

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

TUESDAY, DECEMBER 14, 2010

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

ALTERNATE MEMBERS PRESENT: Dawn Fitzpatrick

MEMBERS ABSENT: Blake Hazen

ALTERNATE MEMBERS ABSENT: Brian Bodily

OTHERS PRESENT: Staff Members: Bill Wright, Peter Matson, Kem Weaver, Steve Garside, Julie Jewell

PUBLIC HEARING:

1. DEE MURRAY – REZONE REQUEST – R-1-8 (SINGLE FAMILY RESIDENTIAL) TO PB (PROFESSIONAL OFFICE)

This .22 acre property is located at 2463 North Hillfield Road. The applicant/owner is Dee Murray.

City Planner, Kem Weaver, presented the request for rezone. He gave an overview of the zoning of properties in the area and said the proposal meets the General Plan guidelines for PB zoning on an arterial street.

Mr. Weaver said the property doesn't quite meet the 10,000 square foot requirement for the PB zone, but the applicant has received permission from UDOT for a parking area that could encroach into the 27 feet of UDOT owned property between the actual property line and the sidewalk, which the homeowner has always maintained. Mr. Weaver said Staff feels that the UDOT owned square footage could be included with the property's square foot to meet the 10,000 square foot minimum lot size needed for the rezone.

Mr. Weaver reported that the applicant has done renovations on the home to meet requirements for conversion from a residential to a commercial use.

2. WAYNE BELLEAU – Proposal to AMEND THE GENERAL PLAN from Business/Research Park to Commercial and to REZONE .94 acres located at 1597 North Woodland Park Drive from B-RP (Business & Research Park) to CP-3 (Planned Regional Commercial). The applicant and property owner is Wayne Belleau.

Community & Economic Development Director, Bill Wright, asked that the request for rezone be continued since the property owner/applicant has not received a resolution to the issue of a billboard location. Although the applicant mentioned other uses, the billboard relocation was the primary reason the applicant proposed the rezone request. Mr. Wright said that since the applicant did not want to withdraw his request for rezone, it was in the best interest of the public to continue the hearing. He asked the Commission to open the hearing, receive any comments, and continue the hearing to January 25, 2011.

PUBLIC REVIEW:

3. POWERTRAIN PERFECTION, LLC – CONDITIONAL USE FOR MINOR AUTO REPAIR

This property is located at 1370 West Gentile Street in a CP-1 (Planned Neighborhood Commercial) Zoning District. The applicant is Ryan Jones.

Long Range Planner, Peter Matson, explained that the PowerTrain Perfection conditional use request had previously been presented to the Planning Commission and continued to the November 23, 2010 Planning Commission Meeting which was subsequently cancelled due to weather. During the interim, Mr. Matson and Mr. Wright met with the applicant and walked through the building and around the site.

Mr. Matson said it was determined that the area behind the building would consist of a 25 foot by 40 foot screened, drivable surface for vehicles waiting for parts and pickup. There would be no permanent outdoor storage. A final site and landscape plan will be required including 25percent of the landscape area to be turf grass in front of the building. This plan must be approved by Staff.

Mr. Matson said the owner and the applicant concur with the Staff recommendations and conditions on the staff memo and will comply

Commissioner Gilbert asked that a limit be put on the number of vehicles that could be stored in the back of the building. The Commission recommended that a condition be added to limit the number of vehicles to be stored to 10 vehicles.

4. PERRY HOMES – CONDITIONAL USE FOR A MODEL HOME FOR THE VILLAS AT HARMONY PLACE PRUD SUBDIVISION

This property is located at 2322 West Fieldstone Way in an R-S PRUD zoning district. The applicant is Perry Homes represented by Jeff Taylor.

Mr. Matson reviewed the request for conditional use for a model home at the Villas at Harmony Place. He said the applicant, Jeff Taylor, has reviewed the conditions and stated he concurs with the conditions.

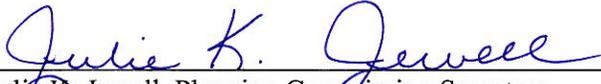
Mr. Matson clarified that the model home would only be allowed 42.5 square feet of temporary signage (including balloons) rather than the amounts stated in the Staff report.

The conditional use requirements were reviewed, and Mr. Matson said an ordinance was being drafted for model homes to be a permitted use with consistent standards.

Off street parking was discussed particularly in the area of the roundabout. Mr. Garside said that since the road will be public road, the roundabout would be considered an intersection where parking would not be allowed.

OTHER:

Long Range Planner, Peter Matson, introduced Jeremy Davis, whom the Mayor is recommending to the City Council at their December 16, 2010, meeting to approve as an alternate member of the Planning Commission.


