

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

TUESDAY, JULY 13, 2010

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

ALTERNATE MEMBERS PRESENT: Brian Bodily

MEMBERS ABSENT: Tim Pales, Dave Weaver

ALTERNATE MEMBERS ABSENT:

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Amanda Jorgensen, Nannette Larsen, Steve Garside, Julie Arguello, Julie Jewell, and Councilmember Joyce Brown

PUBLIC HEARING:

1. ORDINANCE AMENDMENT – TEMPORARY SIGN ORDINANCE PORTION OF TITLE 20, CHAPTER 20.05

City Planner, Amanda Jorgensen, presented the proposed temporary sign ordinance amendment. Ms. Jorgensen said a sign committee comprised of Staff, business owners, and representatives from the Planning Commission and City Council had met several times to discuss changes to the ordinance.

Ms. Jorgensen reviewed the changes to the temporary sign ordinance.

Commissioner Bodily said he thought the Commission was recommending weight requirements for A-frame sign stability. Ms. Jorgensen said a weight requirement was not included since she couldn't find any guidelines from ordinances in any other City in the State. Bill Wright, Community Development Director, said that the ordinance states that signs must be properly displayed. If the sign were to be continually knocked over, then it would not be properly displayed and the owner cited.

Each type of temporary sign was reviewed, and the changes were discussed and clarified. The following are changes recommended and discussion points.

Page 16, Paragraph 1/Line 1 – Change “Within any R-1 zone” to “Within any R zone.”

This change was made so that the R-S zone would not be excluded.

Page 26, 5C – Clarification -- Subdivisions with 50 or more lots are limited to 128 total square feet of signage.

Page 26, 5D – Change “one in a half” to “one and a half.”

Page 26, 5E – Change “multip-family” to “multi-family.”

Page 28, 20.095.050. Balloons. Recommended the addition of the word “community” after multi-family.

Page 30, 20.05.080 Window Wraps – 5C – Mr. Wright recommended a modification from “Window wraps are not allowed to be placed on ingress and egress glass doors,” to “At least one glass ingress or egress door must not contain a window wrap.” He said it makes sense for a building with multiple doors to the same space to have wraps on the doors with at least one door left without a wrap. He said the window wrap

coverage was set at 50% to encourage more professional wraps than if the restriction was 30% of window wrap covering.

Page 31, 20.025.130. Campaign Signs – Mr. Wright said this section had previously been in the permanent sign ordinance and was moved to the temporary sign ordinance.

Ms. Jorgensen said the new sign fees have been approved.

PUBLIC REVIEW:

2. PATRIOT CARWASH – CONDITIONAL USE REQUEST FOR AN ELECTRONIC MESSAGE CENTER SIGN

This property is located at 1475 East Highway 193 in a CP-1 (Planned Neighborhood Commercial) Zoning District. The applicant is Ken Golding, owner of Patriot Carwash.

Amanda Jorgensen, City Planner, presented the request for conditional use for an electronic message center sign. Ms. Jorgensen talked with a Hill Air Force Base representative who indicated the Base would have no concerns with the rocket shaped sign labeled Patriot which is the corporate name of the carwash. After a meeting with Staff and the applicant discussing the specifics of the sign, the applicant was asked to put a base on the sign.

Ms. Jorgensen outlined the size of the sign, and Staff and the Commissioners discussed the design of the sign and lighting output.

The following conditions are required to be met for this conditional use:

1. The business must comply with all Fire Department, Building, Planning and Engineering Division requirements.
2. Any signs for the car wash business must obtain a sign permit.
3. The sign must comply with Section 20.04.120 and 20.04.150 of the sign ordinance regarding electronic message center signs.
4. The proposed base for the sign is required to have materials similar to that of the main structure along with the planter box.
5. The proposed sign, base and planter box, is required to be maintained at all times.

3. COLD SHOULDER, INC. – REQUEST TO AMEND A CONDITIONAL USE FOR A TAVERN

This property is located at 768 West 1425 North in a CP-3 (Planned Regional Commercial) Zoning District. The applicant is Doug Hartman and the owner is Layton Center Plaza, LLC.

City Planner, Amanda Jorgensen, noted that the request was not to amend a conditional use for Summit Lounge but was a new conditional use. The applicant's previous conditional use for this property expired, and the proposed tenant space is now a smaller portion of the building.

