

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

JANUARY 3, 2019; 5:33 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR BOB STEVENSON, JOYCE BROWN,
BRUCE DAVIS, TOM DAY, SCOTT FREITAG
AND JOY PETRO**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, TERRY COBURN,
BILL WRIGHT, TIM WATKINS, LON CROWELL,
STEVE JACKSON, DAVID PRICE AND KIM
READ**

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 Staff.

AGENDA:

DISCUSSION – THIRD QUARTER SALES TAX LETTER

Alex Jensen, City Manager, stated Mayor Stevenson has been asked to sign a letter to be sent to the Davis County Commission for its consideration. He explained in 2006 Legislation was passed which would authorize counties to approve incremental Sales Tax rate adjustments to provide for various types of transportation. He stated three of the quarters had previously been adopted, however, one of those authorized in 2006 was never adopted by the Davis County Commission. He indicated the purpose of that funding was to provide funding for enhanced capacity projects. He further explained the counties were to receive direction from COG (Council of Government) and Wasatch Regional Council to identify the process by which projects could be graded and recommended to the County Commission for final approval.

He reported those funds had never been appropriated for identified projects for the past 12 months and renewed interest by cities had resulted in discussions with the county. He stated cities had been asked to submit a letter of support, signed by the Mayors, expressing support from the respective Council's. He indicated support for this had been unanimous across the County. He reported Staff had prepared a one page letter for Mayor Stevenson to sign.

Councilmember Day clarified the funds had already been collected by the county and was responsible for how it was divided among the cities. Mr. Jensen responded the County Commission had final responsibility to distribute the funds; however, to ensure they were appropriately distributed, the recommending body was COG (Council of Government). Mr. Jensen emphasized the statute dictated the funds had to be used for "enhanced capacity"; however, there was an effort to have some flexibility built into the statute allowing some funds to be appropriated for maintenance in certain circumstances. He pointed out there were some cities within the county which were not experiencing growth and would most likely never have an opportunity for an "enhanced capacity" project and shared an example. He stated the Wasatch Front Regional Council was in support of the letter and read the letter to the Council.

A discussion took place regarding the amount of the tax and how it might affect a typical resident and whether new construction could be considered "enhanced capacity". No objections or items of concern were expressed by members of the Council with Mayor Stevenson signing the letter.

DISCUSSION – MIXED-USE ZONING ORDINANCE AMENDMENTS AND WARNICK REZONE – 1814 NORTH 700 WEST (LAYTON HILLS PARKWAY)

Tim Watkins, City Planner, shared a visual illustration and announced a public hearing was scheduled for Thursday, January 17, 2019 for the item. He oriented the Council with the general area and identified the parcel. He explained the property was currently zoned B-RP (Business Research Park) which would allow for the intensive development of a Residential Mixed-Use, Multi-Family residential component. He reported the proposal for the rezone and subsequent development was for Residential Mixed-Use with a four-story building format. He indicated the Planning Commission had encouraged Staff to study and recommend comparisons of appropriate setbacks, height transition, use buffers, etc. and recommended a Design Overlay be added to the Mixed-Use Zoning District. He mentioned this would address building height above three-stories and shared an illustration providing examples of similar developments from Logan, Utah and Denver, Colorado.

He explained the buffers between uses could be either an eight feet masonry wall with trees and landscaping; or a six feet trex or similar solid fencing with garages and a discussion took place regarding the rear and side yard buffers and Mr. Wright clarified the identified buffer was specific to the rear yard.

He reported the Harris property owner owned fifteen feet into the rear yard of the adjacent property owners. He continued to explain the owners had built a wall on the property line allowing for the residences to have access for landscaping as part of the buffer for the commercial development. He stated the applicant was proposing to keep the existing wall. Mr. Jensen reviewed the history associated with the existing wall and the Target development and a discussion followed. Councilmember Day recalled the discussions from the Planning Commission meeting in which he understood the property would be deeded to the adjacent homeowners. Bill Wright, Community and Economic Development Director, mentioned the wall had been addressed within the Development Agreement and Mr. Watkins clarified language within the Development Agreement indicated the owner would either maintain ownership and allow for an access easement or give it to the property owners with a maintenance access agreement.

