

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

JANUARY 30, 2014; 5:37 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

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

STAFF PRESENT:

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

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

Mayor Stevenson opened the meeting and turned the time over to Alex Jensen, City Manager.

ANTELOPE DRIVE/HIGHWAY 89 PARK AND RIDE

Alex said UDOT was looking for more formal direction from the Council. He said there had been a series of public meetings, as well as meetings at the City, about the proposed Park and Ride. Alex said Staff had continued to have discussions with UDOT, not necessarily about whether a Park and Ride was good or not good, or if the City wanted it or didn't want it, but rather to try and work through some evaluation issues with regard to trades that needed to occur because of the infrastructure they would be putting in and how it would impact the City's infrastructure. He said Staff had also been working with UDOT to try and encourage them to build the Park and Ride to the City's standards, if the Park and Ride was built, and not put in things such as substandard lighting and expect the City to come back later and update that. Alex said those discussions were not quite finalized but had been progressing well; UDOT has begun to realize that there needed to be a more fair trade-off for allocation of those costs.

Councilmember Freitag asked if there should first be a discussion about whether the Council even thought that there should be a Park and Ride there. He said his understanding was that UDOT was waiting for direction on the specifics if one was constructed, but also they wanted to know if there wasn't going to be one at all.

Councilmember Petro arrived at 5:41 p.m.

Alex said that was true. He said Staff had been working down parallel tracks, not with the anticipation that it would or wouldn't be approved, but to try and do the necessary homework. Alex said there would have to be sharing of infrastructure impacts whether the Park and Ride piece was put in or not, because of the frontage road system and the connections that would be built. He said he didn't think they were in a crisis situation, but UDOT was interested in knowing whether the Council wanted the Park and Ride or not.

Woody Woodruff, City Engineer, gave the Council a brief history of the Park and Ride. He said the Park and Ride was considered after the project for the connection of Antelope Drive to Highway 89. He said at some point the Region Director directed his Project Manager to look at a Park and Ride. Woody said there was some thought and discussion about where the Park and Ride could and should be located.

Woody said the Antelope Drive area was considered because it was about 2 ½ miles from the location to the north and about 3 ½ miles from the one to the south. He said criteria for the location included being very close to Highway 89 to meet their operation schedule; safety with the location off of Highway 89 and on a frontage road; a Bureau of Reclamation 72 inch water line; topography; cost; and impacts to residents.

Woody displayed a map of the new frontage road and the Antelope Drive connection to Highway 89, and the proposed location of the Park and Ride. He indicated that this connection was eventually planned for a full overpass intersection; this was a temporary connection until the new interchange was built. Woody said they didn't know when that would happen.

Woody discussed other areas that were considered for the Park and Ride, but those locations had higher impacts to residents and there were issues with a major waterline in the area to the south of the proposed site. He said UDOT felt that the current proposed location was best because of impacts and costs. Woody displayed a conceptual drawing of the proposed Park and Ride lot and the routes buses would use to access the lot.

Woody said UDOT indicated that it was up to Layton City to support or not support the Park and Ride. If the Park and Ride wasn't built with this project, it could be some time before one would be built in Layton. He said when Highway 89 was widened, future locations for a Park and Ride could include the Oak Hills Drive interchange or the Gordon Avenue interchange, but that could be many years from now. Woody said the City or Davis County might be able to go after funding through the Wasatch Front Regional Council, but that would be down the road as well. He said UDOT was willing to put the Park and Ride in now as part of the Antelope Drive project.

Woody said UDOT wanted to enter into an agreement with the City for operation and maintenance of the Park and Ride. The City's responsibilities would include snow removal, landscaping and irrigation maintenance, water for irrigation, light maintenance and electrical power, replacement of signs, security and trash removal. He said UDOT's responsibilities would include construction of the frontage road and parking facilities to Layton City standards; including asphalt, street lights, landscape and irrigation, drainage, signage and striping. Woody said UDOT would also be responsible for resurfacing the parking lot and restriping as needed, and maintenance of the shelter.

