

Minutes of Layton City Planning Commission Meeting

Tuesday, August 14, 2007

- MEMBERS PRESENT:** Commissioners Robert Langford, Sharon Esplin, Gerald Gilbert, Brent Allen, Kristin Elinkowski, Tim Pales, Dave Pratt
- MEMBERS ABSENT:** Commissioner Ron Stallworth
- OTHERS PRESENT:** Staff members: Peter Matson, Kem Weaver, Amanda Jorgensen, Lindsay Riddle, Julie Jewell

Chairman Robert Langford led the Pledge of Allegiance. The invocation was given by Commissioner Dave Pratt and Chairman Langford called the meeting to order at 6:59 p.m.

Chairman Langford called for a motion to approve the minutes of the July 10, 2007, Planning Commission and Work Meetings. A motion was made by Commissioner Gerald Gilbert to approve the July 10, 2007, Planning Commission and Work meeting minutes. The motion was seconded by Commissioner Esplin and unanimously approved.

Chairman Langford called for a motion to open public review. Commissioner Brent Allen motioned to open the public review portion of the meeting. The motion was seconded by Commissioner Tim Pales.

PUBLIC REVIEWS:

(1) SYMPHONY HOMES – CONDITIONAL USE – Sales Trailer – Approximately 100 North 1675 West

City Planner, Amanda Jorgensen, presented a request by Symphony Homes for a conditional use permit for a Temporary Sales Office (trailer) for the Pinehurst Subdivision. The subdivision is going through the process to be recorded with the county. The Temporary Sales Office (trailer) will be located on the smaller open space area in the subdivision and is located north of Lot 1 (Model Home).

Ms. Jorgensen stated that no buildings permits for the sales trailer would be issued until the subdivision is recorded and the building permit for the model home has been approved and issued. The following requirements are recommended by Staff for the Sales Office (trailer) to receive approval from the Planning Commission:

1. There is no on street parking allowed. The Temporary Sales Office (trailer) is required to facilitate all customer and employee parking which requires a minimum of three (3)-parking stalls.

2. All lighting must be contained on site per Layton City Ordinance.
3. Signage is required to be at a minimum, one sign per office and a maximum size of 32 square feet for detached signs. Permits for signage are required and must comply with the Layton City Sign Ordinance.
4. Hours of operation must be noted and approved by Layton City.
5. Before the Temporary Sales Office (trailer) can be installed and used, the building permit for the model home must be issued.
6. The Temporary Sales Office (trailer) is required to be skirted, provide tie downs and meet all building and fire codes.
7. The parking area is required to be a minimum road base surface and tracking dirt onto the street will not be allowed.
8. The open space area is required to be weed and debris free at all times.
9. Temporary utilities must be removed once the Sales Office (trailer) is removed from the site.
10. The Pinehurst Place subdivision plat is required to be recorded with the Davis County Recorders Office before the Temporary Sales Office (trailer) receives a building permit.

The Planning Commission recommended adding an additional requirement as follows:

11. The Temporary Sales Office (trailer) will be removed after 30 days of Model Home opening.

Commissioner Gilbert reiterated the importance of item # 5 stating that before the Temporary Sales Office (trailer) can be installed and used, the building permit for the model home must be approved and issued.

There were no comments from the public or further questions from the Commission.

Commissioner Sharon Esplin motioned that the Planning Commission grant conditional use for a Temporary Sales Office (trailer) at the Pinehurst Subdivision subject to the developer meeting all staff requirements and the addition of the 11th condition. Commissioner Pales seconded the motion that passed unanimously.

(2) SYMPHONY HOMES – CONDITIONAL USE – Model Home (Lot 1) – 1685 West 75 North

Ms. Jorgensen outlined the request from Symphony Homes to establish a Model Home for the proposed Pinehurst Place Subdivision located at approximately 1685 West 75 North.

