

**MINUTES OF LAYTON CITY PLANNING COMMISSION MEETING  
JANUARY 22, 2008**

**MEMBERS PRESENT:** Commissioners Sharon Esplin, Dave Pratt, Tim Pales, Ron Stallworth, Gerald Gilbert, Brent Allen,

**ALTERNATE MEMBERS PRESENT:** Ryan Stevenson

**MEMBERS ABSENT:** Kristin Elinkowski, Blake Hazen

**OTHERS PRESENT:** Staff members: Scott Carter, Peter Matson, Kem Weaver, Amanda Schultz, Steve Garside, Julie Jewell, Councilman Scott Freitag

Chairman Sharon Esplin called the Planning Commission Meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and an invocation given by Commissioner Ryan Stevenson.

Chairman Esplin called for approval of the January 8, 2008, Planning Commission minutes. Commissioner Ron Stallworth asked for the minutes to be corrected to read that he was absent rather than both present and absent at the meeting. There were no other corrections. Commissioner Brent Allen moved to approve the January 8, 2008 Planning Commission Minutes as amended. The motion was seconded by Commissioner Ron Stallworth and the voting was unanimous.

Commissioner Ron Stallworth moved to open Public Review. The motion was seconded by Commissioner Gerald Gilbert. The voting was unanimous.

**PUBLIC REVIEW:**

**(1) LAYTON CITY/HINES & CO. REZONE – R-S to M-2**

Approximately 1140 West Gentile Street (Parcel 1-- 0.476 acres, Parcel 2 – 0.38072 acres)

Long Range Planner, Peter Matson presented the application to rezone .86 acres from R-S (Residential Suburban) to M-2 (Heavy Manufacturing/Industrial) submitted jointly by Layton City and Hines and Company at 1140 West Gentile. He described the property as being at the intersection of 1200 West and Angel Street. Mr. Matson said the M-2 zone is typically found in the area adjacent to the railroad tracks. The majority of this property has been zoned M-2 for many years. Recently, it was realized that part of the property was zoned R-S. The rezone will bring the entire property into conformance for the land use and is appropriate for the future extension of Angel Street through the area. There were no questions from the Commission or the office.

Commissioner Stallworth moved to forward a positive recommendation from the Planning Commission to the City Council to approve the rezone request subject to the applicants meeting all Staff recommendations. The motion was seconded by Commissioner Brent Allen and the voting was unanimous.

**(2) DOMINIK MOTTA REZONE and PARCEL SPLIT– A to R-S**

2933 West Gentile Street (.42 acres)

Mr. Matson presented the request to rezone .42 acres at 2933 West Gentile from A (Agriculture) to R-S (Residential Suburban). On an overhead presentation, he outlined the property belonging to the Motta family pointing out a .42 acre section with a single family home that is the subject of the rezone and parcel split. He said the proposed R-S zoning designation is consistent with the General Plan recommendation for single family zoning in the area at 0-3 dwelling units per acre. Mr. Mason said Staff recommends forwarding a positive recommendation to the City Council.

Chairman Esplin explained there would need to be two motions – one for the rezone and one for the parcel split. There were no questions or comments for the audience. Chairman Esplin called for a motion on the items.

Commissioner Dave Pratt moved that the Planning Commission forward a positive recommendation to the City Council to approve the parcel split for the property at 2933 West Gentile subject to the applicant meeting Staff requirements. The motion was seconded by Commission Stallworth, and the voting was unanimous.

Commissioner Pratt moved that the Planning Commission forward a positive recommendation to the City Council to change the zoning at 2933 West Gentile as requested from A to R-S subject to the applicant meeting all Staff requirements. The motion was seconded by Commissioner Gilbert, and the voting was unanimous.