Alex said there had been discussion in the past about identifying other sites for a Park and Ride; specifically the Adams Canyon area. He said Staff pushed that pretty hard with UDOT, but their environmental document for the project did not accommodate a project at that location. Alex said they were very reticent to try to initiate a new environmental document solely for a Park and Ride. He said time and costs for any environmental document were significant. Alex said UDOT agreed that in the long run that may be a good location, but the timing was really bad. He said planning for a Park and Ride location at Adams Canyon would be better when the Oak Hills Drive connection was done.

Mayor Stevenson asked who owned the Adams Canyon property.

Woody said he thought that it was Weber Basin.

Councilmember Day asked when the Gordon Avenue connection would come on line.

Councilmember Francis arrived at 5:55 p.m.

Alex said the Gordon Avenue interchange was well down the road, probably 20+ years. He said UDOT and UTA felt that there needed to be a Park and Ride to address safety issues with pedestrians currently

accessing buses on Highway 89. Alex said they felt that this location would work for the next 8 to 10 years. He said he felt that if a Park and Ride did not go at this location, it was too expensive to do a separate EIS, and it would probably not happen for a long time.

Councilmember Brown asked if there were any studies of how many people from Layton used this bus route.

Woody said he could ask UTA to supply that information. He said he felt that numbers would increase substantially with Weber State ridership.

Mayor Stevenson said at one of the meetings there was discussion about the City paying for maintenance. Was Staff more comfortable with the fact that UDOT would be resurfacing the lot as needed?

Alex said the City had been negotiating with them about these issues. He said UDOT did not have small enough equipment to plow the lots. Alex said Staff tried to get UTA to pick up that responsibility, but they didn't have the equipment either.

Mayor Stevenson said when he was talking with them he suggested that they budget \$50,000 for a truck for the City; they didn't say no.

Alex said the snow removal was probably the most onerous thing the City had been asked to do. He said the City would have plows in the area to take care of streets. Alex said Staff had indicated that the City would be happy to maintain the infrastructure if it was put in meeting City standards. He said it would be more closely associated with the City, in terms of the citizens using the lot, than it would for UDOT. However, the City didn't want to get stuck with large ticket items on the upfront side or ongoing. Alex said originally they wanted the City to resurface the parking lot and repair the structures, but Staff's perspective was that UDOT would have to do that. He said the City would do the day to day maintenance to keep the lot looking nice, but the City didn't want to get stuck with the big ticket items. He said this wasn't something that would just benefit Layton residents; it was something that would benefit the State and County, and Layton City residents should not bear a disproportionate share of the cost. Alex said from Staff's perspective, UDOT had come quite a ways off their recent positions and it was much closer to being fair.

Councilmember Freitag said as he thought about the benefits to the City versus the cost, what it didn't do was bring people into the City. He said there was no retail in that area for those that would be parking. Councilmember Freitag said this didn't provide a lot of benefit, but it would cost a lot. He said it did not help with east/west transportation. Councilmember Freitag said he disagreed with the Weber State analysis; the goal was to keep students at the Layton campus instead of those students going to the Ogden campus. He said the Park and Ride would be more of a burden to the residents in the area and it wouldn't help meet any of the City's transportation goals.

Councilmember Brown said if the bus route provided service to the University of Utah there could be a lot of students from Layton riding the bus. It could provide a service to citizens. She said in the future if the City wanted UTA to have routes that went from Highway 89 to the mall or the FrontRunner station; if the City worked with them on this they may be more willing to provide additional routes in the future that would benefit the City.

Councilmember Freitag said those routes currently existed; those that were using the transportation system would continue to use the transportation system. His question was how many more people would use the system that weren't choosing to use it now, and would it be worth the cost.

Councilmember Brown said there wasn't a UTA route that came down to the FrontRunner station right now.

