

LAYTON CITY PLANNING COMMISSION MEETING MINUTES

TUESDAY, MAY 10, 2011

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

ALTERNATE MEMBERS PRESENT: Dawn Fitzpatrick

MEMBERS ABSENT:

ALTERNATE MEMBERS ABSENT: Jeremy Davis

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

Chairman Esplin called the meeting to order at 7:01 p.m. The Pledge of Allegiance was recited and an invocation was given by Commissioner Bodily.

Chairman Esplin called for a motion to approve the April 26, 2011, Planning Commission and Work Meeting Minutes. There were no additions or corrections to the minutes, and Commissioner Hazen moved to approve the minutes as written. Commissioner Pales 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. DALE CORPORATION/DUNCAN BARLOW LOT LINE ADJUSTMENT & REZONE – R-MH (Mobile Home Parks & Subdivision) to C-H (Highway Regional Commercial)

This 0.247 acre property will be combined with an adjacent C-H property at 377 North Main Street. The applicant/owner is Duncan Barlow representing Dale Corporation.

Planner II, Kem Weaver, explained that a conditional use had been approved for auto sales on the property zoned C-H which is adjacent to and owned by the same owner as the property proposed for rezoning from R-MH to C-H. Since the .247 acre property proposed for rezone to C-H does not meet the 20,000 square foot minimum lot size for the C-H zone, he said a lot line adjustment application had been submitted to combine the two parcels.

Mr. Weaver said Staff is requiring a development agreement with the rezone proposal. He referred to Article IV of the Development Agreement – Owner's Undertakings – which outlines the fencing and landscaping requirements.

Mr. Weaver said that based on consistency with the General Plan for commercial uses at this location on Main Street, Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the rezone from R-MH to C-H.

There were no questions from the Planning Commission.

The applicant and owner, Duncan Barlow, 377 North Main Street, stated that he didn't think he could fit the 8-foot landscaping buffer requirement in the front of the building with the number of parking spaces required. He took exception to the landscaping and fencing requirements initiated with the proposed rezone application and boundary adjustment.

Commissioner Weaver asked if Mr. Barlow was familiar with the Article IV Owners Undertakings of the development agreement, and Mr. Barlow responded that he had not seen the documents.

Commissioner Gilbert mentioned that when the conditional use was granted for the auto dealership, the required landscaping was postponed at that time because there was discussion of the rezone taking place. He said the conditional use was granted with the requirement that the landscaping be completed. Commissioner Gilbert explained that when the City gets a new usage for a property, the improvements must be consistent with any businesses coming in the area.

Mr. Barlow said the car dealership applicant had not informed him of the landscaping improvements that were required as part of the conditional use for the auto dealership.

Chairman Esplin reiterated Commissioner Gilberts comments and said ordinance requires the upgrades when a use changes.

Mr. Barlow replied that it may not be worth it to have the auto dealership on his property. He said he would talk with the tenant.

Chairman Esplin stated it may be best to table the request for rezone until Mr. Barlow has made a decision. Mr. Barlow wanted to move forward with the rezone.

Mr. Barlow was asked if he could make his decisions regarding the rezone by the June 2, 2011 City Council meeting. Mr. Barlow responded in the affirmative.

Chairman Esplin asked if the rezone request was withdrawn, what would the affect be on the landscaping requirements of the conditional use. Mr. Weaver replied that the landscaping would still be required, and Mr. Matson clarified that just the front landscaping would be required, but not the fencing or landscaping buffer in the back. However, the auto dealership would be limited to five vehicles.

Mr. Barlow responded that he understood. Mr. Weaver said he would get the conditional use requirements and development agreement to Mr. Barlow so that he could make a decision.

Commissioner Weaver asked about the requirement for the six-foot vinyl fence. Mr. Weaver responded that if Mr. Barlow decides not to rezone the property, then the fencing and landscaping buffer between the commercially zoned property and the residential property would not be required because the auto dealership would not be involved with the residential area.

Chairman Esplin called for a motion on the item. Commissioner Gilbert moved that the request for the rezone be tabled to the May 24, 2011, Planning Commission Meeting to allow the developer to review the conditional use requirements and the development agreement. Commissioner Pales seconded the motion which passed by a margin of four Commissioners in favor to two Commissioners opposed. Commissioners Pales, Weaver, Gilbert, and Bodily voted in favor of the motion, and Commissioners Elinkowski and Hazen were opposed.

