

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

JANUARY 17, 2019; 5:32 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

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

STAFF PRESENT:

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

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

Mayor Freitag opened the meeting and turned the time over to Staff.

AGENDA:

GATEWAY SIGNAGE UPDATE

David Price, Parks and Recreation Director, and JoEllen Grandy, Parks Planner, shared a visual illustration of the proposed gateway signage to be located at the interchanges of Layton Parkway, Hill Field and Antelope. She reviewed the proposed products which would be used on the signage and the benefits of those products. She reviewed the funding sources identified for the project and the proposed costs to complete the project which reflected the need of additional funding of \$29,668 or the lighting amenity could be eliminated in order to complete the project within budgeted parameters.

Councilmember Petro asked if the lighting could be eliminated and completed at a later date. Mr. Price responded the lighting could be completed at a later date; however, the City would need to proceed through the extensive UDOT project process and a discussion followed. Alex Jensen, City Manager, stated Staff's recommendation would be to complete the project at this time and appropriate the additional funding. Mr. Price indicated solar lighting wouldn't be successful for this type of project and stated the electrical lighting would be directional to the signage eliminating light pollution.

Mayor Freitag asked about future gateway signage along Highway 89 and Mr. Jensen responded that would be considered a "betterment" which would result in a cost to the City and indicated those discussions could take place at a more appropriate time. The Council directed Staff to proceed with completing the project using the General Fund.

Mr. Jensen reported Staff had been negotiating with UDOT (Utah Department of Transportation) for the acquisition of property on the east side of Highway 89 for the location of a future fire station. He explained with the re-design of Highway 89 the property trade/sale was delayed and in the meantime the City identified another parcel it believed was better suited for the project. A visual illustration identified the parcel which illustrated its access and visibility. He reported UDOT had approved the new parcel and indicated documents would now need to be signed to close on the property. A discussion took place regarding the parcel and adjacent parcels and Mr. Jensen explained how they would benefit the City.

Mr. Jensen reminded the Council about the joint venture with Weber Basin for the water tank project in the area. Councilmember Day inquired if parking for the trail system would still be incorporated with the project and Mr. Jensen emphasized the property had been preserved for that purpose. Mr. Price pointed out where the future parking would be located and also the location of the pedestrian crossing for Adams Canyon future trail.

TEXT AMENDMENT – MIXED-USE (MU) AND MIXED-USE OVERLAY (DO-1) ZONING DISTRICT AMENDMENTS – AMENDING TITLE 19, ZONING, CHAPTER 19.04.010 ZONING DISTRICTS AND CLASSIFICATION ESTABLISHED TO INCLUDE MIXED-USE (MU), AND DO-1 MIXED-USE DESIGN OVERLAY DISTRICT; AMENDING SECTION 19.04.020 PURPOSE OF ZONING DISTRICTS TO INCLUDE MIXED-USE (MU), AND DO-1 MIXED-USE DESIGN OVERLAY DISTRICT; AND AMENDING CHAPTER 19.25, MIXED-USE (MU) ZONING DISTRICT – ORDINANCE 19-07 (FORMERLY ORDINANCE 18-38)

Tim Watkins, City Planner, stated the intent in amending the Mixed-Use (MU) zoning district was to provide more flexibility for the increasing demand for MU development. He reviewed the proposed text amendments in the ordinance and explained it would allow up to four or five stories of residential development with the MU Overlay being applied. He pointed out the MU could be either commercial or residential and suggested the flexibility was needed when introducing residential into an already established commercial area. He suggested density not be limited by a formula or number; but rather the physical form of the building. He stated there were built in protections if applied to single family residential. He spoke to fencing and other buffers which would be allowed. He reviewed the floor to floor allowance and parking flexibility.

Councilmember Brown asked if the parking requirements would need to be changed if a commercial use took place on the lower level of the building. Mr. Watkins responded the requirements would be based on the combination of uses on the site and explained the hours of usage would also be considered.

Mayor Freitag requested Mr. Watkins provide an update based on comments received at the Planning Commissions meeting. Mr. Watkins pointed out the text amendments had been reviewed by the Planning Commission for about a month and no public comments had been expressed specific to the zoning text amendments. He indicated the Planning Commission recommended approval.

Councilmember Petro asked if the ordinance would be applied on a case by case basis or it would be applicable city-wide. Mr. Wright clarified the MU zone was currently available in a few areas of the City and added a zone change could be requested for property. He emphasized the Mixed-Use Overlay (DO-1) could also be applied in certain circumstances recommended by the Planning Commission. Mr. Watkins suggested the General Plan would identify areas in which the additional building height would be appropriate.