Mayor Stevenson said realistically if this wasn't done now, it could be over 20 years before a Park and Ride was built in Layton. In 20 years mass transit could be much more important. He wondered if 150 parking spaces would be enough for the future; would there be problems with people parking along the frontage road. He asked if there had been much comment from the residents since the original meeting.

Councilmember Day said he had received a few comments from residents in the area. He said one of the concerns was about a wall.

Woody said UDOT had held 3 or 4 public meetings with the residents. He said there had only been 1 resident that had continued to express concerns with the location of the Park and Ride relative to his property. Woody said UDOT had discussed a wall along that right of way to help buffer some of the residents. He said based on the noise study completed, UDOT had indicated that a wall wouldn't be required.

Councilmember Brown asked about the hours of operation.

Woody said it was based on commuter times; 5 a.m. to 9 p.m.

Council and Staff discussed previous discussions about a wall, and the many pros and cons. They discussed ridership.

Woody said the Park and Ride would promote fewer cars on the roads, which would improve air quality.

Councilmember Brown asked if there was a way for UTA to track how many Layton residents were using the bus route.

Woody said it would be difficult to determine that but Staff would request the data from UTA.

Mayor Stevenson asked Councilmember Freitag if his main concern was the money it would cost to build and maintain the Park and Ride.

Councilmember Freitag said it was a cost benefit analysis of spending the money to put it in. Was the City subsidizing UTA's service? He said the City wasn't in the transportation business, UTA was. Councilmember Freitag said why would the City subsidize this operation when we didn't have any idea what the use would be, and he wasn't convinced that at this time this was a better option than riding the train or driving.

Mayor Stevenson said if UDOT were to install the Park and Ride and totally maintained it, would he be in favor of the Park and Ride.

Councilmember Freitag said he didn't even know if it was needed; he would have to know that it was necessary.

Councilmember Francis asked about insurance liability.

Gary Crane, City Attorney, said anything the City did would be covered by the City's insurance; anything that UDOT did would be covered by their insurance. He said it would be similar to any other City facility. Gary said he couldn't think of anything the City would be held responsible for; if a snow plow hit

someone's vehicle while plowing snow, the City might be responsible for that.

Alex asked Gary to speak to someone being assaulted or having their car burglarized in the parking lot.

Gary said that would be a UTA problem, but they were probably immune to that as well because people parked there at their own risk, but they would be the ones ultimately sued over it.

Councilmember Brown asked about the cost to maintain the lot.

Woody said the major cost was snow removal, which could be up to \$10,000 a year.

Alex said he thought that that amount included restriping and resurfacing; it would probably be closer to a few thousand dollars a year.

Woody said because of the way the Fruit Heights lot filled up, UDOT felt that this lot would immediately use about 140 stalls.

Council and Staff discussed carpool groups using the lot as a meeting place.

Mayor Stevenson said eventually this area would be an interchange; if residents were concerned about a Park and Ride they were going to be really concerned with an interchange. He said air quality was a big concern; mass transit could be emphasized more and more in coming years. If there were 12 stops along Highway 89, Layton had residents using those unsafe bus spots. This would be a good thing; the City would be wise to have a Park and Ride in the community.

Councilmember Brown said the City might be able to convince UTA to create a route from this area to the mall.

Woody said the estimated cost to build the Park and Ride was \$1,200,000; the entire project would be about \$5,000,000 plus the \$1,200,000 for the Park and Ride.

Mayor Stevenson asked when they needed a decision from the City.

Councilmember Day said last night they talked like they were ready to go.

Mayor Stevenson asked if Staff needed a formal vote from the Council.

Alex said they didn't need a formal vote. This was a UDOT project; they simply didn't want to be in a position where they were proposing something that the City didn't support.

Mayor Stevenson said they had the right to do what they wanted; it was their land and their money. They were good people that wanted to work with the community. He asked the Council to state their position.

Councilmember Petro said she would be in favor of the Park and Ride.

Councilmember Francis said he would like to hear more from the neighbors before saying yes to it.

Councilmember Freitag said no.

Councilmember Brown said she was in favor of it.