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

PUBLIC REVIEW:

2. ADAM HAWKES – CONDITIONAL USE FOR A FAST FOOD EATING ESTABLISHMENT

This property is located at 423 North Main Street in a C-H (Highway Regional Commercial) zoning district. This property is owned by Haven Barlow, represented by Adam Hawkes.

Planner I, Andrew King, presented a request for conditional use for a fast food eating establishment at 423 North Main Street. He said the conditional use is only for the north part of the site which is a proposed relocation site for the Rancheritos restaurant. Mr. King said Home Depot has given approval for access to the subject lot through the Home Depot parking lot. Mr. King said all parking and landscaping requirements are met.

Mr. King said Staff recommends the Planning Commission approve the conditional use subject to the applicant meeting the following conditions:

1. All requirements from the Building, Planning and Engineering Divisions and the Fire Department are to be met.
2. All lighting is to be contained on site and meet the ordinance requirements on pole heights.
3. The dumpster is to be enclosed with masonry that matches the building and has an opaque gate.
4. Landscaping and parking requirements shall meet all Layton City ordinances.
5. All signage requirements including temporary signage are to be met.
6. All HVAC equipment shall be screened, whether on the roof or on the ground.
7. The design and architecture of the building shall include neutral or earth tone colors and be articulated with brick and or stone materials.

Commissioner Bodily asked if the Home Depot approval needed to be part of the conditions and suggested that Home Depot provide a letter of approval. Mr. King said he would include Home Depot approval in the conditions.

The applicant, Adam Hawkes, 387 West 350 South, Kaysville, stated he had received a copy of the conditions and was not opposed to adding Home Depot approval for access to the conditions. He asked for clarification of the screening of HVAC equipment, and Mr. King provided the clarification. Mr. Hawkes asked if the entire building had to be brick and stone, and Mr. King said the building did not have to be entirely brick and stone.

Chairman Esplin called for a motion on the item. Commission Weaver moved that the Planning Commission approve the conditional use subject to the applicant meeting the seven (7) conditions which are hereby adopted as requirements. Commissioner Gilbert seconded the motion. Commissioner Hazen asked that the motion be amended to add the eighth (8th) condition requiring the Home Depot approval for access through the Home Depot property. Commissioner Weaver amended the motion to add condition # 8, with this condition also being adopted as a requirement. Commissioner Gilbert seconded the motion, and the voting was unanimous.

3. LAYTON BEST WESTERN HOTEL – CONDITIONAL USE FOR A HOTEL

This property is located at 798 West 1425 North in a CP-3 (Planned Regional Commercial) zoning district. The applicant/owner is Dixon Pitcher.

Planner II, Kem Weaver, presented an overview of the proposed hotel area including the regional detention pond and a master planned trail hub site to be located in the area. He reviewed the following items regarding the hotel:

1. Elevations

The proposed hotel will have craftsman style architecture with the use of rock, and stucco (see attached elevations). Planning staff will ask that the colors be a range of earth tones and the roof be a dark green or something similar.

The hotel has dominate craftsman style columns on all four sides of the building. The hotel also has integrated pop outs, changes in the roof line (gables and sloping roof lines), drive entrance with an eyebrow canopy, awnings that add an accent to the craftsman style columns and stone veneer on major portions of the exterior.

2. Landscaping

The site only requires 10% landscaping. Existing landscaping is located along the frontage of 1425 North and through the parking area that resides on the hotel's property. The remaining landscaping is located at the front of the building within the new parking area and a minimal amount surrounding the building.

The proposed hotel backs onto the hub site for the pedestrian trail system in the area. This area that is currently being called a regional detention basin and owned by the City will eventually be landscaped, with possibly a well designed pond and a natural amphitheatre to be designed into the hillsides of the detention basin. As part of the master trail plan for this area, a portion of the trail that goes south towards the mall is proposed to run past the west side of the proposed hotel. Staff will require the 8 foot wide sidewalk to be placed within the hotel's landscaping on the west side; currently, this trail is not being shown on the landscape plan.

Planning staff has asked the architect of the project to change out some of the trees being proposed to trees that will have a more mature height due to the height of the building being at 60 feet. American Linden or Silver Linden tree were suggested to be used for the trees around the building.

3. Parking

The site has a proposal for 90 parking spaces; these include the existing spaces that stretch between the hotel parcel and 1425 North. The hotel has a proposal for 84 rooms which equates to 84 parking spaces. Any assembly area for the hotel cannot exceed 1200 square feet; by ordinance, a parking space is required for every 200 square feet of assembly area. With 6 parking spaces remaining from the room count this would limit the assembly area to 1200 square feet. However, if the hotel has cross easements with other parcel owners for parking in the commercial subdivision then they can have a larger assembly area.

