

LAYTON CITY PLANNING COMMISSION MEETING
Tuesday, February 10, 2004

Present: Commissioners Chad Curtis, Keith Preece,
Kathy Hyde, Dave Pratt, Hugh Parke, Robert
Langford and Mike Bouwhuis

Absent: Vice-Chairman Kim Squire

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

Commissioner Pratt made the motion to appoint Hugh Parke as acting Chairman.
Commissioner Bouwhuis seconded the motion that passed unanimously.

Acting Chairman Parke brought the meeting to order. The Pledge of Allegiance was said.
Commissioner Bouwhuis offered the invocation.

**VANDERHOUT/SAUNDERS SIGN CO – GENERAL PLAN AMENDMENT and
REZONE (RMH to CH)**

Location: Approximately 1400 North Main

Peter Matson presented the request to amend the City's General Plan and rezone approximately 12.16 acres (Mountain View Estates Mobile Home Park) to allow for a billboard to be relocated from the Kohl's site to the eastern edge of the mobile home park property, next to I-15.

Mr. Matson gave a brief background on the Kohl's site. Their site plan has been approved and projected for development. The location of the billboard conflicts with their site plan, so they have been working with Saunders Signs to relocate the billboard.

The City's sign ordinance allows billboards to only be located on a conforming site. The proposal presented to the City is to move the sign to the southeast corner of the mobile home park. In order to do that, the mobile home park would have to be rezoned to commercial.

The application received for plan amendment and rezone was for the entire mobile home park. The staff has obvious concerns with changing the zoning for the mobile home park with no immediate plans for the redevelopment of this property. The staff proposes that the Commission consider making a general plan amendment for the future commercial development of the property, which would leave the option for the property owner to consider changing the zoning at some point down the road when they are ready to redevelop; and to leave the bulk of the property zoned RMH. The staff recommends the Commission consider changing an area of approximately ½ acre on the southeast corner of the park, where the outdoor storage currently is. The staff also recommends the rezone be accompanied by a

exactly what distance will be required. There is a possibility that a couple of the lots may be lost in phase two of the development. Phase 2's development will be dependent upon receiving written agreement from an adjacent property owner to obtain an easement for utilities.

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

LAYTON CITY CONDITIONAL USE REQUEST

Location: 437 North Wasatch Drive

Zoning: R-1-8

Kem Weaver presented the City's request for paper recycling. He explained that the City would like to be able to provide an area for a recycling bin and allow a contractor to pick up paper products presently thrown away. Originally, the staff was looking at possibly enlarging the existing garbage dumpster area on the north side of the Administrative Building. However, the staff is entertaining having an indoor area rather than an outdoor area.

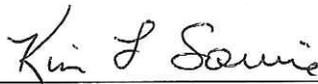
MOTION: Commissioner Parke made the motion to grant conditional use approval. Commissioner Curtis seconded the motion that passed unanimously.

ORDINANCE AMENDMENTS/REVIEWS

19.05.030 – Lot Averaging. This item was discussed in the early work meeting with members of the West Layton Citizens Committee present. No action was taken in the regular meeting.

19.05 – Setbacks for Institutional Uses – No discussion took place. No action was taken.

Commissioner Pratt made the motion to adjourn the meeting. Commissioner Curtis seconded the motion that passed unanimously. The meeting adjourned at 8:55 p.m.



Kim Squire, Vice Chairman

simple development agreement that would allow the property to still be utilized by the residents of the mobile home park.

Hugh Parke acknowledged he received a letter from the residents of the mobile home park regarding the contract between the property owner and the residents. Mr. Matson explained that it is a private contract and the City would have no jurisdiction in this case.

The meeting was opened for public comments.

Rob Saunders, Saunders Outdoor Advertising, approached the Commission. He stated that they realize this is a sensitive issue with the residents of the mobile home park. He stated that they specifically want to emphasize that the request is to strictly facilitate the relocation of the billboard. Mr. Saunders stated that they are perfectly happy with the current location, but that Kohl's has asked them to relocate it. Mr. Saunders stated that the property owner, Mr. Vanderhout asked him to speak on his behalf to ensure the residents know that he (Mr. Vanderhout) has no immediate plans for any commercial development at this time.

Lynn Clay, Cheresa Tubbs, Noreen Jarman, Lois Bowman, Elizabeth Hess and Debra Sudweeks stated concerns regarding their security. They stated their concern that they felt it was the intent on the owner's to rezone the property to commercial with the intent to sell. It was stated that the residents feel it is unnecessary to rezone the entire mobile home park to accommodate a billboard; and yet it appears it is not unreasonable to disrupt 80-90 families.

Steve Garside, Assistant City Attorney, explained that whether there is a request in front of the City or not, the property owner can sell the property at any time. He stated that the residents are only protected by the contract they have with the landowner. The City does not have the authority to interfere with the contract.