Councilmember Day said if we could resolve the minor issues with the fence he would be in favor of it.

Mayor Stevenson asked if it would help to have UDOT come back.

Councilmember Freitag said he was more concerned about the UTA side.

Councilmember Francis said he would like to hear from the residents that would be impacted by this.

Councilmember Brown said one thing the Council needed to remember was that the people that were at the previous meetings were the ones not only opposed to the Park and Ride, but they were opposed to the entire project. She said there were a lot of other citizens in the area that were excited for traffic to be funneled to Antelope Drive, and some of those same people might use this Park and Ride.

Council and Staff discussed safety concerns on Highway 89.

Mayor Stevenson said there were three Councilmembers that were in favor of this, but he would like everyone to be comfortable with it.

Councilmember Brown said some of the concerns expressed were with the Park and Ride bringing crime into the area. She said the residents were told that UDOT would have to install lighting, and the type of lighting the City would want.

Woody said they had been working with UDOT on that issue because they wanted to install the tall 40-foot poles with massive lighting. He said Staff informed UDOT that they would have to use the City's standards and work with the City's lighting consultant.

Councilmember Petro asked if there were cameras in these types of areas for security.

Alex said they hadn't been in the past. He said cameras could be installed, but it would be expensive. Alex said he didn't believe UTA installed cameras in their other lots.

Gary said usually if there was a problem UTA would generally install cameras. He said cameras were more of a policing tool than any type of inhibitor.

Mayor Stevenson asked if the City could tell UDOT that the majority of the Council felt positive toward going forward with the Park and Ride, but would like to see final designs. He said UDOT could then hold an open house at the City.

Council and Staff discussed UDOT rental homes in the area.

Alex said for clarification, did the Mayor want the City to initiate the holding of an open house or ask UDOT to hold an open house.

Mayor Stevenson said he thought UDOT should hold an open house, with the final design.

Alex asked if they wanted the open house held at the City building.

Mayor Stevenson said yes.

ANTELOPE DRIVE COMMUNITY DEVELOPMENT AREA PLAN UPDATE

Kent Andersen, Economic Development Specialist, said the proposed Community Development Area plan (CDA) was brought before the RDA Board on November 7th, where the Board authorized a draft study of the redevelopment area. Kent identified the property on a map and indicated that it included 175 acres. He said no taxing entity committee would be involved in this plan; individual agreements would be signed with the various taxing entities.

Kent explained that the purpose of the CDA was to create jobs, strengthen the tax base, and improve public infrastructure. He said there were 14 developable vacant acres in the area and a potential for net new development of 330,000 square feet of building space. Kent explained that one of the goals of the plan was to relocate the school.

Kent said the proposed tax increment split would be 80/20; the taxing entities would keep 20 percent and give up 80 percent for 25 years. He said this would generate an additional \$16,100,000 in new tax dollars to the agency for reinvestment. Kent said the revenue would assist with relocation of the school and infrastructure. He said the next step in the process was to communicate with the other taxing entities to see if they were interested in participating in the CDA.

A resident in attendance asked what the time frame would be.

Kent said from the City's perspective, the project would move forward, but they would need to talk with the other entities to ascertain their interest in participating.

Alex asked the resident if he represented Lowe's.

The resident indicated that he did.

Alex said this would have no impact to Lowe's; the plan area was on the north side of Antelope Drive. He explained how funding was achieved through the tax increment.

Kent said the impact would potentially be a positive impact with increased economic value of the area.

There was discussion about construction on Antelope Drive with North Davis Sewer District improvements coming this construction year, and future widening of Antelope Drive.

Mayor Stevenson asked Kent to explain how tax increment funding worked and what the City was able to do with the funding.

Kent said tax increment funding was an opportunity to have other taxing entities participate financially to raise the value of everyone's property. He said the property values would be higher and all of the taxing entities would gain more tax revenue after the 25 year period than they would have if the CDA hadn't been created and the money invested into the area. Kent said the idea of all redevelopment areas was to take money to improve the value that otherwise would not occur.