4. Lighting

The planning staff has encouraged the architect to use up lighting on the exteriors of the hotel to enhance the look of the building at night. This may become important in the future when the detention basin behind the hotel is developed and becomes a civic gathering place. It will make the hotel stand out better and become a presence in the area.

Light poles are proposed at the front of the hotel building in the parking areas. Maximum height of the poles is 35 feet.

5. General

All dumpster locations will need to be enclosed with a masonry wall that matches or is similar to the architecture of the building. If any trash compactors are used instead of dumpsters they will have to be screened with an 8-foot masonry wall that matches or is similar to the architecture of the building.

Dock or cargo loading areas are not being shown on the plans; however, if there are dock or cargo loading areas they will need to be screened with an 8-foot masonry wall that matches the architecture of the building.

Mr. Weaver said that based on the information given, Staff recommends the Planning Commission approve the conditional use request for a hotel subject to the applicant meeting the following conditions.

1. A color palate for the proposed colors of the building shall be provided to the planning staff. Earth tone colors shall be used on the building.
2. The roof colors shall be a dark green or similar shade of color. Garish or bright colors are not allowed.
3. An 8 foot sidewalk to be used as part of Layton City's Master Trail Plan is to be installed along the west side of the hotel within the landscape area.
4. The proposed crabapple tree will need to be changed to a species with a 30 to 50 foot mature height.
5. Up lighting shall be used on the exterior of the building where the architect deems appropriate.
6. Maximum height for any detached light pole is 35 feet.
7. All dumpsters and or trash compactors shall be screened with masonry walls that are similar to the architecture of the building.
8. If cargo loading areas are to be constructed, then these areas will need to be screened with an 8 foot minimum masonry wall that is similar to the architecture of the building.
9. All engineering, building and fire requirements shall be met as outlined in staff memorandums to the property owner, architect and civil engineer.

Commissioner Hazen asked if the ordinance required a specific minimum size of tree caliper. Mr. Weaver responded that all deciduous trees be a minimum 2-inch caliper.

There were no questions from the Commission.

The applicant, Dixon Pitcher, 6470 South Bybee Drive, Ogden, pointed out the uplighting on the all of the columns of the proposed building. He spoke positively about the meandering sidewalk and required

landscaping. He stated he had not received a copy of the conditions but said he had no questions and would comply with all 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 of the conditions which are hereby adopted as requirements. Commissioner Pales seconded the motion, and the voting was unanimous.

4. COTTAGES AT CHAPEL PARK PHASE 2 – FINAL APPROVAL

This 3.50 acre property is located at approximately 200 South Whitesides Street in an R-1-6 (Single Family Residential) zoning district. The applicant, Ovation Homes, represented by Brad Frost, is proposing 14 lots.

Planner II, Kem Weaver, presented an overview of the location of the Cottages at Chapel Park Phase 2 as compared to other buildings and properties in the area. He said the proposed final plat will have 14 lots, with Parcel A being the detention basin at the southwest corner of the development.

Mr. Weaver explained that after preliminary approval, an additional lot had been created as the road in the development had been curved to line up with 315 South in order to avoid left turn lane problems on Whitesides Street.

Mr. Weaver also explained that because of the curve in the street, Lots 201 and 214 will be smaller. The development agreement will be amended to allow for a home with a 200 square foot smaller footprint (1300 square feet) than originally specified. The development agreement will also be amended to include the additional lot.

Mr. Weaver said that based on this information, Staff recommends the Planning Commission forward a positive recommendation to the City Council to give final approval to the Cottages at Chapel Park Phase 2 subject to the applicant meeting all recommendation in Staff reports.

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

Chairman Esplin called for a motion on the item. Commissioner Elinkowski moved to forward a positive recommendation to the City Council to approve the final plat of the Cottages at Chapel Park Phase 2 subject to the applicant meeting all Staff requirements as outlined in Staff memos. Commissioner Bodily seconded the motion, and the voting was unanimous.

Chairman Esplin called for a motion to close Public Review and adjourn the meeting. Commissioner Pales moved to close Public Review and adjourn the meeting. Commissioner Weaver seconded the motion, and the voting was unanimous.

The meeting adjourned at 7:49 p.m.