Kim Grimm, Continental Properties, explained that they are the developers of the Kohl's site. She stated that they would appreciate any help they can get to have the sign relocated. She clarified that Kohl's has no plans to use the billboard for advertisement, and that the billboard simply conflicts with their site.

MOTION: Commissioner Pratt made the motion to recommend the Council approve the General Plan amendment for 20,000 sq.ft. in the southeast corner of the mobile home park. Commissioner Bouwhuis seconded the motion that passed unanimously.

MOTION: Commissioner Pratt made the motion to recommend the City Council rezone said 20,000 sq.ft. to C-H. Commissioner Bouwhuis seconded the motion that passed unanimously.

KOHL'S DEPT. STORE – CONDITIONAL USE REQUEST

Location: 1398 North Main

Zoning: C-H

Kem Weaver explained that Kohl's would like to have a sign installed along the I-15 right-of-way. By ordinance, the City does not consider the UDOT right-of-way as frontage to a public street. The location and the area of the sign meet the requirements for detached signage. Mr. Weaver indicated that he recommends the Commission approve the request subject to those items listed in his memo of 2-10-04, and that the developer be required to incorporate the architectural design of the buildings into the design of the sign.

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

BROMSFIELD SUBDIVISION – CONCEPTUAL APPROVAL

Location: Approximately 50 South Highway 89

Zoning: R-1-10

The request is to develop 20 single-family lots on 10.9 acres located on the east side of Highway 89. Kem Weaver stated that the City recently annexed the property into the City.

Mr. Weaver reviewed the City Engineer's input with the Commission. The staff recommends conceptual approval be granted subject to the developer being able to meet all the requirements of staff.

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

LAYTON RIDGES SUBDIVISION AMENDMENT

Location: Approximately 3100 East 3000 North

Zoning: R-S

The developer of this subdivision is requesting an amendment by realigning some property lines that will eliminate two lots, allowing for larger buildable areas and providing wider lot frontages. The staff recommends approval of the amendment.

MOTION: Commissioner Bouwhuis made the motion to recommend the City Council approve the amendment subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Langford seconded the motion that passed unanimously.

CLEARWATER COVE, PHASES 11, 13, 14 & 18 – FINAL PLAT APPROVAL

Location: Approximately 800 South Main

Zoning: R-1-6 PRUD

Kem Weaver reviewed the final plats with the Commission. There will be 20 condo units in the four phases. The staff recommends final approval be granted.

MOTION: Commissioner Langford made the motion to recommend the City Council approve the final plats subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Preece seconded the motion that passed unanimously.

EVANS/EKSTROM/RCP LAND INVESTMENT REZONE (A to R-S)

Location: Approximately 2283 West 1000 North

Peter Matson presented the request which is to rezone approximately 10.79 acres located on the south side of 1000 North, from Agriculture to R-S.

The proposed zone is consistent with the General Plan land use and density recommendation for this area, which is single family residential at 0-3 units per acre. The City Engineer has outlined utility issues that will need to be coordinated with the development of adjacent parcels.

There were no comments from the audience.

MOTION: Commissioner Bouwhuis made the motion to recommend the City Council approve the rezone subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Hyde seconded the motion that passed unanimously.

CHERRY MEADOWS SUBDIVISION – VACATE OF EASEMENTS

Location: Approximately 2100 East 1500 North

Zoning: R-1-10

Steve Garside, Assistant City Attorney, explained that after having filed the amended plat of Cherry Meadows correcting survey errors, a title company has the opinion that the public property received in the initial subdivision plat was not adequately released. To avoid argument and help in the clarification of the purpose and intent of the amended subdivision, it is the objective of Ordinance 04-13 to demonstrate the City's intent in releasing all property dedicated to the City that is not consistent with the dedication in the amended plat.

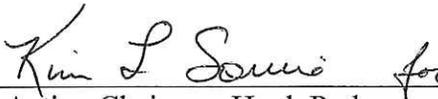
MOTION: Commissioner Pratt made the motion to recommend the City Council adopt Ordinance 04-13 as explained by Attorney Garside. Commissioner Preece seconded the motion that passed unanimously.

ORDINANCE AMENDMENTS/REVIEWS

The staff is asking that no action be taken on the proposed ordinance changes and that they be continued to the next meeting.

MOTION: Commissioner Preece made the motion to table the proposed ordinance amendments to February 24, 2004. Commissioner Bouwhuis seconded the motion that passed unanimously.

Commissioner Pratt made the motion to adjourn the meeting. Commissioner Hyde seconded the motion that passed unanimously. The meeting adjourned at 8:25 p.m.



Acting Chairman Hugh Parke