Councilmember Day said the CDA had more to do with job creation.

Kent explained the differences between an EDA, CDA and RDA.

Alex said the City portion of property tax was about 16.6%. Most people thought that the City received

the entire amount of property tax collected; over 50% went to the School District.

Council and Staff discussed businesses located in the proposed CDA.

TEMPORARY LAND USE REGULATIONS ON MULTI-FAMILY DEVELOPMENT

Alex said Staff wanted to get some ideas from the Mayor and Council for direction on temporary land use regulations on multi-family developments. He said there were some legal issues at play; it could be done, but it was a matter of how it was done.

Mayor Stevenson said he felt that there were a number of long term impacts on a community from apartments, particularly from low income apartments. He mentioned a conversation he had with a rental agency and how apartments became run down and eventually low income. Mayor Stevenson said he felt that a six month moratorium would allow time for the City to study and determine how many apartments the City had; what type of mix the City wanted; and should the City increase single family residential numbers before allowing more apartments. He said it seemed that there were a lot of apartments in the City.

Alex said the Council and Planning Commission undertook a joint process to try and address some of these types of questions, and try to identify what really was an apartment; not all apartments were equal relative to their impacts. He said those discussions could be picked up and continued. Alex said a lot of work had been done already, but no decisions were made as to what the ratio should be. He asked if the Council would want to put in place some kind of a temporary zoning regulation, while the process was going forward. Alex said there were tools available to the City.

Mayor Stevenson said when this was done years ago it sent a message that the City wasn't really interested in apartments. He mentioned the incentive for investing in apartments now and why they were a good investment.

Councilmember Brown asked if Staff could review information on what had been done up to this point for the benefit of the new Mayor and Councilmembers.

Councilmember Francis asked about legal ramifications if someone already had the entitlements to build; could that be stopped.

Gary said there was a provision in State Code that allowed for a reasonable amount of time to study a change to the ordinance; 6 months was a reasonable amount of time, but the process had to be kept going. Gary said property already zoned multi-family could not be changed unless there was a compelling, countervailing public reason for doing that. He said that reason would have to be stated in the ordinance, which would freeze everything on land that was already approved for multi-family zoning, for a six month period of time. Gary said at the conclusion of the six months, the zoning could probably be changed before an application was filed. He said the compelling, countervailing public purpose had to be pretty strong; there had to be some legitimate reason, which usually involved health and safety issues.

Gary said land that wasn't zoned for multi-family right now could not be changed during the 6 months; to change property that was already zoned multi-family would require a compelling, countervailing public purpose for doing that. He said if an application for development was already filed, they were protected and could move forward.

Mayor Stevenson said the City needed to be smart with how land was utilized in the future.

Gerald Gilbert, Planning Commissioner, said it would be interesting for the Mayor and Council to review the information already put together by Staff. He mentioned the Stimson property on Main Street, and the project on Hill Field Road. Gerald said some of the older apartments were being upgraded to keep up with the new apartments coming on line.

Councilmember Freitag said he had been involved in all of these approvals. The market for single family development died and the new apartments were located in areas where single family would not go. He said the Planning Commission and Council spent a lot of time going over this information and expressing their desires of putting limits on the amount of apartments. Councilmember Freitag said the data showed that the City was not as bad as some people would say. Over the last 18 months, single family development had rebounded and there had been hundreds of permits issued.

Bill Wright, Community and Economic Development Director, said the City issued 289 single family detached permits last year, and there were about 35 since the first of the year.

Councilmember Freitag said in the last meeting, the Council talked to the Planning Commission about looking at the Parkway and starting the process of a General Plan review.

Councilmember Petro asked how many multi-family applications were pending.

Bill said there were no pending applications. He said there was an approval for an apartment complex on the north side of Gentile Street, east of Fairfield Road. Bill said that project was approved a couple of years ago, but they hadn't started the project.

Councilmember Brown said that property owner could come in any day and say he was ready to build.

Bill said that was correct.

