

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

TUESDAY, OCTOBER 27, 2009

MEMBERS PRESENT: Sharon Esplin, Tim Pales, Kristin Elinkowski
Blake Hazen, Dave Pratt, Gerald Gilbert, Dave Weaver

ALTERNATE MEMBERS PRESENT:

MEMBERS ABSENT:

ALTERNATE MEMBERS ABSENT: Brian Bodily

OTHERS PRESENT: Staff Members: Bill Wright, Kem Weaver, Amanda Jorgensen, Nannette Larsen, Steve Garside, Councilmember Scott Freitag, Julie Jewell

Community and Economic Development Director Bill Wright reported on the status of the Andrescapes conditional use. He said City Planner, Brandon Rypien and Long Range Planner, Peter Matson met with Dave Andre, the owner of Andrescapes, and informed him that he must comply with the requirements of the conditional use on the property, otherwise the revocation process would be put into place.

PUBLIC HEARING:

(1) ANTELOPE OFFICE BUILDING – REZONE A TO PB AND R-1-8

This property is located at 169 East Antelope Drive in an A (Agriculture) zoning district. The overall site contains two parcels on .81 acres. Parcel A (.367 acres) will remain zoned PB (Professional Office). The proposal is to rezone the .36 remainder parcel to R-1-8 (Single Family Residential) and to rezone a .08 acre property added to Parcel A from the remainder parcel with a lot line adjustment to PB (Professional Office). The applicant is Josh Jensen representing the property owner, Mike Scott.

City Planner, Kem Weaver, provided an aerial map showing the property location and surrounding properties. Commissioner Blake Hazen asked about the address of the property in relation to the Got Storage address and Mr. Weaver said some of the addressing in this area on Antelope will be corrected

Mr. Weaver explained that a lot line adjustment had been approved by the Layton City Community & Economic Development Director to facilitate setbacks and buffers for the property on the east zoned PB. The property of Michael Scott currently zoned A will be rezoned to R-1-8 to make it conforming after Mr. Scott sold 21 feet of property to the owner of the PB parcel. The 21 feet of property acquired by the PB property owner in the lot line adjustment will be rezoned to PB.

Mr. Weaver said the owner of the PB parcel has provided a site plan for a 4,000 square foot office building and will need to submit a landscape plan and apply to the Planning Commission for a landscape buffer modification.

The Commissioner and Staff discussed zoning designations in the area. Commissioner Tim Pales asked how many motions would be needed for the rezone and Mr. Weaver stated that one motion could cover both rezone requests.

There were no further questions from the Commissioners.

PUBLIC REVIEW:

(2) ALBERTO DIAZ -- CONDITIONAL USE FOR A MOBILE STORE

This property is located in a C-H (Highway Regional Commercial) zoning district. The applicant, Alberto Diaz, is requesting a mobile store site for a taco stand.

Nannette Larsen, Planning Technician, presented the request for a mobile store for a taco stand. She described the location, setbacks and parking available for the site on the PayDay loan property.

The Commissioners and staff discussed removal of the taco cart at the end of the business day and concurred that it should be added as a requirement. They also discussed the safety of tents, canopies and tarps used for weather protection on mobile store sites and if these shelters exceeded the 100 square foot limit for the size of a mobile store. Mr. Wright said a building inspector would be sent to inspect the installation of the cart and tents. The Commissioners and Staff talked about what would be desirable in the City as far as the number and location of mobile stores.

Ms. Larsen said Staff recommends the Planning Commission approve the mobile store.

(3) GOT STORAGE – CONDITIONAL USE FOR TRUCK & TRAILER RENTAL

This 5.62 acre property is located at 153 Antelope Drive in an M-1 (Light Manufacturing/Industrial) zoning district. The applicant is requesting to add truck & trailer rental to the conditional use for storage units currently on the property.

City Planner, Amanda Jorgensen, presented the Got Storage request to add Hertz Penske truck and trailer rental at their storage unit site. Ms. Jorgensen said that although the Fire Department originally denied the conditional use, after further review they gave their approval and have sent an e-mail stating approval if the applicant complies with conditions 8 and 9 listed below. Ms. Jorgensen reviewed the proposed site plan including the storage of vehicles and parking requirements and reviewed the conditions as follows:

- 1) The business must comply with all Fire Department, Building, Planning and Engineering Division requirements.
- 2) The applicant is required to comply with the sign ordinances for both businesses; this includes permanent and temporary signage. Any signage must be directed towards the Antelope Drive portion of the property to avoid an impact on the neighboring properties on 2150 North.
- 3) The business is allowed a maximum of 10 Hertz Penske truck and trailers vehicles.
- 4) The Hertz Penske vehicles are not allowed to be placed or stored in any access way on the property.
- 5) The open area is only allowed a maximum of two vehicles. The open area is designated east of the office building only. Please see site plan for approved open area.

