

**LAYTON CITY PLANNING COMMISSION MEETING
TUESDAY, MAY 9, 2006**

MEMBERS PRESENT:

Chairman Hugh Parke, Commissioners Dave Pratt, Sharon Esplin, Robert Langford, Kristin Elinkowski, Brent Allen, Gerald Gilbert and Tim Pales

ABSENT:

Commissioner Ron Stallworth

OTHERS PRESENT:

Staff Members: Scott Carter, John Anderson, Kory Iman and Gayla Thompson

Chairman Parke brought the meeting to order. The Pledge of Allegiance was said. Commissioner Pratt volunteered to offer the invocation.

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

JESUS' PEOPLE MINISTRIES – REZONE REQUEST

Location: 312 West Gentile

Zoning: From R-1-8 to P-B

John Anderson presented the request to rezone a 1.47 acre parcel located on the north side of Gentile Street to P-B to allow for a day care center. The site is directly across the street from Layton Elementary School.

The existing building on the site was originally built for and occupied by Tanner Clinic. For the past several years the building has been used as a church. If the zoning is approved, the day care will have to go through the conditional use procedures.

Mr. Anderson explained the intent of the P-B zoning district and mentioned some of the uses allowed in the P-B zone. The Land Use/Population Element of the General Plan recommends that professional businesses be located along arterials. The General Plan also recommends that the designer of the site and structures take into account the adjacent neighbors and attempt to blend into the surroundings.

Chairman Parke asked if there were any comments from the audience.

Terry Smedley, 490 West Gentile, asked about other types of uses allowed in the P-B zoning district. Chairman Parke gave a few examples of low impact uses that are allowed in the P-B zone.

MOTION: Commissioner Esplin made the motion to recommend the City Council approve the rezone request. Commissioner Allen seconded the motion that passed unanimously.

MIKE DOYLE & KIMBERLEY TULANE – ZONING TEXT AMENDMENT REQUEST

John Anderson explained the request to amend Table 6-2 of the zoning ordinance. The applicants are requesting the City to consider amending the zoning ordinance to allow for exercise/fitness studios in manufacturing zones.

The staff feels this is a reasonable change that would provide a range of fitness facilities in areas where larger employers might be located.

There were no public comments.

MOTION: Commissioner Allen made the motion to recommend the City Council amend the text of the zoning ordinance to allow for exercise/fitness studios in manufacturing zones as a conditional use. Commissioner Gilbert seconded the motion that passed unanimously.

Commissioner Kristin Elinkowski asked to be recused from voting on the next agenda item, as she is Mr. Shippen's neighbor.

D.L. SHIPPEN – CONDITIONAL USE REVIEW

Location: Approximately 14 South Fort Lane

Zoning: CP-2

This item was tabled at the last meeting to allow the staff time to review the conditions required when the site was originally granted conditional use approval.

John Anderson gave the history. Mr. Shippen approached the Commission. Chairman Parke informed Mr. Shippen that he and the rest of the Commissioners made a trip to the sight during the early work meeting. He told Mr. Shippen that the Commissioners agreed that the sight was an eyesore.

Mr. Shippen said that he had an architect draw up a landscape plan that had been approved by the staff and that he had installed the landscape.

Commissioner Allen said that the City expected something attractive and that this site is definitely not attractive. He stated that the City was willing to grant a conditional use with the expectations of seeing a professionally done display, but that it is ugly and unsightly.

Commissioner Gilbert asked Mr. Shippen how many times a year he turns over the stock of pools. Mr. Shippen stated he turns over the inventory 2-3 times per year. He indicated that the pools are 3rd generation pools.

Commissioner Gilbert said that this has been going on since 2003 and the City has seen no good effort on Mr. Shippen's part to meet the conditions placed on him. The site is a reflection on the City and not a good one.

MOTION: Commissioner Gilbert made the motion to revoke the conditional use permit. Commissioner Allen seconded the motion that passed unanimously. Commissioner Elinkowski recused herself earlier in the meeting and did not vote.

BENCHMARK REAL ESTATE – CONDITIONAL USE REQUEST

Location: 463 North 3475 West

Zoning: R-S

The request is to allow for a model home in Wild Horse Meadows Subdivision. The staff recommends approval of the request, subject to the applicant meeting all City ordinances.

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 Elinkowski seconded the motion that passed unanimously.

Commissioner Esplin made the motion to adjourn the meeting. The meeting adjourned at 7:37 p.m.

Gayla Thompson, Secretary