**(3) AMERICAN FREEDOM ACADEMY – Community Use – Conditional Use**

85 North Church Street

Amanda Schultz, City Planner, presented a conditional use application for a community use located at 85 North and Church Street. The applicant is proposing an academy of 204 students in the old St. Rose Home and Garden building. The building contains 6000 square feet with 4000 square feet eligible for human occupancy. The landscaping and fencing is currently existing. Mrs. Schultz reviewed on the overhead the location of the school and outlined the traffic flow. She said the Academy will be organized similar to the Kimber Academy. The Academy provides tutoring services and incorporates religion into every academic subject. Parking requirements were based on junior high and elementary age requirements. The applicant stated that typically high school students graduate at 16 years of age and would not need parking spaces. Mrs. Schultz said Staff recommends approval for this community use per the application meeting the conditions as follows, which are hereby adopted as requirements.

- 1) The main entrance to the Academy will be located on the northeast side of the building and be designated for the drop off area for the students.
- 2) The Academy is required to provide 16 parking stalls to accommodate staff and students.
- 3) The Academy is required to meet all Building and Fire Department requirements; this requirement may change the number of approved students.
- 4) The Academy is required to provide approval from the State Fire Marshall; this requirement can change the number of approved students.
- 5) The Academy is required to meet all requirements before receiving the business license.
- 6) All signs must comply with the sign ordinance and obtain proper permits.
- 7) The parking lots are to be striped as shown on the site plan

Chairman Esplin asked the Commission if there were any questions. There were no questions from the Commission and the applicant, who was present, had no questions or comments.

Chairman Esplin called for a motion on the item. Commissioner Ryan Stevenson moved to grant conditional use for a community use based on the applicant meeting all Staff requirements. Commissioner Allen seconded the motion. The motion was unanimously approved.

Commissioner Allen moved to close Public Review. The motion was seconded by Commissioner Gilbert and the voting was unanimous.

### **OTHER CONSIDERATIONS:**

#### **(4) KENT CHRISTENSEN – PARCEL SPLIT – FINAL APPROVAL**

2453 North Fairfield (Parcel 1 – 1.0 acres, Parcel 2 – 8.714 acres)

Kem Weaver, City Planner, presented the request for final approval of a parcel split for a property at 2453 North Fairfield Road owned by Kent Christensen. The applicant would like to split off a one acre parcel for the single family home on the property. With a frontage of 128 feet, this parcel would meet the agricultural zoning requirement. The applicant and his agent have been made aware the State will not allow development of the remaining 8.66 acres in the APZ easement (Accident Potential Zone) into single-family home building lots. The State's APZ Easement was put on the property years ago with monetary compensation to the land owners. Mr. Weaver said Staff recommends the Planning Commission forward approval to the City Council subject to meeting all staff requirements.

Chairman Esplin asked if there were questions from the Commission. The Commissioners had no questions and the applicant was not present.

Chairman Esplin called for a motion on the item. Commissioner Gilbert moved, based on the applicant not being present and recommendations from Staff, that the Planning Commission forward approval for the parcel split to the City Council. The motion was seconded by Commissioner Ron Stallworth and the voting was unanimous.

#### **(5) AFFORDABLE LAND LEASE HOMES – CONDOMINIUM FINAL PLAT APPROVAL**

3240 North Fairfield Road (6 units)

Mr. Weaver presented Affordable Land Lease Homes' request for condominium final plat approval. The property is located north of Highway 193 on the east side of Fairfield Road and has an existing 6-unit apartment building. The applicant, which is a non-profit company, is requesting to condominiumize the property with units to be sold through land lease mortgages. Affordable Land Lease Homes will be responsible for maintenance, but each homeowner will have to pay 1/6 the cost to fund maintenance.

Mr. Weaver said the covenants and restrictions for the property have been reviewed and approved. He said Staff recommends approval of the final plat. The applicant was present but had no comments

Chairman Esplin called for a motion on the item. Commissioner Allen moved that the Planning Commission recommend final condominium plat approval for Affordable Land Lease Homes. The motion was seconded by Commissioner Gilbert and the voting was unanimous.

Commissioner Allen moved to adjourn the meeting. The meeting was adjourned at 7:16 p.m.

By \_\_\_\_\_  
Julie K. Jewell, Secretary to the Planning Commission