dental, etc.), number of employees, and off-street parking stalls on the subject property are all factors taken into account when estimating the amount of vehicle trips generated. Trip generation estimates are typically provided based on square footage and number of employees. With a general estimate of 9,000 square feet of office space, no more than 20 employees, and a maximum of 35 parking stalls, the estimated trip generation from the subject property will range from 100 to 330 per day. The low end of the range would be if the building is all professional office with no medical or dental services. The high end of the range would be if the building was completely occupied by medical and/or dental offices. Any variation within the range would be based on various combinations of general and medical/dental office uses.

Professional Office (PB) Zoning Examples:

Exhibit “D” is a map of all Professional Office (PB) zoning designations throughout the city, which clearly indicates that the PB zone has been implemented on several occasions for adaptive reuse of residential properties on arterial streets and for new construction similar to that proposed on the subject property. Exhibit “D” also highlights five examples of new office projects on arterial and collector streets adjacent to single family residential neighborhoods. Photos of the five examples are provided on Exhibits “E” and “F” that show quality architecture and landscape design that is clearly not a detriment to the surrounding neighborhoods.

Site Plan and Office Building Design Alternatives:

Exhibits “G” and “H” provide two alternatives for developing an office project on the subject property; one with the office building located on the rear (west) portion of the site with parking in front of the building and the other with the office building located on the front (east) portion of the site with parking located behind the building. The first site design was provided by one of the dental practitioners interested in developing the site; the second design was prepared by Staff to illustrate how the office building could be situated to screen the parking lot and orient the building more towards the street frontages to accentuate the landscape and architecture. Both site designs

appear to meet all city requirements and Staff will work with the owner, and subsequent developer, to design a project that is a complement to the area for years to come.

List of Exhibits:

- Exhibit "A" - Roberts Farms Subdivision Phase 8 Plat – Lots 815 and 816 highlighted
- Exhibit "B" - Rezone Property – Site Photos
- Exhibit "C" - Neighborhood Connectivity Map
- Exhibit "D" - City-wide Professional Business Zoning Map
- Exhibit "E" - PB Zoning Dental Office Photo Examples
- Exhibit "F" - PB Zoning Office Building Photo Examples
- Exhibit "G" - Rezone Area – Site Plan/Building Elevation Example – Parking in Front
- Exhibit "H" - Rezone Area – Site Plan/Building Elevation Example – Parking in Rear

