

LAYTON CITY PLANNING COMMISSION MEETING
Tuesday, January 20, 2004

Note: This meeting is in place of the regularly scheduled meeting that was to have been held on Tuesday, January 13th. That meeting was not held because there was not enough members to make up a quorum.

Present: Vice Chairman Kim Squire, Commissioners Hugh Parke, Chad Curtis, Keith Preece and Dave Pratt

Others Present: Staff members Scott Carter, Peter Matson, Kem Weaver, Steve Garside, Dave Decker and Gayla Thompson

Vice Chairman Kim Squire brought the meeting to order. The Pledge of Allegiance was said. Vice Chairman Squire gave the invocation.

Commissioner Pratt made the motion to approve the minutes of September 9, 2003, as written. Commissioner Curtis seconded the motion that passed unanimously.

WESTFIELD ESTATES SUBDIVISION, PHASE 3 – FINAL APPROVAL

Location: Approximately 3575 West 1000 North

Zoning: R-S

Kem Weaver presented the proposal. The request is for final approval of 43 lots on 19.5 acres located on the south side of Gordon Avenue (1000 North). The subdivision is required to have the landscape buffer along 1000 North, along with a 6' solid privacy fence behind the buffer.

Lots 312 and 313 will incorporate a temporary turnaround until the street is extended to the east. The developer will be required to bond for the removal of the required curb, gutter and turnaround and the replacement of the original street improvements once the street is extended.

Restrictive covenants have not yet been submitted for review. The covenants are to reflect the maintenance of the landscape buffer and the establishment of a homeowners association. The developer will be required to coordinate with the Davis/Weber Canal Co. for either the relocation of the ditch to the properties to the east of this development, or the piping of the waste irrigation water within the subdivision boundaries.

The staff recommends final approval be granted subject to meeting all staff requirements.

MOTION: Commissioner Parke made the motion to recommend the City Council grant final approval subject to meeting all staff recommendations, which are adopted as

requirements and made a part hereof. Commissioner Preece seconded the motion that passed unanimously.

SWAN MEADOWS SUBDIVISION, PHASE 2 – PRELIMINARY APPROVAL

Location: Approximately 2400 West 650 North

Zoning: R-S

Kem Weaver presented the proposal. The request is for preliminary approval of 24 single-family lots on 10.14 acres located on the west side of 2200 West.

The Engineering Dept. has recommended a preliminary plan for the entire Swan Meadows development be submitted so that decisions on road placement and utility sizes can be made. Mr. Weaver reviewed the discussion that took place in the early work meeting regarding the future alignment of the proposed 2700 West street.

Mr. Weaver stated that it appears that the property owner to the south has a different version of the future collector road. The two developers are in disagreement as to exactly where the road should be.

Ed Green approached the Commission. He stated that he has been meeting with The Adams Company and the road extension as shown on his preliminary drawings are more in line with what he has planned for the R-S zone. He stated that he doesn't know if he wants to have the type of impact a collector road would have on the types of homes he builds; it would kill a lot of home sales he has already committed to. He stated that he has talked with Dave and Stuart Adams and if they have a minimum of 600' from Mr. Green's west property line, they could work out some type of road pattern that would work for both of them. Mr. Green has 800' left before he hits the west boundary. Mr. Green stated that he couldn't go further with future development until he knows what they are doing with their site.

Chairman Squire stated that it was the consensus of the Planning Commission in the early work meeting that they agreed with the City Engineer's proposed alignment for 2700 West.

MOTION: Commissioner Preece made the motion to grant preliminary approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Parke seconded the motion that passed unanimously.

DIAMOND RENTALS – EXPANSION OF CONDITIONAL USE

Location: 1590 North Main

Zoning: C-H

Kem Weaver presented the request. The request is to expand the original conditional use permit to allow the parking of additional rental trucks in the front of the building.

Mr. Weaver gave a history on the site and the original conditional use that was approved. Diamond Rental has been parking a number of rental trucks in front of the business without

the knowledge of its limitations. The request is to expand that number from one to five or six.

Mr. Weaver explained that in discussions in the early work meeting, it was the consensus of the Commission that six rental trucks would be excessive.

Commissioner Parke asked the applicant if the parking shown on the north side of his site plan was on Durk's Plumbing property. Shawn Milne, manager of Diamond Rentals acknowledged that they were on Durk's property. Mr. Milne stated that the trucks measure from 10' to 33' in length and take up back-to-back parking spaces. He stated they would like to keep the number of trucks at 5 to 6 on average. He indicated that they have had as many as 14 trucks on the lot at one time, but that the main office in Salt Lake collects them within 2 to 3 days.

Mr. Milne indicated that he has no problems with the conditions of the conditional use, except that he didn't know if the property owner would be amenable to planting the required trees.

MOTION: Commissioner Preece made the motion to allow the business to park no more than 6 rental trucks on the site, but that they must be parked along the south property boundary, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof; and, that the required landscape be installed within six months. Commissioner Parke seconded the motion that passed unanimously.

