

**LAYTON CITY PLANNING COMMISSION MEETING
TUESDAY, APRIL 25, 2006**

MEMBERS PRESENT:

Commissioners Dave Pratt, Sharon Esplin, Robert Langford, Kristin Elinkowski, Brent Allen and Tim Pales

ABSENT:

Chairman Hugh Parke, Commissioners Ron Stallworth and Gerald Gilbert

OTHERS PRESENT:

Staff Members: Scott Carter, John Anderson, Peter Matson, Doug Pierce, Brittany Huff and Gayla Thompson

Vice Chairman Robert Langford brought the meeting to order. The Pledge of Allegiance was said. Commissioner Brent Allen volunteered to give the invocation.

Commissioner Allen made the motion to open the meeting for public comments. Commissioner Esplin seconded the motion that passed unanimously.

DISPOSITION OF SURPLUS PROPERTY

Location: Approximately 200 East Golden Avenue

Zoning: R-1-8

The City owns some vacant property at approximately 200 East Golden Avenue that is not planned for imminent use by the City. Affordable Land Lease Homes, Inc. is in need of building lots for the high schools to build affordable homes. This property would allow for the construction of five new homes in support of the City's housing plan.

The Staff recommends approval of Resolution 06-15 declaring the land as surplus and authorizing the disposition.

There were no public comments.

MOTION: Commissioner Allen made the motion to recommend the City Council approve Resolution 06-15. Commissioner Esplin seconded the motion that passed unanimously.

BOB STEVENSON REZONE REQUEST

Location: Approximately 2850 West Gentile

Zoning: From A to R-S PRUD

Peter Matson presented the request to rezone approximately 7.09 acres located on the north side of Gentile Street to allow for a single-family residential community developed under a "planned residential unit development" (PRUD). The proposal is to develop a PRUD that includes 25 lots.

The proposed zoning is consistent with the General Plan land use and density recommendation for this area. The Planning Division has reviewed and made recommendations regarding the concept plan for the PRUD. The Engineering Division has indicated issues that will need to be addressed and clarified before the conceptual plan and rezone are forwarded to the City Council.

The applicant was present. There were no comments from the audience.

MOTION: Commissioner Esplin made the motion to recommend the City Council approve the rezone request and grant conceptual approval for the PRUD, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Kristin Elinkowski seconded the motion that passed unanimously.

PETE ALEX/JERRY CRONQUIST REZONE REQUEST

Location: Approximately 1100 North 2225 West

Zoning: From A to R-1-8

Peter Matson presented the request to rezone approximately 4.24 acres located on the north side of 1000 North, from Agriculture to R-1-8.

The proposed zone is consistent with the General Plan land use and density recommendation for this area. The staff recommends approval of the rezone request.

The applicant was present. There were no comments from the audience.

MOTION: Commissioner Tim Pales 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 Brent Allen seconded the motion that passed unanimously.

LARRY SMITHING REZONE REQUEST

Location: The northeast corner of Fairfield Road and Antelope Drive

Zoning: From A to M-1

Peter Matson presented the request to rezone approximately 3.0 acres from Agriculture to M-1 in anticipation of constructing a small self-storage facility.

Mr. Matson stated that the General Plan indicates that this area is within the Hill Air Force Base (HAFB) Accident Potential Zone (APZ). The State of Utah purchased the easement on this property and the property is restricted to the uses and population densities indicated in the easement.

Mr. Matson pointed out that the General Plan does not specifically specifically address the uses that would be compatible in this specific area, but that development could be done in a manner that would provide aesthetically compatible walls/fencing and substantial landscaping. He also pointed out that with a development agreement, restrictions on the types of uses allowed on this property could be spelled out.

The applicant was present. He explained that the use is intended to be his son's business. He indicated that the storage units would be high end, high security, climate controlled self-storage units. There will be 24-hour access. He stated that he is aware of and trying to make the site as aesthetically pleasing as possible.