City Council Meeting

August 15, 2013

Green and Green
Rezone

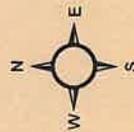
R-S to PB

836 S.
Angel Street

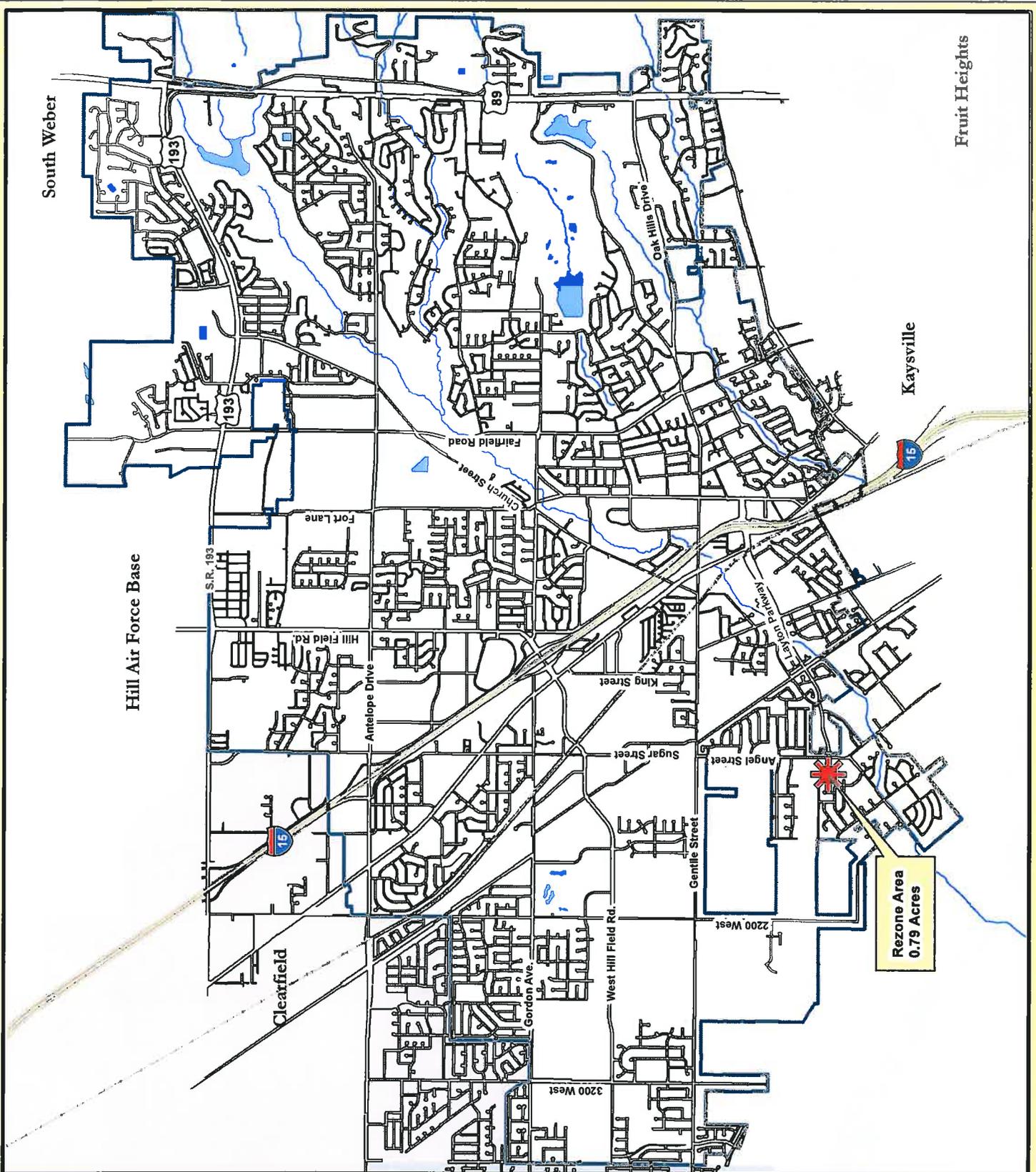
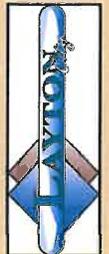
0.79 Acres

LEGEND

- Rail Lines
- Interstate 15
- Layton City Boundary
- Rights of Way
- Lakes
- Streams