Chairman Esplin remarked that with the previous conditional use request, there had been a concern about the availability of restrooms for the Summit Lounge customers. Ms. Jorgensen said Summit Lounge will now have its own restrooms.

Commissioner Gilbert asked about exposed electrical boxes on the west side of the building. Ms. Jorgensen said they were putting in some sort of a refrigerator box-like covering to screen the electrical boxes.

Ms. Jorgensen said the new lounge will still need to obtain State licensing and that the business would not be a private club.

The following are the conditions required for this conditional use permit:

1. The business must comply with all Fire Department, Building, Planning and Engineering Division, Police Department and other State agency requirements.
2. All signs must comply with the Layton City sign ordinance and applicant must obtain a sign permit.
3. The business is required to comply with Section 16.050 of the City Code regarding the liquor license.
4. The business is required to contain all lighting on property at all times.
5. The business is required to meet and uphold all the State liquor laws.
6. The applicant is required to obtain a building permit if modifications to the tenant space exceed cosmetic alterations.
7. The proposed outdoor patio area on the west side of the building must be enclosed with a 4 foot wrought iron fence that will surround and secure the area. The outdoor patio area must be monitored during business hours.
8. The site is required to be clean and maintained at all times.
9. Any alcohol is prohibited to leave the designated private club area, including the outdoor patio area.

4. SHOWSTOPPER PRODUCTIONS LLC – CONDITIONAL USE REQUEST FOR A DRAMA STUDIO

This property is located at 897 North McCormick Way Suites 2 & 3 in an M-2 (Heavy Manufacturing/Industrial) Zoning District. The property owner is Dan Hammon is represented by Jan Williams of Showstopper Productions LLC.

Planning Technician, Nannette Larsen, presented the request for a conditional use for a drama studio. She said that no more than 25 students per class, ages 3-18, will be in lessons from to 3:00 p.m. to 9:00 p.m. on Monday thru Thursday, 2:00 p.m. to 8:00 p.m. on Friday, and 8:00 a.m. to 2:00 p.m. on Saturday. Ms. Larsen outlined the parking requirements for the building tenants. The following are the conditions required to be met for this conditional use:

1. There may be no more than 50 students at the dance studio at any one time.
2. All required parking is required to be on-site and shared parking with the surrounding business is allowed.
3. The business must comply with the sign ordinance and obtain any required permits.
4. All requirements from the Building and Engineering Division as well as the Fire Department are to be met.

5. CRYSTAL HOWE – CONDITIONAL USE REQUEST FOR A DANCE STUDIO

This property is located at 1628 West Gordon Avenue, Suite 3 in an M-2 (Heavy Manufacturing/Industrial) Zoning District. The property owner is Steven Speirs represented by Crystal Howe.

Planning Technician, Nannette Larsen, presented the request for a conditional use for a dance studio. The applicant proposes no more than 10 students at a time between the weekday hours of 10:00 a.m. and 7:00 p.m. Commissioner Pratt asked how the limit of 10 students had been set, and Ms. Larsen replied that the applicant set the number of students.

The following conditions are required to be met for this conditional use:

1. There may be no more than 10 students at the dance studio at any one time.

2. All required parking is to be on-site and shared parking with the surrounding business is allowed.
3. The business must comply with the sign ordinance and obtain any required permits.
4. All requirements from the Building and Engineering Division as well as the Fire Department are to be met.

6. DAVIS COUNTY BALLROOM – CONDITIONAL USE REQUEST FOR A DANCE STUDIO – 897 MCCORMICK SUITE 4

This property is located in an M-2 (Heavy Manufacturing/Industrial) Zoning District. The property owner is Dan Hammon represented by Melissa Argyle of Davis County Ballroom.

Planning Technician, Nannette Larsen, presented the conditional use request for a dance studio. She gave an overview of the building square footage, tenants, and parking requirements. Drop off/pick up issues were discussed.

Ms. Larsen said the applicant proposes dance classes for ages 6 thru adult between 3:00 p.m. and 9:00 p.m. Monday thru Saturday. In addition, the applicant will offer occasional Saturday workshops for up to 50 students at a time. The Commissioners recommended that a condition be added to limit the number of workshops per year.