DEVELOPMENT AGREEMENT, REZONE REQUEST – WARNICK REZONE – BUSINESS AND RESEARCH PARK (B-RP) TO MIXED-USE, MIXED-USE DESIGN OVERLAY (MU, DO-1) – RESOLUTION 19-08 (FORMERLY RESOLUTION 18-70) AND ORDINANCE 19-08 (FORMERLY ORDINANCE 18-33) – 1814 NORTH LAYTON HILLS PARKWAY

Mr. Watkins oriented the Council with the parcel and indicated the rezone would allow for the Mixed-Use Design Overlay (MU, DO-1), pending the adoption of the previously explained text amendment. He mentioned the property was currently zoned Business Research Park (B-RP) and was approximately 3.3 acres. He suggested this rezone would provide the opportunity to test the application of the Design Overlay as it was applied to the Midtown area as it transitioned to a Mixed Use Urban District. He identified the surrounding uses: a large variety of commercial services and the Conference Center and mentioned there wasn't much residential at this time. He shared a concept plan and the proposed application of MU, DO-1 and shared a visual illustration of a four-story building.

Mr. Wright identified the property owned by the City to the north for a future fire station and also the City owned property to the south used as a detention basin. Mr. Watkins reported no public comments had been received specific to the rezone and indicated the developer had visited residents door to door.

Councilmember Petro inquired about the wall. Mr. Jensen explained how development had taken place north of Layton Hills Mall and the City's investment in building roads which had resulted in the development now in place. Mr. Wright identified the current vacant lots in that specific area and pointed

out the route of the free Midtown trolley in that area and indicated it was referred to as a “last mile connection” to the FrontRunner rapid transit system and pointed out those benefits.

Mr. Watkins reviewed specifics identified in the development agreement:

- Existing masonry wall
- Easement or change in ownership of property at the wall
- 2 inch caliper tree measurement every 30 ft along 700 west
- Utilities to serve the property
- Exterior products allowed on the buildings such as metal cladding

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

Mayor Freitag announced this public hearing had been continued from the meeting on Thursday, January 3, 2019. He explained how he would like to address the public hearing during the policy session following this meeting; comments would be limited to new or different information. Gary Crane, City Attorney, advised the Council that it would in its best interest to close the public hearing following public comment and quickly taking action on the item. He explained how a substitute motion could be made. He stated whenever a planning decision was asked to be made, such as a rezone, the Mayor will call for discussion on the motion following the second to the motion. He added this would allow discussion from the Council based on the General Plan and indicated this would also allow for members of the Council to state “why” in the motion.

Councilmember Davis requested clarification regarding Roberts Rules of Order and Mr. Crane responded he would be available to assist the councilmembers during the meeting. Councilmember Brown asked if it would be appropriate if a reason was given by the councilmember making the motion and Mr. Crane stated he would prefer if that information was expressed during the discussion as opposed to reasons being part of the motion.

Mr. Wright reviewed the timeline associated with the proposal: amending the General Plan and the rezone. He reviewed what had previously taken place and identified proposed future meeting dates. Mayor Freitag shared a Land Use and housing update from his COG (Council of Government) meeting. He stated the Legislative leadership was pleased with Layton’s direction regarding housing and believed the City could be a leader in this area.

Mr. Wright oriented the Council with the location of the property, its current zoning and reviewed surrounding properties and uses. He reviewed the Planning Commission’s recommendation which included a variety of zones, lot sizes and housing options and sizes as part of the proposed housing component. He pointed out the following:

- Rear loaded housing along 2200 West
- Mansion Homes along Gordon Avenue and Ellison Park to the south
- Connection points within the development allowing pedestrian access to Ellison Park or Ellison Elementary School and the Rail Trail System
- Access points to the development (two at Gordon Avenue and two at 2200 West)

Mr. Watkins pointed out the mansion homes fronting the trail would provide a safety enhancement to not only the mansion style homes but the entire development. Mr. Wright stated fencing around the park was currently in place at that location and mentioned any additional buffer or fencing at that location had not yet been determined.

He continued to point out the following associated with the proposal:

- 272 housing units
- Traffic analysis had been completed

He reminded the Council traffic analysis had been completed and all streets within the development would be public streets with the exception of the rear loaded alleys.

Councilmember Davis inquired about the funding and timeline associated with the street improvements for 2200 West. Mr. Wright shared a visual illustration and stated City Engineers had completed a traffic study to identify any impact the proposed development might have for 2200 West and reported the two lane road could accommodate the additional traffic. He spoke to the widening of 2200 West which would generally take place in conjunction with the development of the property adjacent to the west. He reported Staff had identified the need to rebuild 2200 West and a study had been completed to determine the cost to combine both the widening of the small section and the rebuild. He emphasized the developer would be required to provide the right hand turn lane from 2200 West on Gordon in conjunction with this development.