1 inch = 4,250 feet



City Council Meeting

August 15, 2013

Green and Green Rezone

R-S to PB

836 S. Angel Street

0.79 Acres

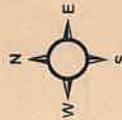
LEGEND

 Layton City Boundary

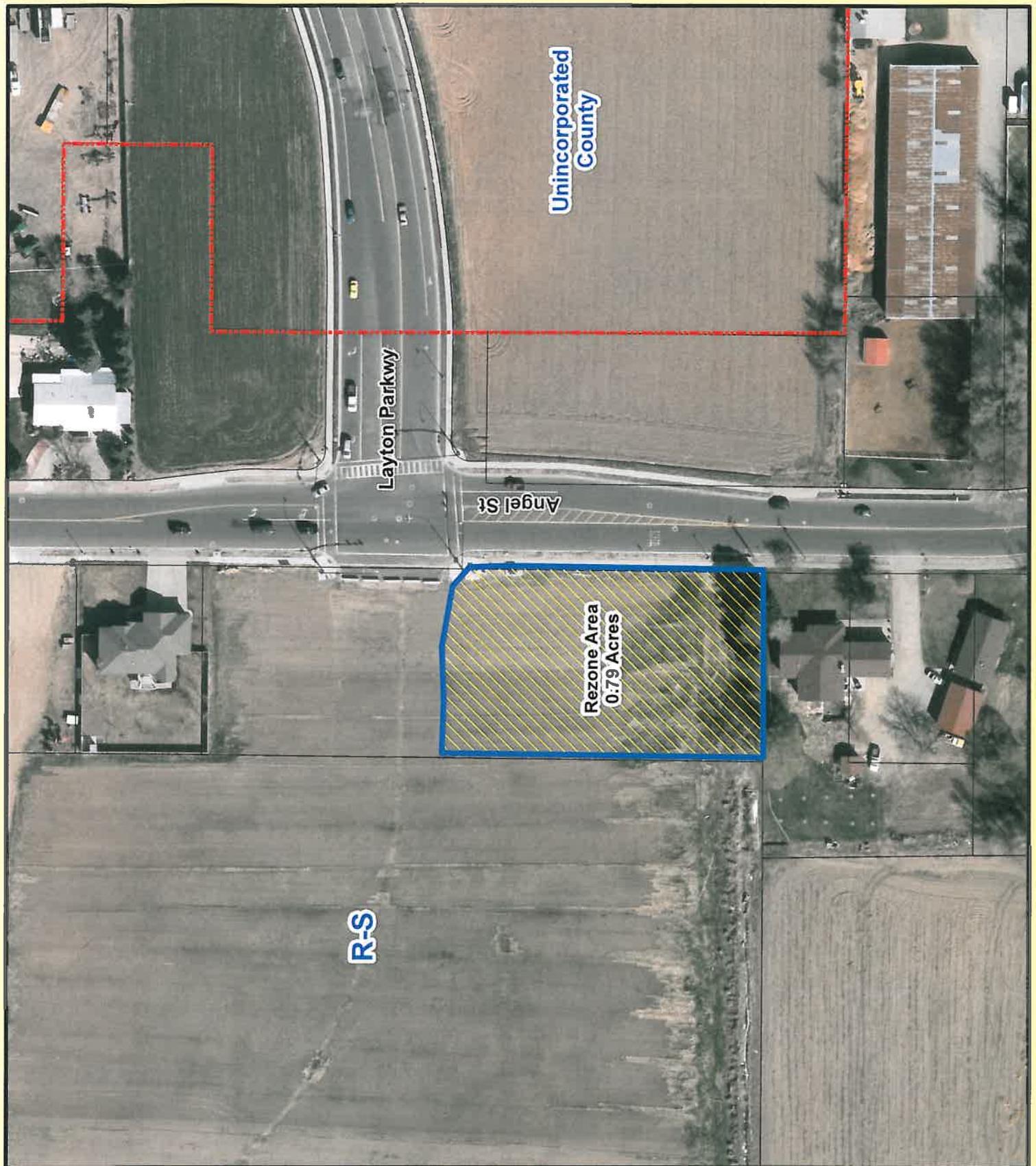
 Property

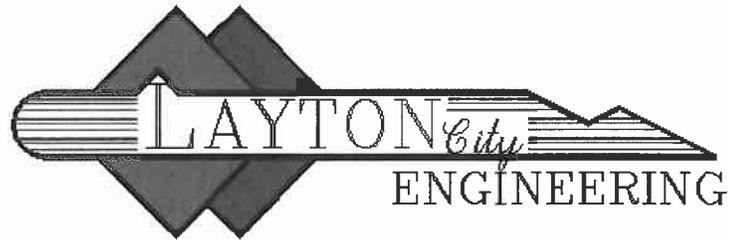
 Lakes

 Streams



1 inch = 104.17 feet





MEMORANDUM

To: Ed Green – edgontherun@comcast.net
Chris Cave – ccave@reeve-assoc.com

From: Stephen Jackson, Engineering Department

CC: Building/Community Development/Fire Department

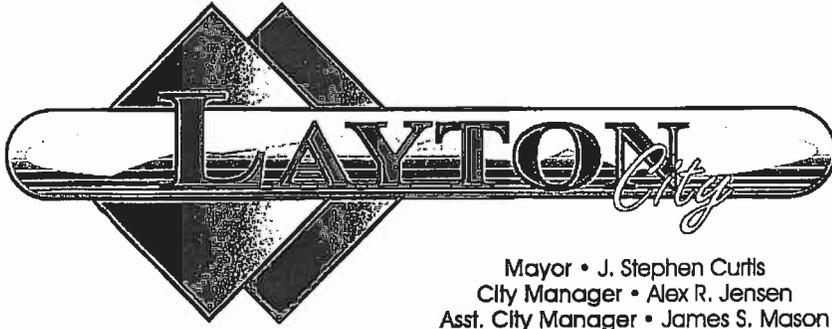
Date: June 25, 2013

RE: **Roberts Farms Phase 8 Rezone – Lots 815 and 816**

I have reviewed rezone application submitted on June 18, 2013 for the Roberts Farms Subdivision Phase 8 – Lots 815 and 816 located at approximately 750 South Angel Street. The Engineering Department recommends that the rezone be approved subject to the following comments.