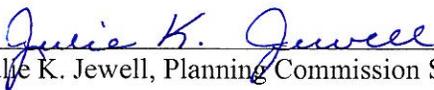
In addition to the condition recommended by the Commission limiting the number of workshops per year, the following conditions are required to be met for this conditional use:

1. There may be no more than 30 students at the dance studio during regular class times and with 50 students per workshop.
2. All required parking is to be on-site and shared parking with the surrounding business is allowed.
3. The business must comply with the sign ordinance and obtain any required permits.
4. All requirements from the Building and Engineering Division as well as the Fire Department are to be met.

7. SOUTH WEBER CITY – CONDITIONAL USE FOR AN ACCESORY STRUCTURE (PUMP STATION) – APPROXIMATELY 3000 NORTH CHURCH STREET

This 5,348 sq. ft (.12 acre) property is located in an R-M1 (Low/Medium Density Residential) zoning district. The applicant is South Weber City represented by Brandon Jones.

This item was not discussed due to lack of time.



Julie K. Jewell, Planning Commission Secretary

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ALTERNATE MEMBERS PRESENT: Brian Bodily

MEMBERS ABSENT: Tim Pales, Dave Weaver

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OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Amanda Jorgensen, Nannette Larsen, Steve Garside, Julie Arguello, Julie Jewell, and Councilmember Joyce Brown

Planning Commission Chair, Sharon Esplin called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited and an invocation given by Dawn Fitzpatrick.

Pursuant to the Planning Commission bylaws requiring a new chair and vice-chair to be elected at the first meeting in July of each year, Chairman Esplin called for a motion to elect a new Planning Commission Chair. Commissioner Pratt moved that Commissioner Sharon Esplin continue as chair for the Layton City Planning Commission. Commissioner Gilbert seconded the motion, and the voting was unanimous. Chairman Esplin accepted the election to Chairman of the Layton City Planning Commission.

Chairman Esplin called for a motion to elect a new Planning Commission Vice-Chair. Commissioner Pratt moved that Commissioner Kristin Elinkowski continue as vice-chair for the Layton City Planning Commission. Commissioner Gilbert seconded the motion, and the voting was unanimous. Commissioner Elinkowski accepted the election to Vice-Chair of the Layton City Planning Commission.

Chairman Esplin called for a motion to approve the June 22, 2010 Planning Commission Work and Regular meeting minutes. Commissioner Hazen moved to accept the minutes as written. Commissioner Bodily seconded the motion and the voting was unanimous.

Chairman Esplin called for a motion to open the Public Hearing. Commissioner Gilbert moved to open the Public Hearing. Commissioner Bodily seconded the motion, and the voting was unanimous.

PUBLIC HEARING:

1. ORDINANCE AMENDMENT – TEMPORARY SIGN ORDINANCE PORTION OF TITLE 20, CHAPTER 20.05

City Planner, Amanda Jorgensen, presented the proposed temporary sign ordinance amendment. She said Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the proposed temporary sign ordinance amendment as corrected.

Commissioner Elinkowski moved that the Planning Commission forward a positive recommendation to the City Council to approve the temporary sign ordinance draft as corrected. Commissioner Pratt seconded the motion, and the voting was unanimous.

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

PUBLIC REVIEW:

2. PATRIOT CARWASH – CONDITIONAL USE REQUEST FOR AN ELECTRONIC MESSAGE CENTER SIGN

This property is located at 1475 North Highway 193 in a CP-1 (Planned Neighborhood Commercial) Zoning District. The applicant is Ken Golding, owner of Patriot Carwash.

City Planner, Amanda Jorgensen, presented the request for a conditional use for an electronic message center sign. She listed the specifications of the 67 square foot sign, reviewed set back requirements, and the design of the sign base. Ms. Jorgensen said Staff recommends the Planning Commission approve the conditional use based on the applicant meeting the five conditions as follows:

1. The business must comply with all Fire Department, Building, Planning and Engineering Division requirements.
2. Any signs for the car wash business must obtain a sign permit.
3. Sign must comply with Sections 20.04.120 and 20.04.150 of the sign ordinance regarding electronic message signs.
4. The proposed base for the sign is required to have materials similar to that of the main structure along with the planter box.
5. The proposed sign, base and planter box is required to be maintained at all times.

Chairman Esplin asked the applicant, Ken Golding, if he had received a copy of the conditions and if he understood the conditions. Mr. Golding said he'd received a copy of the conditions and that he understood the conditions.

Chairman Esplin called for a motion on the item. Commissioner Pratt moved to approve the conditional use subject to the conditions outlined by Staff, which are hereby adopted as requirements. Commissioner Hazen seconded the motion, and the voting was unanimous.