Mr. Smithing indicated that he plans to do the project in two phases. Demolition of the existing home on the corner will be with the first phase, then continue the second phase to the north with open storage. He indicated that the existing home to the north would be converted for the manager's office. He acknowledged that because of the APZ, there could be no on-site manager.

The time was opened for public comments.

Rosie Hawkes, 2130 North Fairfield Road, submitted a petition opposing the proposed use. Speaking for herself and her neighbors, she asked how many storage units would be allowed in the APZ. She mentioned several areas with potential for storage units in the APZ. She said that she and her neighbors enjoy the rural atmosphere and that storage units provide areas for crime with meth labs, etc., and that those things cause a decline in home values. She indicated that she and her neighbors would be surrounded with storage units if the City keeps allowing these areas in the APZ to be developed as such.

Peter Matson explained that the easements were purchased by the State with a list of appropriate uses that may be considered by the City within the easement area. While the uses listed in the easement are consistent with the City's General Plan, some of the uses allowed in the M-1 zoning designation might not be appropriate for this particular location.

Randall Roberts, 2210 North Fairfield Road, indicated that he didn't want to be surrounded by storage units. He would like to see the three homes be demolished but realizes that may not happen. He mentioned his concerns with lighting, should any type of industrial/commercial use be approved for the site.

Mr. Matson stated that in the General Plan, the APZ is a major item of discussion. The staff is doing research on other cities that are adjacent to air force bases. He mentioned that compensation for the easements was based on property appraisals, but compensation could vary from property to property. Mr. Matson indicated that the Council directed the staff to look at manufacturing zones with development agreements on a case-by-case basis. The General Plan will be updated in the near future including the areas within the APZA.

Mr. Matson also pointed out the different areas that have requested and been approved for storage units, but have never been developed.

Ethan Knowlton, 2305 North Fairfield, stated that the proposed use could increase the potential for problems. He stated that soon all the vacant land within the APZ could be turned into storage units.

Steve Vockel, 2120 North Fairfield Road, stated that he agreed with his neighbors and that lighting is a concern as is the possibility of compressors running if the storage units are climate-controlled.

Commissioner Elinkowski stated that since the General Plan is in the process of being updated and this particular area will be targeted, she would like to wait until the updates are completed. Mr. Matson indicated that the updates are not expected to be complete before this Fall.

Commissioner Allen acknowledged that this area (APZ) is in a quandary and that he understands both the petitioner's plight as well as those residents within the APZ areas. He suggested that the citizens have input if a development agreement is done.

There were no further comments.

MOTION: Commissioner Allen made the motion to table this until further notice and directed the staff to draft a development agreement and bring it back before the Planning Commission. Commissioner Esplin seconded the motion that passed unanimously.

D.L. SHIPPEN – CRYSTAL POOLS – REVIEW OF CONDITIONAL USE

Location: Approximately 14 South Fort Lane

Zoning: CP-2

The site is behind the Fort Lane Shopping Center along the I-15 frontage. Mr. Shippen was present. John Anderson gave the history of the business that was granted conditional use approval in 2003 for an outdoor display of swimming pools.

In August of 2005 the conditional use was reviewed for noncompliance. Mr. Shippen was given more time to meet the conditions and bring the site into conformance. The site has continued to deteriorate and there continue to be conditions that have not been met.

Mr. Anderson indicated that Mr. Shippen has been given many warnings by the staff and has had plenty of time and opportunity to comply but has not done so. The staff recommends the Commission revoke the conditional use permit.

Commissioner Elinkowski asked to recuse herself from any action taken on this item because she is Mr. Shippen's neighbor.

Mr. Shippen approached the Commission. He stated that the inventory and storage meets the intentions he had for the use of the property. Commissioner Esplin said the site is just being used as storage and is not aesthetically pleasing at all. Mr. Shippen kept referring to the weeds that are growing on the property and the properties adjacent to his site. He claimed he keeps the weeds mowed down on his property. Commissioner Allen stated that the site is an eye sore.