Ms. Jorgensen stated that the proposed Pinehurst Place Subdivision is in the final process of being approved by all City departments and recorded with Davis County Recorder's Office. The Planning Commission has approved Pinehurst Subdivision but the model home will not receive a building permit until the subdivision plat is recorded. As with all proposed Model Homes it requires a conditional use approval.

The Model Home will be on Lot 1 and located in the southwest corner of the subdivision. The driveway is required to accommodate at least three (3)-parking spaces for employees and customer parking. Landscaping around the model home is required to be complete before receiving the certificate of occupancy. All lighting for the Model Home is required to be contained on site at all times. Signage is required to be kept at a minimum, one sign per office and a maximum of 32 square feet for detached signs.

Ms. Jorgensen said that Staff recommends approval of the conditional use for the Model Home based on the applicant meeting the following conditions.

1. There is no on street parking allowed. The Model Home is required to facilitate all customers and employee parking which requires a minimum of three (3)-parking stalls.
2. All lighting is required to be contained on site at all times per Layton City Ordinance.
3. Signage is required to be at a minimum, one sign per office and a maximum size of 32 square feet for detached signs. Permits for signage are required and must comply with the Layton City Sign Ordinance.
4. Hours of operation must be noted and approved by Layton City.
5. Once the subdivision is 80% sold or after three (3) years, which ever comes first, the Model Home needs to be sold as a residential home.
6. Landscaping around the Model Home is required to be complete before receiving the certificate of occupancy (includes the park strip).
7. The lot is required to be weed and debris free.
8. The Pinehurst Place subdivision plat is required to be recorded with the Davis County Records Office before the Model Home receives a building permit.

There was no further discussion or questions from the Commissioners or the audience. Commissioner Tim Pales made a motion that the Planning Commission approve the conditional use permit subject to the developer meeting all Staff requirements. Commissioner Elinkowski seconded the motion and the voting was unanimous.

(3) COR PERFORMANCE – CONDITIONAL USE – Sports Conditioning Facility – 263 North Sugar Street

City Planner, Amanda Jorgensen, presented the applicant's request to establish a Sports and Conditioning Facility located at 263 North Sugar Street, Suites D & E.

The applicant, COR Performance, would like to utilize the building and area for personal and athletic training needs. The Sports and Conditioning Facility would use approximately 6,600 square feet of the building. The applicant states they can provide 15 parking stalls along the East Side of the building. The applicant also states the maximum occupancy load would be 25 people including staff. The applicant would be required to provide 13 parking stalls.

The applicant is proposing the hours of operation from 5:00 a.m. to 10:00 p.m. depending upon clientele. Any outside activity will be at other locations and the Sports and Conditioning Facility will close temporarily during these times. All clients will be supervised by one or both coaches during all workouts on or off-site.

The site contains 40,913 square feet; the building contains 16,632 square feet which includes suites A through E. This site provides 20 parking stalls and is fully landscaped.

In Suites A, B, & C is cabinet business (European Design) which includes an office, reception area and a 280 square foot retail showroom. This business is required to provide approximately 5-6 parking stalls and uses the remaining 10,032 square feet of their occupied space for warehousing.

Ms. Jorgensen said that Staff recommends the Planning Commission approve the Sports and Conditioning Facility with the following conditions:

1. The Sports and Conditioning Facility is required to provide 13 parking stalls on site to accommodate all employees and customers. A letter from the owner/landlord is required stating that they can meet this parking requirement.
2. Hours of operation must be noted and approved from Layton City and shall not exceed 5:00 a.m. to 10:00 p.m.
3. Permits for signs are required and must comply with Layton City Sign Ordinance.

There was no discussion from the Planning Commission and the applicant had nothing to add.

Commissioner Elinkowski moved that the Planning Commission grant conditional use subject to the applicant meeting all staff requirements. Commissioner Allen seconded the motion and the voting was unanimous.