Julie Jewell, Planning Commission Secretary

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

TUESDAY, MAY 10, 2011

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

ALTERNATE MEMBERS PRESENT: Jeremy Davis, Dawn Fitzpatrick

MEMBERS ABSENT:

ALTERNATE MEMBERS ABSENT:

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

PUBLIC HEARING:

1. DALE CORPORATION/DUNCAN BARLOW LOT LINE ADJUSTMENT & REZONE – R-MH (Mobile Home Parks & Subdivision) to C-H (Highway Regional Commercial)

This 0.247 acre property will be combined with an adjacent C-H property at 377 North Main Street. The applicant/owner is Duncan Barlow representing Dale Corporation.

Planner II, Kem Weaver, explained that a conditional use had been approved for auto sales on the property zoned C-H which is adjacent to and owned by the same owner as the property proposed for rezoning from R-MH to C-H. Since the .247 acre property proposed for rezone to C-H does not meet the 20,000 square foot minimum lot size for the C-H zone, he said a lot line adjustment application had been submitted to combine the two parcels.

There was a discussion of the development agreement requiring an 8-foot landscape buffer on the Main Street frontage and a 20-foot landscape buffer between the C-H property and the mobile home park to the west. Mr. Weaver said the site has to meet the 10% landscaping requirement. He said if parking is angled there would be enough space for the 8-foot buffer on the Main Street frontage. The location of parking and landscaping buffers will be decided during a site plan review.

Commissioner Fitzpatrick asked if the car dealer wanted to expand his business if the Planning Commission would need to review the conditional use again. Mr. Weaver replied in the affirmative.

PUBLIC REVIEW:

2. ADAM HAWKES – CONDITIONAL USE FOR A FAST FOOD EATING ESTABLISHMENT

This property is located at 423 North Main Street in a C-H (Highway Regional Commercial) zoning district. This property is owned by Haven Barlow, represented by Adam Hawkes.

Planner I, Andrew King, presented the request for conditional use for a fast food eating establishment for the relocation of the Rancheritos Restaurant. He said a letter of approval had been received from Home

Depot for access through the Home Depot property. The applicant is attempting to get permission from the Utah Department of Transportation for an access to the property off Main Street. The applicant is planning a future subdivision of the property into two 20,000 square foot lots. The conditional use proposed is based on a legal description for just the northern half of the lot.

Mr. King said Rancheritos is a Utah owned franchise. He listed the following conditions being required for the conditional use permit:

1. All requirements from the Building, Planning and Engineering Divisions and the Fire Department are to be met.
2. All lighting is to be contained on site and meet the ordinance requirements on pole heights.
3. The dumpster is to be enclosed with masonry that matches the building and has an opaque gate.
4. Landscaping and parking requirements shall meet all Layton City ordinances.
5. All signage requirements including temporary signage are to be met.
6. All HVAC equipment shall be screened, whether on the roof or on the ground.
7. The design and architecture of the building shall include neutral or earth tone colors and be articulated with brick and or stone materials.
8. Home Depot to provide written approval of project.

With regard to condition #7, Commissioner Fitzpatrick commented that the Rancherito's typical building colors were white, green and red. Mr. King responded that the applicant had no concerns with Staff's request for neutral colors.

Mr. King said Staff recommends the Planning Commission approve the conditional use request.

3. LAYTON BEST WESTERN HOTEL – CONDITIONAL USE FOR A HOTEL

This property is located at 798 West 1425 North in a CP-3 (Planned Regional Commercial) zoning district. The applicant/owner is Dixon Pitcher.

Planner II, Kem Weaver, presented the request for conditional use for a four-story, 84-room Best Western Hotel. Mr. Weaver described the proposed elevations for the hotel. He said the back side of the hotel would need to be attractive since the hub for the master trail plan in the area connecting hotels, theaters, conference center and the mall would be at the detention basin for the proposed hotel site and the Home 2 Suites. The landscaping and architecture of the hotel would tie in with the design of the trail system. The site would be connected to 1425 North by an 8-foot side walk.

Mr. Weaver explained the parking requirements and said cross access easements would be required for overflow parking. With regard to landscaping, Mr. Weaver said Staff was asking for the proposed crab apple trees to be changed to taller trees that would complement the mass of the structure. Mr. Weaver said that uplighting would show off the features of the building. He said that light poles could not be higher than 35 feet. Masonry walls matching the architecture of the buildings would be required to enclosed dumpsters and to screen trash compactors. The following are the nine conditions required for this conditional use permit.