Staff displayed a map of vacant parcels of property that were zoned for any type of attached residential housing.

Peter Matson, City Planner, said outside of the downtown area there weren't many options.

Councilmember Freitag said for clarification, the Council could, by resolution, review certain uses. The second piece of that was anyone that had property that was already zoned for multi-family, but hadn't made application; and the third piece was any application that had already been filed. He said there weren't any applications currently filed, so that wasn't an issue. Councilmember Freitag asked if this accomplished the goals Mayor Stevenson outlined, or did they need to look at the second level; those properties that were already zoned multi-family.

Mayor Stevenson asked if the Council would support a large apartment complex coming into the City. He said if they were hesitant then he thought they needed to take a look at that.

Councilmember Francis said it would depend on the location and the property.

Mayor Stevenson said he understood that. The six months would allow time to study that. He said he thought the senior housing developments coming in would probably be a good thing, but that was different than a standard apartment complex.

Councilmember Francis said he struggled with telling a property owner, that already had the entitlements, that he couldn't develop his property as zoned.

Mayor Stevenson said in this situation he believed in the hard line. He said he wanted to send a message.

Gary said Staff could craft a resolution that would be very strong.

Mayor Stevenson said apartment investors were not interested in bringing something great to the City; they were interested in the money.

Councilmember Brown said she had a hard time drawing a hard line; there might be something coming into the mixed use area that would be appropriate.

Mayor Stevenson said it went back to the definition of what an apartment was. He asked Gary if the resolution could be very descriptive of what they were trying to stop. Mayor Stevenson said townhouses, that were purchased, were much different than an apartment complex. He said six months was not that long. He asked Bill to explain the timeline from start to finish for a multi-family development.

Bill said if it was on property already zoned for multi-family, a building permit could be issued in three to four weeks.

Mayor Stevenson said it would probably be about eight weeks by the time the developer did what they needed to do.

Councilmember Brown said the Council and Planning Commission were in the process of making categories of the various types of multi-family developments. She said she would feel better with looking at those categories before putting a moratorium in place.

Mayor Stevenson said he agreed with that.

Alex said he thought both sets of concerns could be addressed. He said the City could send a very strong message about what the intent was. Alex said someone could challenge that, but the City's history was that if there was a very clear message from the elected body, most people would not want to go through the burdensome process of doing that. He said that message could be set out in the resolution.

Alex said Staff would take direction from the Mayor and Council; was this a priority and something they wanted Staff to actively bring back ahead of other things.

Councilmember Brown said she would like to see the Mayor and new Councilmembers brought up to speed with what had already been accomplished; particularly with identifying the different categories of multi-family housing.

Councilmember Francis said this was a good catalyst for beginning the process of reviewing the General Plan.

Mayor Stevenson said he would work with Gary on a draft resolution that could be brought back to the Council.

Alex said Staff would work on this and bring it back for discussion with the Planning Commission and Council.

TOPICS FOR FUTURE STRATEGIC PLANNING MEETINGS

Mayor Stevenson said he would like to see future discussion on irrigation water and promotion of the City. He said the City was very good at streets, and fire, but it was important to promote the good things happening in the City. Mayor Stevenson said there had been suggestions about hiring someone that worked for the Mayor and Council that could work on some of these special projects. He said he would like to review the City's role relative to working with the School Board. Mayor Stevenson said the East Gate private/public partnership with the Base was something that needed to be discussed. He said the City needed to bring people back into the City.

Councilmember Francis said he was worried about the traffic and safety issues at the school near Ellison Park. He said he would like to have a discussion about ways for the traffic to be slowed to 20 mph on Hill Field Road during school time.

Councilmember Petro said these types of round table discussions helped. She said she would like to see more of these types of meetings.

RE-BRANDING LAYTON CITY INITIATIVE & POPULATION AND LAND USE BUILD OUT SCENARIOS – FUNDING OPPORTUNITIES

This item was not discussed.

The meeting adjourned at 7:35 p.m.

Thieda Wellman, City Recorder