Kem Weaver indicated that there is a gas easement along I-15 and Mr. Shippen could not plant trees in that easement. Mr. Shippen was required to plant three trees, which he did, but they have since died because they were not watered.

MOTION: Commissioner Allen made the motion to table this to allow the staff time to review the conditions set forth in the original approval and the allowances made since then and bring this back to the next meeting. Commissioner Esplin seconded the motion that passed unanimously. Commissioner Elinkowski recused.

Mr. Shippen acknowledged that he understood he would be on the next agenda.

WASATCH BAPTIST CHURCH – CONDITIONAL USE REQUEST

Location: 60 East Gentile

Zoning: CH (DTO)

The church was granted conditional use approval at 52 East Gentile. This request is for a quasi-public school in the building next to the church at 60 East Gentile.

John Anderson explained the request to operate a school in conjunction with the church. The school would have between 20 and 30 students at all ages. The school will have 3 to 5 staff members. Mr. Anderson indicated that there will be adequate parking.

There is little or no open space for the school. City ordinance does not require open space but generally most schools have attached open space, especially those that house elementary aged children. The applicant has acknowledged this fact and has indicated that they expect to use nearby public facilities as well as other local churches and businesses.

Mr. Anderson indicated that both the Fire Dept. and Building Division are still doing reviews on the building. The Fire Marshall has indicated that he does not feel comfortable approving anything at this time.

There were no public comments.

MOTION: Commissioner Esplin made the motion to table this until further notice. Commissioner Pales seconded the motion that passed unanimously.

SVETLANA LAMBSON – CONDITIONAL USE REQUEST

Location: 101 Cross Street

Zoning: CH (DTO)

John Anderson presented the request for a day care center in an existing building on Cross Street. The building is an old building and the recent occupant was a woodworking shop.

Mr. Anderson reviewed the parking, landscape and space requirements for this type of use. The applicant has provided a signed acknowledgement that she will meet all the requirements of the Fire Marshall.

There were no public comments

MOTION: Commissioner Pratt 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 Pales seconded the motion that passed unanimously.

FEATHERING SANDS SUBDIVISION, PHASE 6 – FINAL APPROVAL

Location: Approximately 3600 West 75 North

Zoning: R-1-10

The request is to develop 7 single-family lots on 2.156 acres located on the north side of West Gentile. This phase provides the final connection between Feathering Sands and the future Circle J Subdivision. Two of the lots in this phase back onto the future 3700 West Street. The required landscape buffer will need to be installed along the street frontage and the back of the lots.

MOTION: Commissioner Allen 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 Elinkowski seconded the motion that passed unanimously.

SANDY RIDGE ESTATES, PHASES 1 & 2 – ESCROW EXTENSION REQUEST

Location: Approximately 3370 West Gentile

Zoning: R-S

The bonding agreement for Sandy Ridge has expired and the developer and his banking institution have requested a one-year extension. The staff recommends the request be granted.

MOTION: Commissioner Pratt made the motion to recommend the Council grant a one-year extension. Commissioner Esplin seconded the motion that passed unanimously.

WAYNE ACRES – ONE LOT SUBDIVISION

Location: Approximately 800 North 2700 West

Zoning: R-S

The Planning Commission recently made a recommendation to the City Council to approve a rezone and a parcel split for Justin and Sunde Page.

Wayne Acres is a one-lot subdivision that will allow the Pages to build a new home. They are required to file a plat because they have to dedication a portion of the alignment for 2700 West Street.

The staff is recommending the plat be approved subject to the items listed in their memos that have been made a part of the packet.

MOTION: Commissioner Elinkowski made the motion to recommend the City Council approve the one lot subdivision, subject to meeting all staff recommendations, which are adopted as requirements and made a part hereof. Commissioner Allen seconded the motion that passed unanimously.

Commissioner Allen made the motion to adjourn the meeting. The meeting adjourned at 8:45 p.m.

Gayla Thompson, Secretary