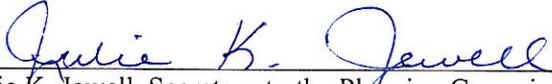
- 6) The water pump feature is required to be removed, relocated, or lowered so the Hertz Penske vehicles can be placed in the open area properly.
- 7) These vehicles are not allowed to exit and enter on 2150 North. The business is required to direct these vehicles to Antelope Drive.
- 8) The 2 open areas east of the office building must be striped along the pavement to ensure the required 21' for fire access.
- 9) The curb in front of the fire hydrant must be painted red for a distance of 5 feet on both sides of the hydrant. The openly stored vehicles are not allowed to encroach into this area.

Commissioner Esplin asked Ms. Jorgensen if the applicant was aware of the requirements. She said she had read the requirements to the applicant over the phone and that he would be present at the Planning Commission meeting.

The Commissioners and Staff discussed parking requirements and also the relocation or lowering of the clean out pipe mentioned in Condition #6, as well as signage modification and limitations.

Commissioner Gilbert asked about the banner on the building on 2150 North and a discussion followed.

The Commission was given an update about Pet Pals.

By 
Julie K. Jewell, Secretary to the Planning Commission

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Planning Commission Chair, Sharon Esplin called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was recited and an invocation given by Commissioner Kristin Elinkowski.

Chairman Esplin called for a motion to approve the October 13, 2009 Planning Commission and Work Meeting Minutes. Commissioner Blake Hazen requested the following changes to the minutes: Work Meeting Minutes, page 2, item (f) change 61 to 6' and Planning Commission Meeting Minutes, page 3, paragraph item (f) change 61 to 6'. Commissioner Pales moved to approve the October 13, 2009 Planning Commission and Work Meeting minutes with corrections as stated. Commissioner Hazen seconded the motion and the voting was unanimous.

Chairman Esplin called for a motion to open the Public Hearing. Commissioner Hazen moved to open the Public Hearing. Commissioner Pales seconded the motion and the voting was unanimous.

(1) ANTELOPE OFFICE BUILDING – REZONE A TO PB AND R-1-8

This property is located at 169 East Antelope Drive in an A (Agriculture) zoning district. The overall site contains two parcels on .81 acres. Parcel A (.367 acres) will remain zoned PB (Professional Office). The proposal is to rezone the .36 remainder parcel to R-1-8 (Single Family Residential) and to rezone a .08 acre property added to Parcel A from the remainder parcel with a lot line adjustment to PB (Professional Office). The applicant is Josh Jensen representing the property owner, Mike Scott.

City Planner Kem Weaver presented an aerial of the properties proposed for rezone as well the surrounding properties and zoning designations in the area. He discussed the lot line adjustment approved by the Layton City Community and Economic Development Director and said Michael

Scott, the property owner will need to take the new legal description to the County to deed 21 feet of property to the applicant to be rezoned from A to PB. Mr. Scott's property will be rezoned from A to R-1-8

Mr. Weaver presented a site plan of the proposed development for a 4,000 square foot office building. He said Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the rezone of the properties from A to PB and A to R-1-8 based on consistency with the General Plan recommendations for professional office as an alternative land use along arterial streets and single family residential based on existing homes along Antelope Drive.

There were no questions from the Commission or the audience and Chairman Esplin called for a motion on the item. Commissioner Elinkowski moved that the Planning Commission forward a positive recommendation to the City Council to approve the rezone based on consistency with the General Plan and the applicant meeting all Staff requirements. Commissioner Pales seconded the motion and the voting was unanimous.

Chairman Esplin called for a motion to close the Public Hearing. Commissioner Hazen moved to close the Public Hearing. Commissioner Elinkowski seconded the motion and the voting was unanimous.

Chairman Esplin called for a motion to open Public Review. Commissioner Elinkowski moved to open Public Review. Commissioner Dave Weaver seconded the motion and the voting was unanimous.

PUBLIC REVIEW:

(2) ALBERTO DIAZ -- CONDITIONAL USE FOR A MOBILE STORE

This property is located at 1464 North Main Street in a C-H (Highway Regional Commercial) zoning district. The applicant, Alberto Diaz, is requesting a mobile store site for a taco stand.

Planning Technician, Nannette Larsen, presented the request for conditional use for a mobile store for a taco stand proposed for the south west corner of the PayDay loan property at 1464 North Main Street. She reviewed the location, setbacks, parking and distance separation requirement of 250 feet from another mobile store on the Davis Lanes property. She said the applicant has permission from the property owner for the mobile store.

The following are the requirements for the conditional use for the mobile store:

1. The Mobile Store will have no more than one-hundred (100) square feet of outside display area located at a minimum of ten (10) feet from all property lines. The structure may not be in any landscaping areas and cannot be obstructing access to the property.
2. The Mobile Store will be located outside of the clearview area.
3. The Mobile Store shall have written acceptance of the operation from the Davis County Health Department before the site is occupied.
4. The structure shall have appropriate utility connections and be inspected for compliance to City codes.