3. COLDSHOULDER, INC. – REQUEST TO AMEND A CONDITIONAL USE FOR A TAVERN

This property is located at 768 West 1425 North in a CP-3 (Planned Regional Commercial) Zoning District. The applicant is Doug Hartman and the owner is Layton Center Plaza, LLC.

City Planner, Amanda Jorgensen, presented the conditional use request for a tavern. She stated that the original conditional use request for a tavern had expired. The applicant is now ready to relocate Summit Lounge to a new location next to NYPD Pizza. She said the applicant plans a new outdoor patio area on the west to accommodate customers and separate it from outdoor seating for other businesses. She said Staff recommends the Planning Commission approve the conditional use based on the following conditions:

1. The business must comply with all Fire Department, Building, Planning and Engineering Division, Police Department and other State agency requirements.
2. All signs must comply with the Layton City sign ordinance and applicant must obtain a sign permit.

3. The business is required to comply with Section 16.050 of the City Code regarding the liquor license.
4. The business is required to contain all lighting on property at all times.
5. The business is required to meet and uphold all the State liquor laws.
6. The applicant is required to obtain a building permit if modifications to the tenant space exceed cosmetic alterations.
7. The proposed outdoor patio area on the west side of the building must be enclosed with a 4 foot wrought iron fence that will surround and secure the area. The outdoor patio area must be monitored during business hours.
8. The site is required to be clean and maintained at all times.
9. Any alcohol is prohibited to leave the designated private club area, including the outdoor patio area.

Chairman Esplin asked the applicant, Samantha Hartmann, 1952 S. 1850 E., if she had received a copy of the conditions. Ms. Hartmann responded that she had received and understood the conditions.

Commissioner Bodily asked for the location of the VIP Room. Ms. Hartman said it would be upstairs with new plans for an exit door from the upper floor down. Chairman Esplin said any modifications to the building would be approved by the Building Department.

There were no further questions or comments.

Commissioner Hazen moved to approve the conditional use permit for ColdShoulder, Inc. for the Summit Lounge subject to the applicant meeting all Staff conditions which are hereby adopted as requirements. Commissioner Bodily seconded the motion, and the voting was unanimous.

4. SHOWSTOPPER PRODUCTIONS LLC – CONDITIONAL USE REQUEST FOR A DRAMA STUDIO

This property is located at 897 North McCormick Way Suites 2 & 3 in an M-2 (Heavy Manufacturing/Industrial) Zoning District. The property owner is Dan Hammon is represented by Jan Williams of Showstopper Productions LLC.

Planning Technician, Nannette Larsen, presented the request for a conditional use for a drama studio. Ms. Larsen reviewed the square footage of the suites, hours of operation, ages and limit of class enrollment, and parking requirements. She said Staff recommends the Planning Commission approve the conditional use subject to the applicant meeting the following conditions:

1. There may be no more than 50 students at the dance studio at any one time.
2. All required parking is required to be on-site and shared parking with the surrounding business is allowed.
3. The business must comply with the sign ordinance and obtain any required permits.
4. All requirements from the Building and Engineering Division as well as the Fire Department are to be met.

Commissioner Hazen asked the applicant, Jan Williams 363 North Cold Creek Way, what the maximum number of students per suite would be. Ms. Williams indicated there were 3 separate studios and no more than 50 students would be in the building at one time. She said most of her students were drop off/pick up students.

Chairman Esplin asked if Ms. Williams had received a copy of the conditions. Ms. Williams replied that she had not received a copy of the conditions but understood the conditions and had discussed them with Ms.

Larsen. Ms. Williams asked about signage, and Ms. Larsen said she would talk with her about signage for her business.

Chairman Esplin called for a motion on the item. Commissioner Elinkowski moved that the Planning Commission approve the conditional use subject to the applicant meeting all Staff conditions which are hereby adopted as requirements. Commissioner Bodily seconded the motion, and the voting was unanimous.

Commissioner Bodily pointed out that the Staff report included a recommendation to approve a model home rather than the dance studio.

5. CRYSTAL HOWE – CONDITIONAL USE REQUEST FOR A DANCE STUDIO

This property is located at 1628 West Gordon Avenue Suite 3 in an M-2 (Heavy Manufacturing/Industrial) Zoning District. The property owner is Steven Speirs represented by Crystal Howe.