General

1. The Engineering Department has no issues with the proposed zoning change from R-S to PB
2. Drive approaches must be 20 feet from property lines on commercial sites and must be at least 200 feet from intersections where traffic signals are present. The location of the drive approach to this parcel will be reviewed with the site plan submittal.



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

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Douglas K. Bitton, Fire Prevention Specialist 

RE: Green and Green Rezone Roberts 8 @ 750 South Angel Street

CC: 1) Ed Green, edgontherun@comcast.net
2) Chris Cave, ccave@reeveassoc.com

DATE: June 26, 2013

I have reviewed the site plan received on June 18, 2013 for the above referenced project. The Fire Department, with regards to the rezone, does not have any comments at this time.

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.

DB\Green and Green RZ:kn
Plan # S13-077, District # 42
Project Tracker: #LAY 1306181377





Memorandum

To: Planning Commission
From: Scott Carter, Parks Planner
Date: June 20, 2013
Re: Green & Green Rezone, R-S to PB – 750 South Angel Street

The Parks & Recreation Department sees no adverse impacts to existing facilities or the long-term plans of the department related to the proposed Green & Green Rezone, R-S to PB.

Recommendation

Parks & Recreation supports approval of the rezone.

Roberts Farms No. 8

PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
 LAYTON CITY, DAVIS COUNTY, UTAH
 FEBRUARY, 2013

PART OF SECTION 30, TOWNSHIP 4 NORTH,
 RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN,
 U.S. SURVEY, FOUND DAVIS COUNTY MONUMENT

