

**MINUTES OF LAYTON CITY PLANNING COMMISSION MEETING  
FEBRUARY 12, 2008**

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

**ALTERNATE MEMBER PRESENT:** Blake Hazen

**MEMBERS ABSENT:** Ron Stallworth

**ALTERNATE MEMBER ABSENT:** Ryan Stevenson

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

Chairman Sharon Esplin called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. Chairman Esplin asked for volunteers from the audience to give the invocation. There were no volunteers and Commissioner Kristin Elinkowski gave the invocation.

Chairman Esplin recognized two Boy Scout troops who were attending Planning Commission meeting as part of the requirements for their Citizenship merit badge.

Chairman Esplin called for a motion to approve the minutes from January 22, 2008, and from September 12, 2006. Commissioner Blake Hazen moved to approve the minutes. The motion was seconded by Commissioner Brent Allen, and the voting was unanimous.

Commissioner Gerald Gilbert moved to open Public Review. Commissioner Tim Pales seconded the motion, and the voting was unanimous.

**PUBLIC REVIEW:**

**(1) JESSE M. BURNSIDE – REZONE – R-1-8 to PB**  
Approximately 0.37 Acres at 341 West Golden Avenue

Peter Matson, City Long Range Planner, presented the proposal to rezone approximately .37 acres of property at 341 West Golden Avenue presently zoned R-1-8. The proposed zoning is P-B (Professional Business). The property is located on the south east corner of Golden Avenue and the east side frontage road of I-15. The property is bordered by the Trinity Lutheran Church on the west and the green space of a bilingual Baptist Church across the street to the north. There is a single-family home on the property. Mr. Matson said the Planning Commission has reviewed similar P-B rezones prior to this application

that are located on arterial streets. The City Master Plan indicates that properties zoned P-B can be located along collector and arterial streets. Mr. Matson said Staff feels this rezone request is compatible with the Master Plan and zoning requirements. The owners will continue to live in the home and may sell it at a later date.

Mr. Matson said the City's Zoning Ordinance and General Plan provide guidelines stating that for any new development in the zone adjacent to a single-family zone, the height and bulk of the project may be taken into consideration to be a good neighbor to the adjacent single family residences. If approved, the applicant will have to provide proper drainage if any additional hard surface is added for off street parking. There were no questions from the Planning Commission or the audience. The applicant was not present.

Commission Pales moved to forward a positive recommendation to the City Council to approve the zoning change R-1-8 (Single-Family residential) to P-B (Professional Business) at 341 West Golden Avenue. Commissioner Blake Hazen seconded the motion that was approved unanimously.

**(2) DAVID & CHRISTIE ALLRED – REZONE – A to R-S**

Approximately 0.638 acres at 199 South 3200 West

Mr. Matson presented the Allred's request to rezone their property on the east side of 3200 West at 199 south. The property is currently vacant and contains 0.64 acres. It is presently zoned A (Agriculture). The proposed zoning is R-S (Residential-Suburban). Mr. Matson said the property is less than the required acreage for the A (Agricultural) zone and the owners would like to build a single-family home on the parcel. The R-S zoning designation will bring the property into compliance with the zoning ordinance. Mr. Matson said the property is consistent with the proposed zoning and General Plan recommendations. He said Staff is recommending approval of the rezone. There were no questions from the Commissioners.

The applicant, Kristie Allred, came forward and asked about the minimum acreage requirement for the property being 15,000 square feet. Mr. Matson explained that at 0.6 acres, the property meets the zoning requirement for the proposed R-S zone.

Commissioner Gilbert moved to forward a positive recommendation to the City Council to change the zoning from A to R-S. The motion was seconded by Commissioner Allen and the voting was unanimous.

**(3) RICK CARTER – Conditional Use – Temporary Sales Office**

356 East 800 North

Brandon Rypien, City Planner, presented the request for a temporary sales trailer at 356 East 1800 North on Lot 1 of the Heartland Subdivision. The zoning in that area is designated as R-1-8 (Single Family Residential). The temporary sales office will be used to provide information on the building lots and on the homes. It will be used for 6 months while the model home is being built. The temporary sales office is 125 square

feet. Typically the occupancy load recommendation from the Building Department is one person for every 100 square feet, however, since only one person will be in the office full time, the Building Department has adjusted the occupancy load to 2 people per 100 square feet.

Two parking stalls will be required and must be on a road base or hard surface. The temporary sales office will also be required to be placed on a hard surface. Business hours will be 11:00 a.m. to 7:00 p.m. and approved by the Layton City Business License Office.

The following are the conditions placed on the conditional use request which will hereby be adopted as requirements.