Planning Technician, Nannette Larsen, presented the request for a conditional use for a dance studio and reviewed parking requirements, hours of operation, and number of students. Ms. Larsen said Staff recommends the Planning Commission approve the conditional use subject to the applicant meeting the following conditions:

1. There may be no more than 10 students at the dance studio at any one time.
2. All required parking is to be on-site and shared parking with the surrounding business is allowed.
3. The business must comply with the sign ordinance and obtain any required permits.
4. All requirements from the Building and Engineering Division as well as the Fire Department are to be met.

The applicant was not present, but Ms. Larsen said she had made her aware of the conditions.

Chairman Esplin called for a motion on the item. Commissioner Hazen moved that the Planning Commission approve the conditional use subject to the applicant meeting all Staff conditions which are hereby adopted as requirements. Commissioner Pratt seconded the motion, and the voting was unanimous.

6. DAVIS COUNTY BALLROOM – CONDITIONAL USE REQUEST FOR A DANCE STUDIO – 897 MCCORMICK SUITE 4

This property is located in an M-2 (Heavy Manufacturing/Industrial) Zoning District. The property owner is Dan Hammon represented by Melissa Argyle of Davis County Ballroom.

Planning Technician, Nannette Larsen, presented the conditional use request for a dance studio and stated the applicant proposes 9 workshops per year with 50 students per workshop. She said there were 60 parking stalls for the 8 suites in the Layton Industrial Park building. Ms. Larsen said Staff recommends the Planning Commission approve the conditional use based on the applicant meeting the following conditions:

1. There may be no more than 30 students at the dance studio during regular class times and no more than 9 workshops per year with 50 students per workshop.
2. All required parking is to be on-site and shared parking with the surrounding business is allowed.
3. The business must comply with the sign ordinance and obtain any required permits.
4. All requirements from the Building and Engineering Division as well as the Fire Department are to be met.

Chairman Esplin asked the applicant, Melissa Argyle, 3035 West 150 North, Layton, if she had received and understood the conditions. Ms. Argyle said she had not received a copy but she understood the conditions. Commissioner Gilbert asked Ms. Argyle if the workshops were leading up to recitals. Ms. Argyle said she just hires people to come in and do workshop but they are not associated with a recital.

There were no other questions or comments. Chairman Esplin called for a motion on the item. Commissioner Hazen moved to approve the conditional use subject to the applicant meeting all Staff conditions, including the change made to the conditions adding that there be no more than 9 workshops per year and a limit of 50 students per workshop, with the conditions hereby adopted as requirements. Commissioner Elinkowski seconded the motion, and the voting was unanimous.

7. SOUTH WEBER CITY – CONDITIONAL USE FOR AN ACCESORY STRUCTURE (PUMP STATION) – APPROXIMATELY 3000 NORTH CHURCH STREET

This 5,348 sq. ft (.12 acre) property is located in an R-M1 (Low/Medium Density Residential) zoning district. The applicant is South Weber City represented by Brandon Jones.

City Planner, Kem Weaver, presented the conditional request for a pump station for South Weber City. Mr. Weaver explained that South Weber City has a long range plan to fill a one million gallon water tank. He presented an aerial view of the proposed tank location and the location of the pump station. The South Weber City Engineer, Brandon Jones, explained the reason for the pump station in that area was the proximity to Weber Basin water lines. Mr. Weaver reviewed the landscaping, fencing, exterior building materials, and roof pitch. Mr. Weaver said staff recommends the Planning Commission approve the conditional use for the pump station with the five following conditions:

1. The building must be constructed exactly as approved with regards to roof pitch and materials. The block color shall be earth tone related.
2. A solid vinyl 6 foot fence shall enclose the pump house building and shall be of earth tone colors.
3. The site shall have 3 trees as part of the landscaping along the frontage of the site.
4. An irrigation plan shall be submitted by the applicant and approved by the City to ensure the landscaping will be maintained and kept alive.
5. The site shall meet all Fire and Engineering requirements as spelled out in their reviews.

Chairman Esplin called for a motion on the item. Commissioner Pratt moved to approve the conditional use subject to the applicant meeting all Staff conditions which are hereby adopted as requirements. Commissioner Bodily seconded the motion and the voting was unanimous.

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

Chairman Esplin called for a motion to adjourn. Commissioner Hazen moved to adjourn the meeting, and the voting was unanimous.

The meeting adjourned at 7:38 p.m.



Julie K. Jewell, Planning Commission Secretary