Steve Jackson, City Engineer, stated comments were expressed during the public hearing regarding the traffic counts and reported the two lane road capacity was 5,000 vehicles per day. He stated the number identified in the Traffic Master Plan was 7,800 cars per day and pointed out the Hill Field Interchange was under construction which accounted for the high number in 2015. He informed the Council a traffic study had been completed in 2017 and that number reflected a capacity of 3,050 per day. He emphasized the 3,500 was a planning number only. He suggested the development would generate approximately 4,200 cars; which was 84% of the actual level of service (capacity). He continued to explain the difference between the full capacity of the road and the capacity of the road at a specific level of service.

Councilmember Davis clarified 2200 West could currently accommodate the additional traffic from the proposed development and Mr. Jackson responded in the affirmative. He pointed out how the capacity would be significantly increased once improvements were completed and emphasized it wouldn't increase the number of vehicles using the road.

Councilmember Brown requested clarification regarding potential overlay for 2200 West. Mr. Jackson responded the City had identified 2200 West, from Gordon to Hill Field, would need to be reconstructed for an estimated cost of \$285,000. He added additional costs of \$145,000 would allow for the center turn lane. Councilmember Brown expressed her opinion it would be in the best interest of the City to complete all road improvements at once to minimize inconvenience to the citizens and inquired if funds could be appropriated during the next budget for that purpose.

Mr. Jensen referred to a traffic study recently completed by students at Utah State regarding the state of the City's roads indicated funds could be identified in the FY2020 budget for this purpose. He recommended the City not build infrastructure which wasn't needed. Mayor Freitag pointed out it would take some time before capacity issues would be recognized in relation to the impact of the development.

Mr. Watkins spoke to expressed concerns regarding on-street parking and indicated there would be adequate room for a parking once the three lane road improvement had been completed.

Mr. Wright spoke to the public comments regarding the available parking for the smaller lot, rear loaded homes. He identified those locations in the concept plan that could accommodate for on street parking within the development and expressed his opinion there was sufficient parking for residents and visitors. He reminded the Council of its site visit tour and believed standards had been identified to ensure a quality product. He believed the applicant had an understanding of Council's and City's expectation. He stated the Design Review Committee was in place by ordinance and was responsible for providing recommendations to Staff identified during the preliminary plan process. He explained the City's process in using the Design Review Committee and indicated applicants didn't object with the process.

Councilmember Petro inquired if information shared during a Planning Commission meeting or public hearing was passed on to the Design Review Committee. Mr. Wright responded in the affirmative. Councilmember Davis asked if the Planning Commission or City Council could reject those recommendations and Mr. Wright responded in the affirmative. He identified the members currently serving on the Design Review Committee. He reported the Planning Commission accepted comments during a public hearing and recommended approval of the amended plan to the Council.

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

Mr. Wright reviewed the proposal with the Council and shared specific details proposed for the housing along Gentile Street and believed the developer had implemented similar design principles such as roof pitch and façade products associated with the housing. He identified those concepts which were included in the approval with the Development Agreement and expressed his opinion the developer had attempted to follow the design characteristics.

Gary Crane, City Attorney, reminded the Council this application was different than the items which had a public hearing associated with its approval. He indicated it had progressed past the public hearing and rezone and had now reached an administrative decision by the Council and clarified those types of decisions were based on the Code or the Development Agreement and was bound within those parameters. He pointed out the developer vested in what had already been approved and the Council cannot impose a new requirement not identified in the Development Agreement.

2019 COUNCIL ASSIGNMENTS

Mayor Freitag indicated he had provided a list to members of the Council and indicated he would like to discuss his considerations with each councilmember. He informed the Council that the Wasatch Integrated Board had met on Wednesday, January 16, 2019, at which time it passed an increase of \$2 per can beginning in July 2019 and a discussion followed. He announced the two agenda items specific to appointments would be removed from the agenda.

DISCUSSION – CITY COUNCIL MEMBER MID-TERM REPLACEMENT PROCESS

Mr. Crane explained Mayor Freitag was still a member of the Council until he officially resigned from the Council which could possibly take place during any City Council meeting. He explained the voting of a Mayor was different than that of a Councilmember; in that the Mayor would only vote in the event of a tie.

Mr. Crane asked the Council to submit available dates to appoint the councilmember. He reminded the Council the notice was a two week notice and that time would need to be allowed for submissions as well as to allow the Council time to review the received submissions. A discussion took place and it was suggested to hold the meeting on Tuesday, February 26, 2019.

The meeting adjourned at 7:04 p.m.

Kimberly S Read, City Recorder