

**LAYTON CITY PLANNING COMMISSION MEETING**  
**Thursday, January 11, 2005**

Present: Chairman Kim Squire, Commissioners Dave Pratt, Robert Langford, Hugh Parke, Ron Stallworth and Mike Bouwhuis

Absent: Commissioners Kathy Hyde and Keith Preece

Others Present: Staff members Scott Carter, Peter Matson, Kem Weaver, Doug Pierce, Steve Garside, Gayla Thompson and Councilman Winslow Hurst

Chairman Squire brought the meeting to order. The Pledge of Allegiance was said. Commissioner Pratt volunteered to give a prayer.

**SAMURAI SAMS – CONDITIONAL USE REQUEST**

**Location:** Approximately 1130 East Highway 193

**Zoning:** CP-1

Kem Weaver presented the conditional use request for a fast food establishment in the Layton East Plaza, southwest corner of North Hills Drive and Highway 193.

Mr. Weaver indicated that the staff has received a copy of the building elevations and they will match the buildings that are adjacent to the site. Mr. Weaver reviewed his recommendations for approval. Dallas Buttars, developer, was present and agreed with meeting all staff recommendations.

There were no comments from the audience regarding the conditional use request.

**MOTION:** Commissioner Langford made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof; including another condition that the developer plant additional trees along the south of the property line to screen the use and the dumpster enclosures from the adjacent residences. Commissioner Stallworth seconded the motion, which passed unanimously.

**UTAH POWER – CONDITIONAL USE REQUEST**

**Location:** Southwest corner of Fort Lane and Gordon Avenue

**Zoning:** R-1-8

Kem Weaver presented Utah Power's request to locate an electrical sub-station on property they are purchasing from Randy Craig. Elevations of the sub-station were a part of the packet. Mr. Weaver reviewed the proposed site improvements. He mentioned that in the early work meeting he had added another recommendation for approval. That the petitioner be responsible for snow removal from the sidewalks along the frontages.

Steve Rush from Utah Power explained that the wrought iron gate would actually be tubular steel and painted black. It was the consensus of the Commission that this would be okay if it were aesthetically pleasing.

Mr. Rush indicated that he wasn't sure how they would take care of snow removal; they may have to contract the work.

There were no comments from the audience regarding the conditional use request.

**MOTION:** Commissioner Bouwhuis made the motion to grant conditional use approval, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof; including the addition regarding the responsibility of the applicant for snow removal. Commissioner Pratt seconded the motion, which passed unanimously.

### **JOE MORGAN – REQUEST FOR DRIVE ACCESS OFF FORT LANE**

**Location:** Approximately 90 North Main

**Zoning:** CP-2

Kem Weaver presented the request by Joe Morgan to waive the setback requirements for driveways from side property lines.

Mr. Morgan owns a parcel that is 32' wide along the south property line of the Fort Lane Storage Units. The ordinance requires a 20' distance from the drive approach to the side property line.

Mr. Weaver explained that there is an existing drive approach approximately 30' south of the proposed driveway. The staff recommends that drive approach be closed and that curb and gutter be installed. Mr. Weaver indicated that closing the existing driveway may affect some of the parking spaces and suggested the applicant meet with the individual business owners in the plaza.

Mr. Morgan approached the Commission and indicated that he wants to establish his right-of-way for future development that he is planning for his property to the east. He explained that the access off Gentile is very tight for some of the larger vehicles to use. He also stated that closing the existing driveway off Fort Lane, as suggested by staff, would affect the existing business owners in the Wimmer Plaza. Mr. Morgan stated he was met with resistance from the business owners when he approached them regarding the closure.

Commissioner Stallworth asked Mr. Morgan what he would do if his request were denied. Mr. Morgan stated he would have to find other means of access. Attorney Steve Garside suggested to Mr. Morgan that he consider creating a shared access.

**MOTION:** Commissioner Parke made the motion to approve the request subject to Mr. Morgan obtaining approval from the business owners to close the one driveway, and create a common, shared access including cross easements. Commissioner Bouwhuis seconded the motion, which passed unanimously.

## **CLUB FULL HOUSE – CONDITIONAL USE REQUEST**

**Location:** 1628 West 1000 North

**Zoning:** M-2

Kem Weaver presented the conditional use request to operate a club for amusement purposes and to conduct food service and catering at the above location in the industrial park.

Applicant Jamin Epperson addressed the Commission. He explained the concept and objective of the business. Chairman Squire brought up the concern the Commission had expressed with liability issues if the site were sub-leased. He made Mr. Epperson aware that he, as the lessor, would be liable for anyone he may sub-lease the premise to.

There were no comments from the audience regarding the conditional use request.

**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 Langford seconded the motion, which passed unanimously.

## **PEACEFIELD PRUD – OPEN SPACE MODIFICATION**

**Location:** Approximately 1800 East Gentile

**Zoning:** R-1-10 PRUD

Kem Weaver stated that he had talked with Alan Johnson from the HOA, and that Mr. Johnson had indicated that the property owners are happy with the proposed modifications and would be happier with landscaping rather than water features.

Mark Dunn, a member of the HOA, explained that they have had a lot of problems maintaining the existing water features. Mr. Dunn brought up the fact that the landscape has not been installed on some of the twin homes. It was explained to Mr. Dunn that the landscape in the “foundation area” of the twin home sites is not a part of this issue.

**MOTION:** Commissioner Langford made the motion to approve the open space modifications for Phases 3, 5 and 6 and that there be a deadline date of June 30, 2005 for the completion and approval of the landscape in the common areas. Commissioner Bouwhuis seconded the motion, which passed unanimously.

## **ORDINANCE AMENDMENTS/REVIEWS**

Kem Weaver provided a draft copy of the proposed amendment for accessory residential dwelling units. He explained that basically the amendment excludes “detached” units.

**MOTION:** Commissioner Bouwhuis made the motion to recommend the City Council adopt the proposed amendment. Commissioner Stallworth seconded the motion, which passed unanimously.

Commissioner Parke made the motion to close the meeting. The meeting adjourned at 8:30 p.m.