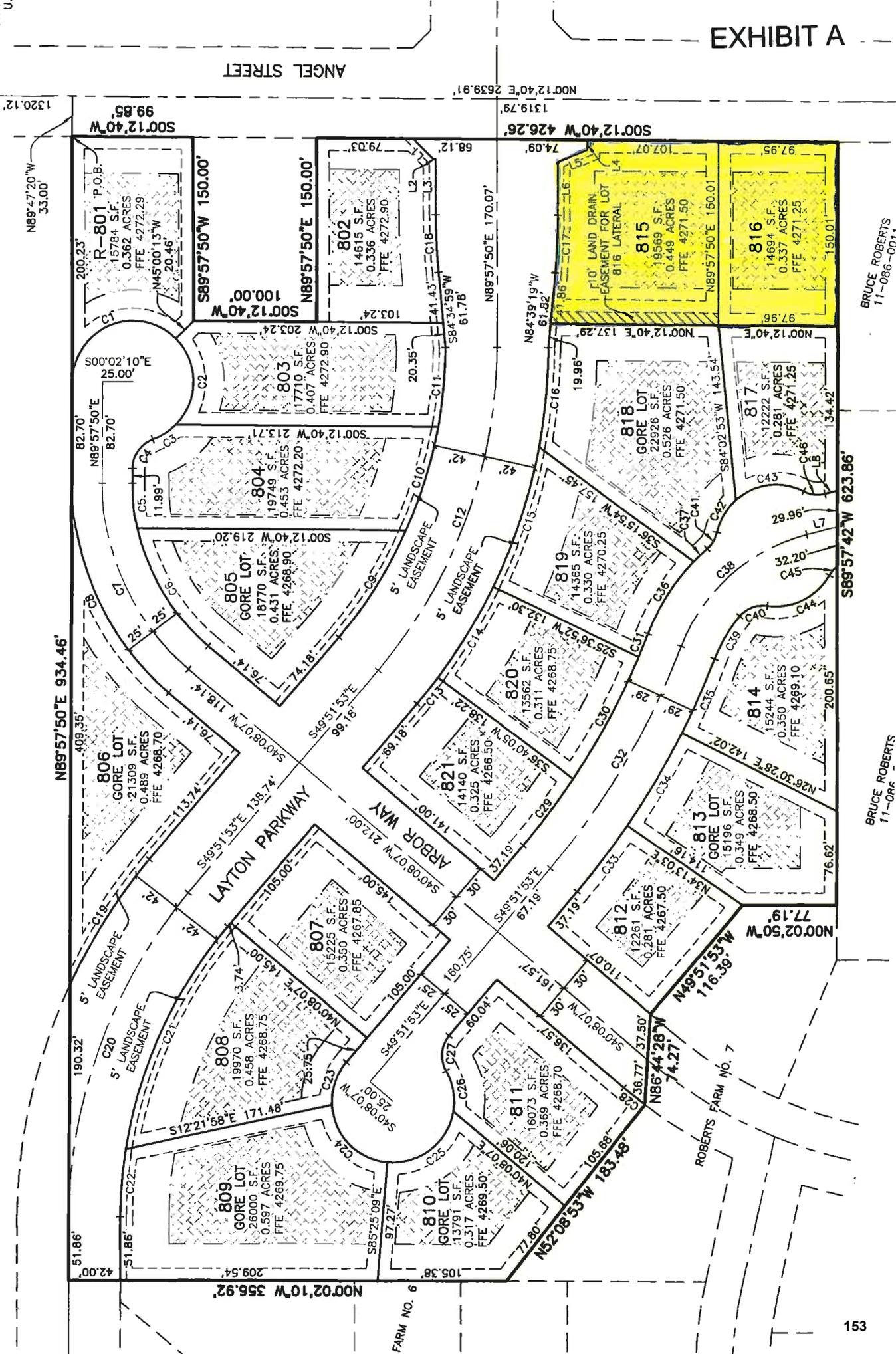


EXHIBIT A

EXHIBIT B

GREEN AND GREEN