(4) KIM HUGIE – CONDITIONAL USE – Specialty Auto Sales Dealership – 1131 East Highway 193

Ms. Jorgensen presented a request for conditional use from property/business owner Kim Hugie who would like to utilize a portion of his existing building for an additional business which would be a Specialized Auto Business. The business location is approximately 1131 East Highway 193.

Kim Hugie currently owns Unita Fireplace/HVAC and would like to add a new Specialized Auto Business. The new business would use 300 square feet for an office and 6 parking stalls for vehicle sales. The Specialized Auto Business would sell alternative fuels and natural gas vehicles. The owner is proposing 3-6 of these vehicles for on-site (outside) sales. There would be no more than 2 employees at any time. The Auto Business will be required to provide 4 parking stalls for employee and customer parking. The six proposed vehicles will be located on the South Side of the building facing Highway 193 in the existing striped parking stalls. Advertising for the Specialized Auto Business will be done through mail, ads, and Internet. The Auto Sales Business is “By Appointment Only” for customer business. Vehicles are required to be kept clean and orderly. The Auto Business Office will be located on the Northeast Side of the building.

The site is 43,591 square feet, the building contains 9,800 square feet, the site also provides 39 parking stalls (including handicap) and a loading and docking area on the West Side of building. The existing business has a total of 9,500 square feet and provides 3,000 square feet for the show-room/office use, 5,000 square feet of storage and 1,500 square feet for the wood-shop.

Unita Fireplace/HVAC is required to maintain 20 parking stalls and the Specialized Auto Business will be required to provide 10 parking stalls for the new added use. The site will have 9 parking stalls for overflow parking needs.

There are no proposed changes to the site at this time. At this time, there are no additional requirements for landscaping. The existing landscaping was approved September 28, 2001 and is required to be properly maintained at all times.

Ms. Jorgensen stated that Staff recommends the Planning Commission approve the Specialized Auto Sales Business with the following conditions:

1. Permits are required for signs which must comply with Layton City Ordinance.
2. The Auto Business is allowed a maximum of six vehicles for sale.
3. The customer business is "By Appointment only" and advertising is done through mail, ads, and Internet.
4. The Auto Business is required to provide a total of ten parking stalls with four parking stalls being for employees and customers and six parking stalls for sale vehicles.
5. Vehicles for sale are located only on the south side of building and in the existing striped parking area (outside).
6. Existing landscaping must be maintained properly at all times.
7. Hours of operation must be approved by Layton City.

Chairman Langford asked for additional comments from the Planning Commission and audience. The applicant reiterated that he would be selling just specialty alternative fuel vehicles, primarily natural gas. He said there would be no automotive or repair work at the site.

Commissioner Allen motioned to grant conditional use for the auto brokerage specifying that the number of autos for sale on the site not to exceed six vehicles along with other Staff recommendations. The motion was seconded by Commissioner Allen and the voting was unanimous.

(4) TESORO GAS STATION – CONDITIONAL USE – Drive Thru Window – 14 North Fort Lane

City Planner, Kem Weaver stated that the applicant previously came before the Planning Commission to propose a drive up window on the south side of the building which created a bad stacking area for the site. The owner and general contractor came up with a new plan that moved the drive thru 12 feet off the north east corner of the building, on the east elevation. The storage building would be removed and cars could stack up toward Gentile. The vehicles using the drive thru could exit onto Fort Lane or come back to Gentile to exit. Ordinance requires that space be allowed to stack 3 cars plus one at the drive thru window. Mr. Weaver said the intent of the ordinance is barely met and may not be ideal. Planning Commission had asked at the July 10th meeting whether the landscape code was being met at the Tesoro site. Mr. Weaver stated that based on measurements of the site, Tesoro barely meets the ordinance requirement at 10.2%.

Commissioner Allen had a concern that a delivery area where proposed would not allow cars to access the building. Mr. Weaver clarified that delivery is through the front door rather than the door at the back of the building. He said there would be about 60-65 feet of space for vehicles to make the turn around the building.