Councilmember Day clarified the setbacks identified in the proposed ordinance would be applicable to the entire City, not just this particular property, once approved by the Council and Mr. Watkins responded in the affirmative.

Councilmember Brown requested clarification regarding the landscaping in conjunction with the wall and whether it would be considered as the “buffer”. Mr. Wright explained the developer had the option to consider the garage as part of the buffer in addition to the property on the wrong side of the wall. Mr. Watkins pointed out the garage and could be constructed within two feet of the wall and indicated that could be the buffer or the ten feet in trees. He continued to clarify other specifics identified in the Agreement specific to the project:

- 12 feet between the first and second floor for commercial component only
- Parking would be allowed on the sides and rear of the building; no parking in front
- Parking reduction based on shared parking and further explained there was less demand for car ownership and more demand for walking/biking in developments such as this.

Councilmember Day inquired if the portion of the ordinance specific to parking would be restrictive to this particular urban area or if it would become applicable to the entire City once adopted by the City Council. Mr. Watkins believed it could be applicable and appropriate in conjunction with other developments throughout the City and indicated it could be considered on a case by case basis for the overlay to be applied, similar to how the overlay specific to a PRUD was applied.

Mr. Watkins reviewed the rezone request and the mixed use concept with the Council and shared a visual illustration. He emphasized parking wouldn't be visible from the street and would be contained behind structures and pointed out the buffer of garages and the landscaping buffer.

He reported the proposal had advanced through the review process with the Planning Commission and it had recommended some final modifications specific to the following:

- Allowable exterior products.
- No off-site advertising would be allowed on the wall
- Street trees

Mr. Jensen pointed out the Development Agreement identified Harris Enterprises as the property owner. He inquired about the developer and Mr. Wright responded the developer was Destination Homes. Mayor Stevenson clarified the multi-family housing product would be walk up. Councilmember Brown pointed out the Midtown Trolley would be a great amenity for the proposed residents.

Mr. Wright announced the item would come before the Council for approval during its meeting on Thursday, January 17, 2019. Councilmember Freitag requested an aerial illustration of the proposed development prior to the January 17 meeting. He requested clarification there would be garages associated with the development and not carports. Mr. Watkins responded the Development Agreement required a garage with a back wall or a parking canopy with slatted rear walls. The developer stated the residential component would consist of one and two bedroom units.

PRELIMINARY PLAN – GENTILE STATION TOWNHOMES – APPROXIMATELY 325 WEST GENTILE STREET

Mr. Watkins reminded the Council of the rezone which took place during the summer for the property and shared the proposed Preliminary Plan which identified the proposed housing component; open space play areas and landscaping, which included trees along Gentile Street. He shared some examples of the proposed housing and reported the Development Agreement called out a specific design standard for porches. He pointed out the three story units were barely visible from Gentile Street. He clarified the historical aspect with the mansion homes along Gentile was specific to pitched roofs as opposed to period style housing. The developer referred to a slide which identified the location of the brick and also addressed the size of windows. Mr. Watkins pointed out the rear loaded garages proposed for the development.

Mr. Wright stated the Planning Commission had recommended approval of the Preliminary Plan with the identified modifications. He indicated this item would be on the consent agenda following this meeting.