Julie K. Jewell, Planning Commission Secretary

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- ALTERNATE MEMBERS PRESENT:** Dawn Fitzpatrick
- MEMBERS ABSENT:** Blake Hazen
- ALTERNATE MEMBERS ABSENT:** Brian Bodily
- OTHERS PRESENT:** Staff Members: Bill Wright, Peter Matson, Kem Weaver, Steve Garside, Julie Jewell

Planning Commission Chair, Sharon Esplin, called the meeting to order at 7:03 p.m. The Pledge of Allegiance was recited, and Commissioner Elinkowski gave an invocation.

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

PUBLIC HEARING:

1. DEE MURRAY – REZONE REQUEST – R-1-8 (SINGLE FAMILY RESIDENTIAL) TO PB (PROFESSIONAL OFFICE)

This .22 acre property is located at 2463 North Hillfield Road. The applicant/owner is Dee Murray.

Kem Weaver presented the request by Dee Murray to rezone an existing home on the corner of 2475 North and Hillfield Road. He reviewed the zoning designations in the area and explained that the garages on the property wouldn't meet current residential zoning requirements but would be allowed in the proposed professional business zone.

Mr. Weaver said the zoning ordinance describes PB zoning as recommended for offices and institutions with intensity less than that of a commercial zone. The applicant is proposing a tax service business with one or two employees with appointments for one client at a time and hours of operation being typical of office hours. The zoning ordinance allows for PB zones to be located on heavily traveled arterial streets such as this State highway, Hillfield Road, on which the proposed business will be located. He said the General Plan recommends professional businesses on arterial streets taking into account surrounding residential neighborhoods and blending into the neighborhood. The home proposed for the business use will remain the same other than becoming ADA compliant. He said the business will blend into the area and have minimal traffic and parking and not be a nuisance to adjacent residences.

Mr. Weaver explained that the applicant has received a variance from UDOT to encroach in to the 27 foot area owned by UDOT, and if UDOT were ever to widen the street into the area, the improvements would have to be removed. The applicant would like to install 3 parking spaces and 8 feet of required

landscaping in this area. Mr. Weaver said Staff feels that the UDOT owned square footage could be included with the property's square footage to meet the 10,000 square foot minimum lot size needed for the rezone.

Mr. Weaver said that if the zoning is approved, the applicant will need to submit a site plan application for approval. He said Staff recommends the Planning Commission forward a positive recommendation to the City Council based on consistency with the General Plan.

There were no questions or comments from the Commission or the audience. The applicant, Dee Murray, was present and said she agreed with Staff's recommendations and requirements.

Chairman Esplin called for a motion on the item.

Commissioner Pales moved that the Planning Commission forward a positive recommendation to the City Council to approve the request to rezone the property at 2463 North Hillfield Road from R-1-8 to PB based on consistency with the General Plan policy recommendations for small professional business uses along high traffic arterial streets. Commissioner Gilbert seconded the motion, and the voting was unanimous.

2. WAYNE BELLEAU – Proposal to **AMEND THE GENERAL PLAN** from Business/Research Park to Commercial and to **REZONE .94 acres** located at **1597 North Woodland Park Drive** from **B-RP** (Business & Research Park) to **CP-3** (Planned Regional Commercial). The applicant and property owner is Wayne Belleau.

Chairman Esplin stated that the rezone request for Wayne Belleau would be opened and any comments heard. The item would then be continued to the January 25, 2011, Planning Commission Meeting. There were no comments. Chairman Esplin called for a motion on the item. Commissioner Weaver moved that the public hearing for the request for rezone at 1597 North Woodland Park Drive, B-RP to CP-3 be continued to the January 25, 2011, Planning Commission Meeting. Commissioner Elinkowski seconded the motion, and the voting was unanimous.

Chairman Esplin called for a motion to close the Public Hearing portion of the meeting and open Public Review. Commissioner Gilbert moved to close the Public Hearing with the exception of the Wayne Belleau rezone which will be continued to the January 25, 2011 Planning Commission Meeting, and to open Public Review. The motion was seconded by Commissioner Pales, and the voting was unanimous.

3. POWERTRAIN PERFECTION, LLC – CONDITIONAL USE FOR MINOR AUTO REPAIR
This property is located at 1370 West Gentile Street in a CP-1 (Planned Neighborhood Commercial) Zoning District. The applicant is Ryan Jones.

Long Range Planner, Peter Matson, presented the requested for conditional use at 1370 West Gentile Street in a CP-1 zone, stating that the applicant, Ryan Jones, proposes to occupy the rear/north portion of the building for his repair service. Mr. Matson gave an overview of the site and discussed the storage requirements and limitation of ten vehicles at a time for a proposed parking area behind the building. The vehicles must be operable and waiting for parts, repair or pickup. No permanent outdoor storage will be allowed.