5. The structure shall be secured to or placed on the ground to be stable in a seventy-five mph wind.
6. The mobile store shall be allowed to have two (2) off-site directional signs with a maximum of six (6) square feet for each sign and a maximum of fifty (50) square feet total for the entire mobile store. The signage shall not be placed in the public right-of-way or landscaping.
7. All Building and Fire requirements shall be met before occupancy.
8. All of the above conditions shall be met before business begins.

In addition, the Commission requested that a condition be added stating that the mobile store must be removed from the property at the end of business each day.

Ms. Larsen said Staff recommends the conditional use be granted per the applicant meeting all Staff requirements.

Commissioner Weaver asked for verification that an inspector would confirm that the mobile store could withstand the wind load requirement. Ms. Larsen said an inspector would inspect the site for compliance with the 75 mile per hour wind load requirement.

There were no questions from Commission or the audience and the applicant was not present. Chairman Esplin asked that a copy of the additions and corrections to the requirements be given to the applicant.

Chairman Esplin called for a motion on the item. Commissioner Weaver moved that the Planning Commission approve the conditional use based on the applicant meeting all Staff conditions including the additional condition to remove the cart at the end of business each day with all conditions hereby adopted as requirements. Commissioner Hazen seconded the motion and the voting was unanimous.

(3) GOT STORAGE – CONDITIONAL USE FOR TRUCK & TRAILER RENTAL

This 5.62 acre property is located at 153 Antelope Drive in an M-1 (Light Manufacturing/Industrial) zoning district. The applicant is requesting to add truck and trailer rental to the conditional use for storage units currently on the property.

City Planner, Amanda Jorgensen, presented the Got Storage request to add Hertz Penske truck and trailer rental at their storage unit site and reviewed the proposed site plan including the storing and display of vehicles and parking requirements. She said Staff recommends the Planning Commission approve the conditional use with the following conditions:

- 1) The business must comply with all Fire Department, Building, Planning and Engineering Division requirements.
- 2) The applicant is required to comply with the sign ordinances for both businesses; this includes permanent and temporary signage. Any signage must be directed towards the Antelope Drive portion of the property to avoid an impact on the neighboring properties on 2150 North.
- 3) The business is allowed a maximum of 10 Hertz Penske truck and trailers vehicles.
- 4) The Hertz Penske vehicles are not allowed to be placed or stored in any access way on the property.

- 5) The open area is only allowed a maximum of two vehicles. The open area is designated east of the office building only. Please see site plan for approved open area.
- 6) The water pump feature is required to be removed, relocated, or lowered so the Hertz Penske vehicles can be placed in the open area properly.
- 7) These vehicles are not allowed to exit and enter on 2150 North. The business is required to direct these vehicles to Antelope Drive.
- 8) The 2 open areas east of the office building must be striped along the pavement to ensure the required 21' for fire access.
- 9) The curb in front of the fire hydrant must be painted red for a distance of 5 feet on both sides of the hydrant. The openly stored vehicles are not allowed to encroach into this area.

Ms. Jorgensen said Staff recommends the Planning Commission approve the conditional use with the change to condition #3 to clarify that the ten vehicle limit includes both trucks and trailers and the addition of condition #9. She said the applicant was aware of the conditions with the exception of the modification to #3 and the addition of #9.

There were no questions from the Commission. A member of the audience, Jeff Adams, 2154 North 75, said he felt Got Storage had done a great job with their facility and had been a great neighbor. He asked if there would be signage on 2150 North and Ms. Jorgensen read all of the conditions to clarify that all signage would be directed toward Antelope drive.

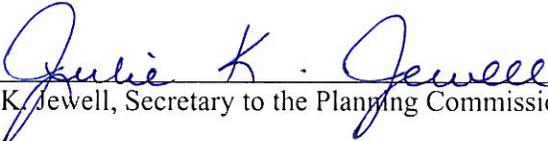
Chairman Esplin asked Kiley Crocket, the applicant, if he understood the changes and would comply. Mr. Crockett replied in the affirmative.

Commissioner Gilbert commended Mr. Crockett for the excellent job he has done with the storage business on the property.

Chairman Esplin called for a motion on the item. Commissioner Hazen moved to grant conditional use approval to Got Storage for truck and trailer rental based on the applicant meeting all staff conditions which are hereby adopted as requirements with the noted changes. Commissioner Gilbert seconded the motion and the voting was unanimous.

Chairman Esplin called for a motion to close Public Review. Commissioner Pales moved to close public review. The motion was seconded by Commissioner Hazen and the voting was unanimous.

Chairman Esplin called for a motion to adjourn the meeting. Commissioner Hazen moved to adjourn the meeting. Commissioner Elinkowski seconded the motion and the voting was unanimous. The meeting adjourned at 7:22 p.m.

By 
Julie K. Jewell, Secretary to the Planning Commission