GENERAL PLAN AMENDMENT, DEVELOPMENT AGREEMENT, AND REZONE REQUEST – OPEN SPACE TO RESIDENTIAL (GENERAL PLAN AMENDMENT) – B-RP (BUSINESS RESEARCH PARK) TO R-1-8 (SINGLE FAMILY RESIDENTIAL), R-1-8 (PRUD) (PLANNED RESIDENTIAL UNIT DEVELOPMENT) AND C-TH (CONDOMINIUM/TOWNHOUSE) – ORDINANCE 19-04, RESOLUTION 19-01 AND ORDINANCE 19-05 – 850 NORTH 2200 WEST

Mr. Wright reminded the Council it had participated in site visits of similar developments and reviewed the history of the item during previous meetings with both the Planning Commission and City Council. He stated the Planning Commission made its recommendation on Tuesday, November 27, 2018, and indicated a Public Hearing had been advertised to take place during the City Council Meeting on Thursday, January 3, 2019. He stated the Council would take action on the item at either the January 17 or February 7, 2019 meeting.

He oriented the Council with the property and shared a visual illustration which also identified surrounding properties and uses. He indicated the proposed development would contain condominium/townhomes, single family alley loaded homes and mansion style homes. He emphasized the development also proposed a variety of lot sizes and sizes of homes. He pointed out the roadways and pedestrian trails promoted connectivity within the development and would easily accommodate the proposed housing.

He reviewed the different housing styles in developments visited by the Council on Wednesday, December 19, 2018, and shared some illustrations. Councilmember Davis asked about the need or necessity for double sidewalks and Mr. Wright expressed his opinion the developer most likely attempted to identify the difference between the “public” or “private” sidewalk and believed it could be addressed by the developer at a later time in conjunction with the preliminary or final plat approval process.

Mr. Wright reviewed the current General Plan Land use map. Councilmember Brown requested clarification about the comparison of traffic associated with B-RP (Business Research Park) that it could potentially be up to four times what the residential use would generate. Steve Jackson, City Engineer, responded that was correct. Mr. Wright pointed out there wasn’t a Development Agreement currently in place associated with the property for its current use and zoning. Mr. Watkins also indicated light industrial would also be an allowed use in the B-RP zone.

Mr. Wright shared an illustration of the amended General Plan which identified medium density along Gordon Avenue and near Ellison Park with low density in the interior. He pointed out this plan was consistent with residential development within the area and with the policies of development along arterial corridors. He also reviewed the Planning Commission’s recommendation of a concept plan with the Council which identified different lot sizes of different housing styles and sizes of homes. The Developer indicated some of the homes would be slab on grade and believed the single family homes would be constructed with basements. He indicated the building lots would be sold to different builders. Mr. Wright continued to share illustrations of renderings which identified amenities of the concept plan. Mayor Stevenson cautioned Staff and the developer that once the concept plan and renderings became public, this would be exactly what the public would come to expect as a finished product, and suggested Staff emphasize the illustrations were nothing more than “draft” renderings.

Councilmember Petro inquired who would be responsible to ensure the proposed amenities within the proposed development came to fruition. The Developer indicated that would be his responsibility, in conjunction with all utility and street infrastructure.

Mr. Wright also spoke to the transportation plan and indicated the Developer would be required to install a right hand turn lane at 2200 West/Gordon Avenue Intersection. He also shared a diagram identifying the Ellison Park plan and indicated the area was very well served for parks.

Mr. Jackson informed the Council of costs associated with construction of 2200 West. He indicated reconstruction costs would be approximately \$285,000. He added if it was determined to widen that portion of 2200 West, there would be an additional cost of \$136,500 in addition to property acquisition of approximately \$8,500. for an additional total cost of approximately \$145,000.

MAYOR’S REPORT

The Council discussed the proposed completion of 3700 West at the bottom of Hill Field Road near the Nielsen Homes development. Mr. Jackson responded the City had been contacted by the resident and informed the Council the Master Plan identified that road to be completed by 2026; however, it had been moved up to 2022 for a completion date and suggested it would be in that budget. Councilmember Day clarified Nielsen Homes had completed its responsibility associated with the development and Mr. Jackson responded in the affirmative.

The meeting adjourned at 6:50 p.m.

Kimberly S Read, City Recorder