REZONE – R-S to PB
Rezone Property – Site Photos



NEIGHBORHOOD CONNECTIVITY MAP

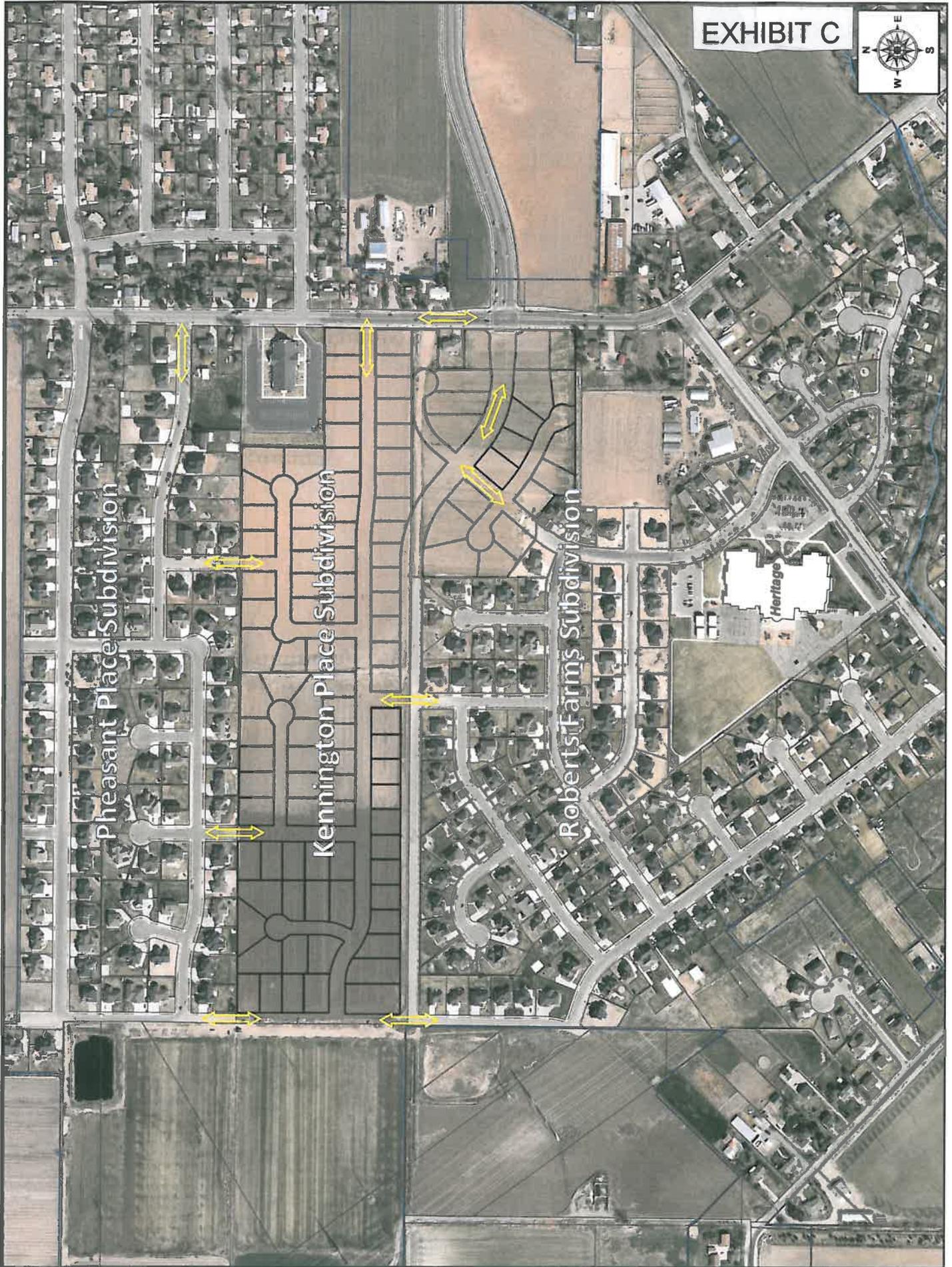
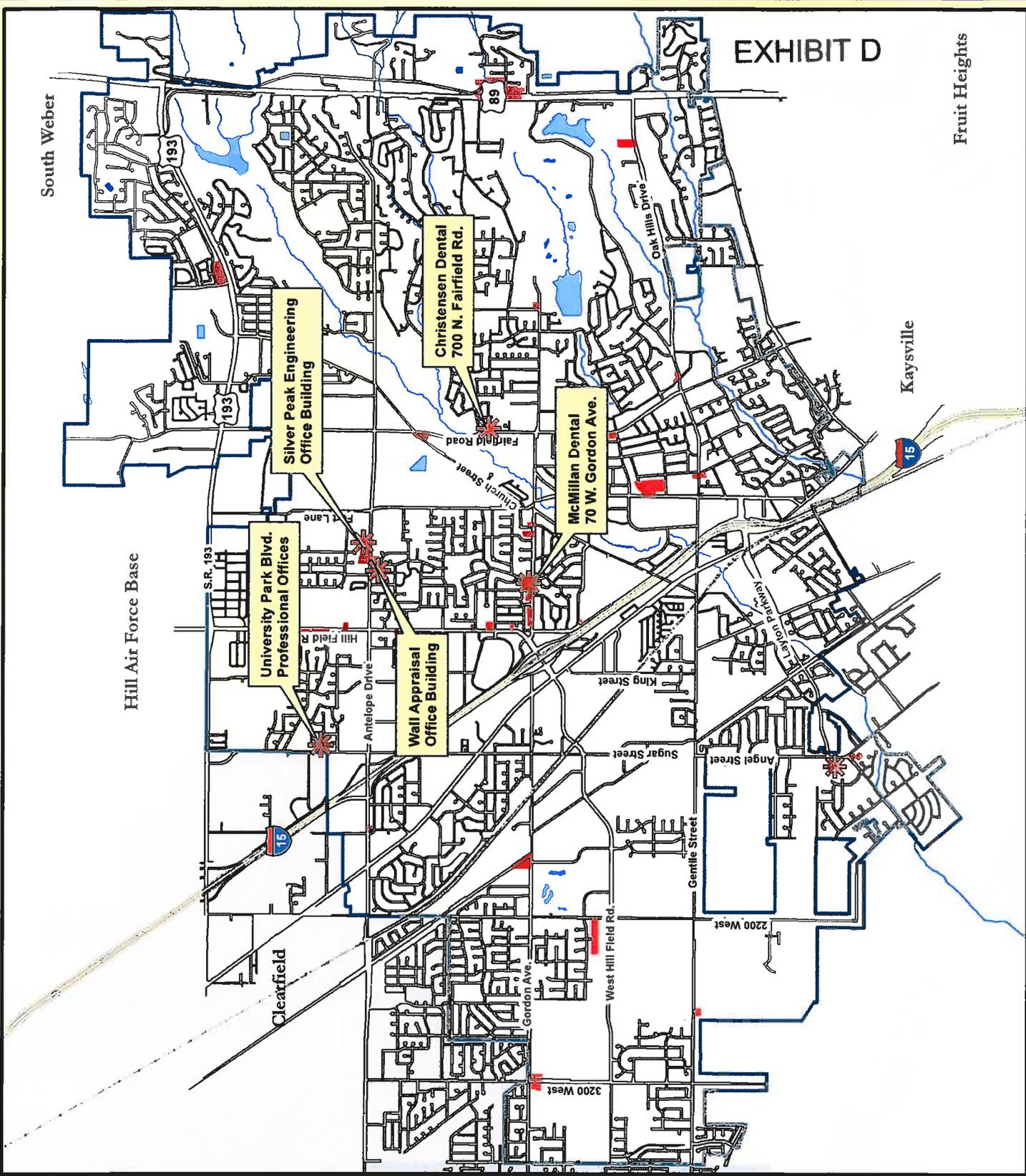