Tesoro is providing six parking spaces around the building. Care must be taken that three of the parking spaces on the south side have access in and out. The owner will be required to paint lines through the drive thru to contain traffic so that cars can get in and out of the parking stalls.

Mr. Weaver stated that if the stacking of vehicles becomes an issue onto Gentile or complaints are received from Layton City Police, this conditional use could return to the Planning Commission for possible revocation.

The owner stated he would put a sign out asking customers not to stack vehicles out into the road.

Mr. Weaver said that Staff recommends approval of the conditional use based on the following five items in Staff's memo.

1. The owner will provide signage giving direction from Gentile Street to the drive-up window.
2. The drive up window approach must accommodate three vehicles.
3. Stacked cars are not allowed to block the ingress/egress on Gentile Street
4. Cars will not be allowed to stack out into Gentile Street.
5. The owner will meet all building code and City ordinance requirements.

Commissioner Esplin requested that a condition be added requiring signage that reminds customers not to block the driveway.

Chairman Langford asked if there was any further discussion or comments from the public and if the applicant was comfortable with the requirements.

The applicant said most that deliveries come at night or after hours. The trucks pull along the side of the property and out of the way of customer traffic.

Commissioner Esplin motioned that the Planning Commission approve the conditional use for the drive thru window meeting all staff requirements and adding number 6 that the owner is to provide signage asking customers not to block the driveway. Commissioner Elinkowski seconded the motion that passed with a vote of six in favor of granting the conditional use. Commissioner Gilbert abstained from voting on this item.

Chairman Langford expressed appreciation to the applicant for his willingness to redesign the drive thru to meet Planning Commission requirements.

Chairman Langford called for a motion to close public review. Commissioner Pales motioned to close public review. The motion was seconded by Commissioner Esplin.

OTHER CONSIDERATIONS:

(6) BEVERLY ESTATES – FINAL APPROVAL

Approximately 876 North Church (3 lots, R-1-8)

Mr. Weaver outlined the plat of the subdivision showing how the cul de sac would be terminated and a private drive would be built. He said the applicant wishes to develop three single family lots at the south end of the property. He would create a 26-foot wide, hard surfaced private drive which would allow for fire access and turn around. Two lots are on the east side of the private drive and out of the flood plain area. Sewer laterals from each lot would be bundled into one line into a pressurized system with a 20-foot

easement through the developer's lot to Church Street. Water service is not an issue and storm water would drain into Kays Creek.

Mr. Weaver said that Staff recommends approval based on Staff recommendations, receipt of subdivision covenants, and a stipulation that the developer must maintain the sewer system.

Commissioner Allen motioned that the Planning Commission forward their approval of the Beverly Estates Subdivision to the Layton City Council. Commissioner Pratt seconded the motion that passed unanimously.

(7) DEERE VALLEY PHASE 3 AMENDED PLAT – FINAL APPROVAL

Approximately 2178 North 2125 East

Mr. Weaver explained that the Deere Valley Subdivision is in the northeast part of the city just below Hobbs Reservoir. There is an existing home on Lot 314 with Lots 312 and 313 being vacant. The developer's desire is to combine three lots into two lots by creating a new property line. Part of the reason for the amended plat is because of public utility easements on the lot lines. The current easements can be vacated and shifted to the new lot lines. The property line adjustment meets the R-S zone area and frontage requirements. Staff recommends approval from the Planning Commission be forwarded to the City Council pending a new title report and legal description.

Commission Pratt motioned that the Planning Commission approve the amended plat as presented and forward approval to the City Council. The motion was seconded by Commissioner Allen and the voting was unanimous.

Chair Langford called for a motion to adjourn the meeting at 7:30 p.m. The motion to adjourn the meeting was made by Commissioner Allen and seconded by Commissioner Esplin.

By _____
Julie K. Jewell, Secretary to the Planning Commission