1. A color palate for the proposed colors of the building shall be provided to the planning staff. Earth tone colors shall be used on the building.
2. The roof colors shall be a dark green or similar shade of color. Garish or bright colors are not allowed.

3. An 8 foot sidewalk to be used as part of Layton City's Master Trail Plan is to be installed along the west side of the hotel within the landscape area.
4. The proposed crabapple tree will need to be changed to a species with a 30 to 50 foot mature height.
5. Up lighting shall be used on the exterior of the building where the architect deems appropriate.
6. Maximum height for any detached light pole is 35 feet.
7. All dumpsters and or trash compactors shall be screened with masonry walls that are similar to the architecture of the building.
8. If cargo loading areas are to be constructed, then these areas will need to be screened with an 8 foot minimum masonry wall that is similar to the architecture of the building.
9. All engineering, building and fire requirements shall be met as outlined in staff memorandums to the property owner, architect and civil engineer.

Commissioner Weaver asked if the site was currently used as a detention basin. Mr. Weaver said it was not and reviewed where the detention pond would be placed. The entrance to the property was noted, and Mr. Weaver said each parcel in the development could have one detached sign. In response to Commissioner Bodily's question about the neighboring Iggy's restaurant, Mr. Weaver said the restaurant owner had responded favorably to the proposed hotel.

4. COTTAGES AT CHAPEL PARK PHASE 2 – FINAL APPROVAL

This 3.5 acre property is located at approximately 200 South Whitesides Street in an R-1-6 (Single Family Residential) zoning district. The applicant, Ovation Homes, represented by Brad Frost, is proposing 14 lots.

Planner II, Kem Weaver, said the final plat for the Cottages of Chapel Park Phase 2 consists of 14 lots on 3.5 acres. He presented an overview of existing residential property and church property in the area.

Mr. Weaver explained that after preliminary approval an additional lot had been added as the road in the development had been curved to line up with 315 South in order to avoid left turn lane problems on Whitesides Street.

Mr. Weaver also explained that because of the curve in the street, Lots 201 and 214 will be smaller. The development agreement will be amended to allow for a home with a 200 square foot smaller footprint (1300 square feet) than originally specified. The development agreement will also be amended to include the additional lot.

Mr. Weaver said the detention pond for Phases I and II of the development will be located in the southwest corner of Phase II. He explained where the stub streets would be located including a stub street into property to the north.

In answer to Commissioner Fitzpatrick's question as to whether the temporary turn around in Phase I would be built since Phase II is being reviewed for approval. Mr. Weaver answered that the developer would still be required to install the temporary turnaround in Phase I to be torn out when Phase II is ready for development.

Commissioner Hazen asked if the Catholic Church to the south had requested an access to the subdivision. Mr. Weaver said they had not asked and it wouldn't be logical for the subdivision to enter the Catholic Church site.

In answer to Chairman Esplin's question as to why it appeared there was construction on Phase II as well as Phase I. Mr. Weaver replied that the utilities had to be put in from Phase I to Whitesides Street on the west of Phase II.

There were no other questions.

OTHER:

Chairman Esplin asked for an update on the proposed In N Out Burger. Kem said signage issues are currently under discussion.

The Commission asked Staff to review the following conditional uses:

- Andrescapes – equipment that is being left out, piles of materials in landscaped area, enclosure of car port area and if there was a permit for the enclosure
- Natural Gas Conversion facility – pickup trucks by delivery dock

City Planner, Peter Matson, reported that Power Train Performance on West Gentile had until June 1, 2011 to complete conditional use requirements.

Commissioner Fitzpatrick asked about the West Layton Village plan and Mr. Matson responded that an addendum is being done to the original contract to allow for a mock application of the ordinance with the mock application likely to occur during the third week of June.

Commissioner Hazen asked about allowing bee keeping in Layton.

Commissioner Gilbert asked for an update on the proposed WINCO store, and Mr. Wright reported on his conversation with Ty Morrison of WINCO who said there would possibly be a groundbreaking in March of 2012.

Commissioner Bodily asked about other development on the site and Mr. Wright responded that it was likely other development would wait and possibly open the same time as the WINCO store.

Mr. Matson reported that Dinners by Diana currently in Fort Lane Village was looking at other sites.

Mr. Wright reported that Petsmart was relocating from Walmart to the commercial subdivision on the southwest corner of Main and Hillfield Road (former Bed Bath & Beyond building).

There was a discussion of Layton Parkway and also a discussion on future possible connections of Antelope Drive and Gordon Avenue to Highway 89.


Julie Jewell, Planning Commission Secretary