EXHIBIT D

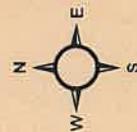
Fruit Heights



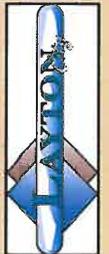
City-Wide Professional Business Zoning

Specific Office Building Examples

- LEGEND**
- Rail Lines
 - Interstate 15
 - Layton City Boundary
 - Rights of Way
 - Zoning
 - PB
 - Lakes
 - Streams



1 inch = 4,250 feet



CHRISTENSEN DENTAL OFFICE



MCMILLAN DENTAL OFFICE



SILVER PEAK ENGINEERING OFFICE BUILDING



WALL APPRAISAL OFFICE BUILDING

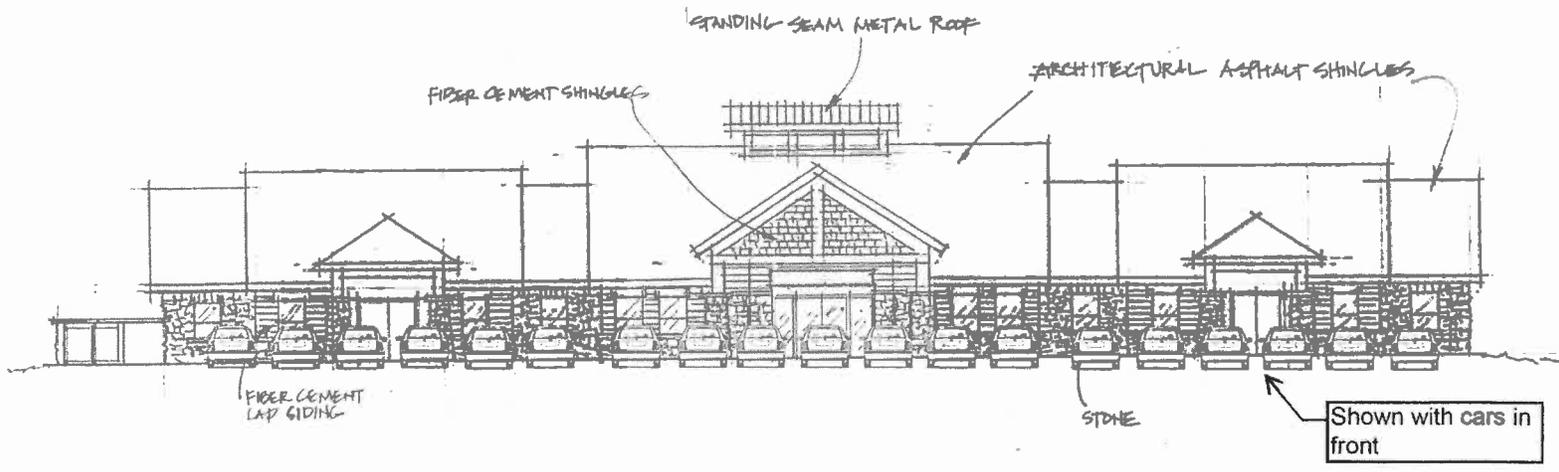
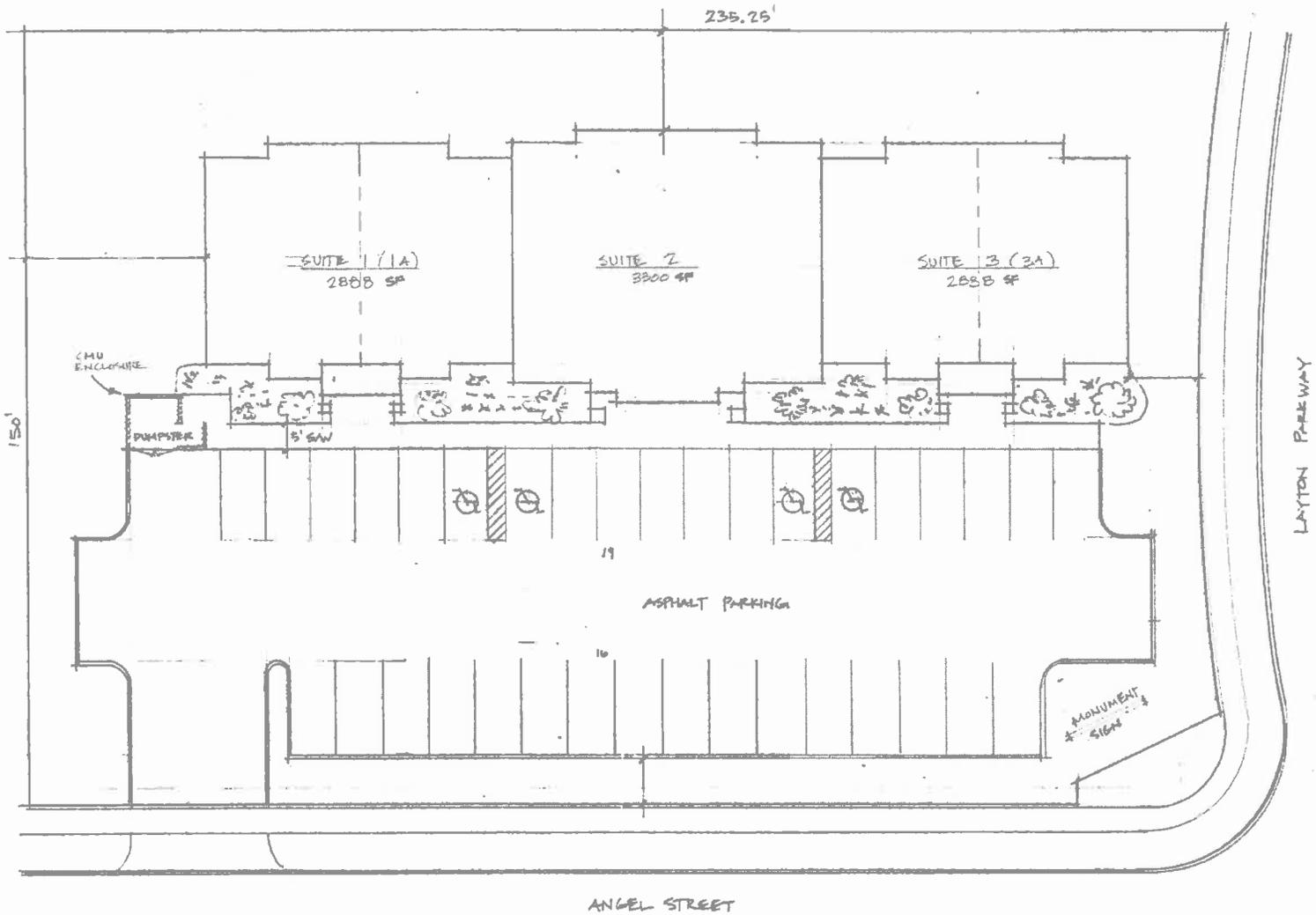


UNIVERSITY PARK BLVD. OFFICE BUILDINGS



GREEN AND GREEN REZONE – R-S to PB

Sketch Plan Example – Parking in Front



GREEN AND GREEN REZONE – R-S to PB

Sketch Plan Example – Parking in Back