Landscaping requirements in the front of building along Gentile Street were discussed including at least the minimum standard of an 8-foot wide landscaped strip and 3 deciduous trees. At least 25 percent of the landscaping must be turf grass, which can be low maintenance, must be planted.

The applicant proposes to operate from 8:00 a.m. to 6:00 p.m. Monday thru Friday, and 8:00 a.m. to 3:00 p.m. on Saturday.

Mr. Matson explained that since the west side of the building is against the property line of a neighbor, the typical buffering between residential and commercial uses is not possible. He said Staff recommends the Planning Commission waive the requirement for the buffer. The waiving of the buffer does not need to be part of the motion, but can be included in the documentation for the conditional use.

Mr. Matson also said the ordinance requires nine parking stalls which are included on the site plan for the east side of the building. Staff is recommending the following conditions for this conditional use request, with the Planning Commission recommendation that no more than 10 vehicles may be stored in the screened area to be added to condition #5.

1. The site is to be clear of weeds, junk, auto parts and debris at all times.
2. A final/updated landscape plan must be submitted for approval by the staff and installed before occupancy (with the extension provision for winter occupancy).
3. The business is required to provide at least 9 parking stalls for customers and employees.
4. There are to be no major auto repair services to be operated at the property, such as: engine machining, transmission repair, paint or auto body repair.
5. Customer vehicles waiting for service repairs or pick-up are only allowed to be stored in the designated screened area north of the building. The maximum number of cars in this area shall be 10.
6. Permanent outdoor storage is not permitted at this site.
7. The business is not allowed to park any vehicles on landscaping or on the street.
8. The applicant is required to comply with the sign ordinance, including permanent and temporary signage.
9. The structure must meet Building Code standards for change of use from agriculture to commercial use.
10. The business must comply with all Fire, Building, and Engineering Division requirements.

Mr. Matson reported that the property owner, Alex Hines, is aware of the conditions and stated he will comply with the conditions. Ashley Jones, 2846 South 1000 West, Syracuse, UT, representative for the applicant, said the applicant, Ryan Jones, had no questions about the conditions and would comply.

Commissioner Gilbert asked if the building needed to meet ADA requirements. Mr. Matson responded that ADA requirements would have to be met in order for the business to receive a business license.

There were no other questions or comments from the Commission or the audience.

Chairman Esplin called for a motion on the item. Commissioner Elinkowski moved that the Planning Commission granted conditional use subject to the applicant meeting all staff requirement including the addition of the 10 vehicle limit to Condition #5 with all conditions hereby adopted as requirements. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

4. PERRY HOMES – CONDITIONAL USE FOR A MODEL HOME FOR THE VILLAS AT HARMONY PLACE PRUD SUBDIVISION

This property is located at 2322 West Fieldstone Way in an R-S PRUD zoning district. The applicant is Perry Homes represented by Jeff Taylor.

Mr. Matson explained the phasing of the Villas at Harmony Place Subdivision and the location of the model home within the subdivision. He listed the conditions Staff recommends for the conditional use as follows:

1. When the subdivision is more than 80% developed or has been occupied as a model home for three (3) years, whichever comes first, the model home temporary conditional use must be removed.
2. Adequate off street parking is provided with customer parking in the driveway.
3. All lighting shall be maintained on-site.
4. Signage shall meet all City requirements.
5. A model home shall not be used as a general real estate office or construction management office for off-site developments.
6. All building and fire department requirements must be met.

Mr. Matson explained a correction to the staff report regarding signage. He explained that signage for a model home is based on the frontage of the home, and this model home would be allowed 42.5 square feet of temporary signage.

There was a discussion on off-street parking and the Commission recommended that the driveway of the model home be designated for customer parking. The recommendation will be added to condition #2.

There was a clarification on the lot number for the model home which is Lot 150.

There were no questions or comments from the Commission or the audience.

The applicant, Jeff Taylor, 950 Windriver Way was present and said he hoped the model home could be open by January.

Chairman Esplin called for a motion on the conditional use request. Commission Gilbert moved to grant conditional use approval subject to the applicant meeting staff conditions which are hereby adopted as requirements with the addition of the model home driveway being designated for customer parking and the allowable temporary signage being 42.5 square feet. Commissioner Pales seconded the motion, and the voting was unanimous.

Chairman Esplin called for a motion to close Public Review and adjourn the meeting. Commissioner Elinkowski moved to close Public Review and adjourn the meeting. The meeting adjourned at 7:32 p.m.


Julie K. Jewell, Planning Commission Secretary