- 1) The applicant is required to provide two (2) on-site parking stalls to accommodate an employee and customers, which must be placed on a hard surface.
- 2) The trailer must be located outside of the clear view area.
- 3) The trailer must meet all setback requirements for the designated zone.
- 4) The trailer must be located on a hard surface.
- 5) The property owner is granted six (6) months to occupy the temporary sales trailer and may renew the temporary certificate of occupancy for three (3) successive six (6) month periods.
- 6) The property owner must remove the trailer within fourteen (14) days of occupancy of the Model Home.
- 7) The hours of operation shall be 11:00 a.m. to 7:00 p.m.
- 8) Signage shall meet all City requirements.
- 9) The business is required to meet all Building and Fire Department requirements.

Commissioner Hazen disclosed that he has an interest in Heartland Subdivision and to remain for the voting process would be a conflict of interest. Chairman Esplin excused him from the voting process and he left the Council Chambers. There were no questions from the Commissioners and the applicant was not present. Chairman Esplin confirmed with Mr. Rypien that the applicant was aware of the 9 conditions. Mr. Rypien replied in the affirmative.

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

**(4) YOUNG AUTOMOTIVE USED CAR SUPERSTORE OF KIA OF KAYSVILLE –**  
Conditional Use Auto Sales – 1076 Layton Hills Mall

*(Commissioner Hazen returned to the meeting.)*

Amanda Schultz, City Planner, presented Young Automotive's request for a conditional use permit for the temporary use for a sales office of the former 2<sup>nd</sup> National Bank of

Layton site located north of Layton Hills Mall. The building will be used by Kia of Kaysville which is experiencing difficulties due to road construction on 200 North in Kaysville. They will be at the site from February 13 to May 13, 2008. The dealership will relocate 8 employees and provide 100 vehicles for purchase. Vehicles will be placed north and east of the former bank building. The building is over 3000 square feet with 2000 square feet usable for customers and employees. There are 34 parking stalls for the customers and employees with a total of 238 parking stalls which is adequate for the 100 vehicles to be displayed. Landscaping is existing. The requirement for the site is 10 parking stalls for employees. Mrs. Schultz said Staff recommends approval of the conditional use based on 7 conditions. Chairman Esplin asked if the applicant was aware of the conditions. Since the applicant was out of town and had not had a chance to review the conditions, Mrs. Schultz presented them as follows:

- 1) The temporary sales site for Kia will be from February 13 until May 13, 2008.
- 2) The dealership is required to provide a letter from all property owners for the proposed use.
- 3) The dealership is required to provide a minimum of 10 parking stalls for employees and customers, plus 100 parking stalls for vehicles.
- 4) The dealership is required to meet all the requirements from the Engineering, Building and Fire Departments.
- 5) The site is required to be clear of any weeds or debris at all times.
- 6) All signs must comply with the sign ordinance and obtain proper permits.
- 7) After the event expires on May 13, 2008, the dealership is required to remove all vehicles and leave the site in a clean manner.

The conditions are hereby recommended to be adopted as requirements, and the applicant said he was agreeable to the conditions.

There were no questions from the Commissioners or the audience, and Chairman Esplin called for a motion on the item.

Commissioner Pratt moved to grant conditional use for the temporary dealership location subject to the applicant meeting all Staff requirements. Commissioner Pales seconded the motion that was unanimously approved.

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

#### **OTHER CONSIDERATIONS:**

##### **(5) COVENTRY ESTATES – PRELIMINARY APPROVAL**

Approximately 1425 North 2000 East (35 lots, R-1-10)

City Planner, Kem Weaver, presented Coventry Estates' request for preliminary approval. Mr. Weaver reminded the Commission that on June 12, 2007, the subdivision was presented to the Planning Commission for preliminary approval under a different developer. The

new developer and civil engineer have been unable to get storm draining and utilities to work with 1425 North connecting through the subdivision. The decision was made to create a cul de sac and propose 35 lots rather than the 34 proposed previously. Mr. Weaver said it is a positive situation for both the developer and the residents of the adjacent subdivision who did not want 1425 North to be a thru street which could cause traffic through their subdivision. Mr. Weaver said that based on the information provided, the Staff is recommending the Planning Commission forward Coventry Estates' request for preliminary approval to the City Council with a recommendation for approval. There were no questions from the Commission or audience.

Chairman Esplin called for a motion on the agenda item. Commissioner Brent Allen moved to forward a recommendation for approval from the Planning Commission to the City Council for Coventry Estates. Chairman Esplin asked for the approval to be specified as preliminary approval. Commissioner Allen amended the motion to include preliminary approval. Chairman Elinkowski seconded the motion. It was clarified that the property is at 1425 North 2000 East. The motion passed unanimously.

Commissioner Pales motioned to adjourn the meeting and the voting was unanimous. The meeting adjourned at 7:23 p.m.

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

**In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.**

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