PEACEFIELD PRUD, PHASES 3, 5 & 6 – AMENDMENT

Location: Approximately 475 North 1800 East

Zoning: R-1-10 PRUD

Kem Weaver presented the request. The request is to amend the requirements made upon these phases of Peacefield by allowing a third-car garage on some of the patio homes. Not all patio homes will have a third-car garage.

The staff is comfortable with adding a third-car garage as long as it fits within the footprint of the lot. The developer has met with the Design Review Committee (DRC) and provided at least one floor plan where the third car garage will fit within the footprint of the lot. Mr. Weaver went through the recommendations of the DRC to the Commission. The packets contained photos of the proposed designs.

Chris Schultz representing Symphony Homes explained the verbage in the original CC&R's which indicate that the builder "must build a minimum of a 3-car garage". He explained the requests from potential homebuyers who want additional room for larger vehicles, etc. He also explained the need to widen the approaches to accommodate the 3-car garages.

Commissioner Parke questioned the addition of concrete and the loss of landscape. Mr. Weaver indicated that the ordinance allows the staff to look at this on a case-by-case basis.

MOTION: Commissioner Curtis made the motion to recommend the City Council approve the request to allow for 3-car garages and for wider approaches, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Parke seconded the motion that passed unanimously.

COUNTRY WEST CONSTRUCTION – CONDITIONAL USE REQUEST

Location: 21 North 3100 West

Zoning: R-S

Kem Weaver presented the request. The request is for a model home on Lot 16 in Wild Horse Springs Subdivision.

Mr. Weaver went over the staff's recommendation for the Commission to consider in approving the request.

MOTION: Commissioner Pratt made the motion to approve the conditional use subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Curtis seconded the motion that passed unanimously.

ASPEN PLACE SUBDIVISION, PHASE 4 – VACATE OF UTILITY EASEMENTS

Location: Approximately 1325 North 60 West

Zoning: R-1-6

Kem Weaver presented the request. The request is to vacate old utility easements that were deeded years ago before Aspen Place 4 was platted. The utilities, etc. are relocated within the public right-of-ways on the new plat. The staff recommends these easements be vacated.

MOTION: Commissioner Preece made the motion to recommend the City Council approve the request to vacate said easements. Commissioner Pratt seconded the motion that passed unanimously.

AMERICARPETS – CONDITIONAL USE REQUEST

Location: 1325 West Hillfield Road

Zoning: M-2

Kem Weaver presented the request. The request is to conduct a retail business in an industrial area. The City recently approved an ordinance amendment that allows for a certain percentage of retail space per unit in the M-2 zone located adjacent to an arterial street. The requirements must be met to receive conditional use approval by the Planning Commission.

Mr. Weaver went over the site plan for the proposal. The staff recommends conditional use approval be granted subject to meeting the requirements of staff.

MOTION: Commissioner Parke made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Preece seconded the motion that passed unanimously.

CHOICE FOODS – CONDITIONAL USE REQUEST

Location: 1565 West Hillfield Road

Zoning: M-2

Kem Weaver presented the request. The request is to conduct a retail business in an industrial area. The City recently approved an ordinance amendment that allows for a certain percentage of retail space per unit in the M-2 zone located adjacent to an arterial street. The requirements must be met to receive conditional use approval by the Planning Commission.

Mr. Weaver went over the site plan for the proposal. The staff recommends conditional use approval be granted subject to meeting the requirements of staff.

MOTION: Commissioner Parke made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Preece seconded the motion that passed unanimously.

RAUL GUTIERREZ – CONDITIONAL USE REQUEST

Location: 1868 North Hillfield Road, Suite 6

Zoning: CP-2

Kem Weaver presented the request. The applicant is requesting to open a pawn shop in the Mitchell Plaza.

Pawn shops are considered a more intense use within any jurisdiction and certain requirements should be met. Mr. Weaver went over those requirements with the Commission. The applicant was present.

Mr. Gutierrez approached the Commission. He explained that his intent is to sell video games to kids. He indicated that he would be doing this on a part-time basis because he has a full time job. He acknowledged and agreed to the conditions that the staff has recommended.

Dr. Ron Frost spoke to the Commission of his concerns. He stated that the building has been turned into condominiums, one of which he owns. Dr. Frost stated that he opposed the use of a pawn shop and read a letter of opposition from other tenants. He stated that this type of use does not lend itself to this area.

Tony Vigil who owns one of the office condos explained that his biggest concern is with security. He indicated that the building is not set up so that it can be properly secured for this type of business, especially if it's part time. He stated that the request to include the sales of jewelry, electronics, etc. presents a higher risk for all tenants.

Mr. Weaver pointed out that when the premises had its "pre-occupancy" inspection, it was noted that the building is not built under condominium building requirements. This means that there is no separation between units that run through the roof area.

MOTION: Commissioner Preece made the motion to table this item to the next meeting so they could get an opinion from the legal staff. Commissioner Parke seconded the motion that passed unanimously.

ORDINANCE AMENDMENTS/REVIEW

Handouts were made a part of the packets. Peter Matson asked that the Commission review the handouts but not take action at this time. No action was taken.

Commissioner Preece made the motion to adjourn the meeting. Commissioner Parke seconded the motion that passed unanimously. The meeting adjourned at 8:45 p.m.



Kim Squire, Vice Chairman