

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

TUESDAY, JUNE 14, 2011

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

ALTERNATE MEMBERS PRESENT: Jeremy Davis, Dawn Fitzpatrick

MEMBERS ABSENT: Brian Bodily, Kristin Elinkowski

ALTERNATE MEMBERS ABSENT:

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

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, said the applicant had concerns with the landscaping requirement on the street front of his property. Mr. Weaver said the applicant has asked for the rezone request to be tabled again, however, if the property is not rezoned and the conditions for the conditional use for the car dealership are not met, the conditional use will be revoked.

Commissioner Gilbert asked for a landscape plan to be drawn up and reviewed before the rezone request is put on the agenda. Mr. Weaver said the rezone would be tabled to June 28, 2011; however, he would talk with the applicant about withdrawing his request for the rezone prior to the June 28 Planning Commission Meeting.

PUBLIC REVIEW:

2. WHISTLESTOP – CONDITIONAL USE FOR A CONVENIENCE STORE

This property is located at approximately 64 South Main Street on Lot 4 of the Kays Crossing Subdivision. The applicant/owner is Larry Hill.

Mr. Weaver presented a request for conditional use for a convenience store to be located between the apartment buildings to be built at Kays Crossing at approximately 60 South Main Street and the UTA (Utah Transit Authority) commuter rail station.

Mr. Weaver said the applicant is proposing the main level as the convenience store with office space on the upper level and storage in the basement. He said the plans for the store would be reviewed by the Design Review Committee (DRC) with a recommendation from the DRC to be reviewed and approved by the Planning Commission.

Mr. Weaver said the applicant is also planning for a RedBox kiosk on the site, which the applicant said would most likely be located on the outside of the store. Mr. Weaver said if the kiosk is placed outside the store, it will have to meet kiosk guidelines and be placed 100 feet from the apartment building.

There was a discussion regarding the landscaping requirements for kiosks.

The applicant, Larry Hill, stated he wasn't planning on selling alcohol from this store. He said the store would open at approximately 5:00 a.m. but would most likely not be open late at night.

Commissioner Fitzpatrick asked when the apartments would be finished. Community & Economic Development Director, Bill Wright, said the apartment developer wants to begin construction in the fall. The utilities for the convenience store would be constructed with the apartment complex.

3. WEAVER PARK SUBDIVISION – PRELIMINARY APPROVAL

The applicant is proposing 52 lots on 18.445 acres located at approximately 800 West Weaver Lane in an R-1-8 (Single Family Residential) zoning district. The property owner is Dix Roberts represented by Ed Green.

Mr. Weaver said the applicant had been waiting to resolve issues with the Chevron/Texaco easement adjacent to the UTA right of way on the east side of the property. Chevron/Texaco has provided stipulations that will be included on the final plat particularly that no fences, sheds, or large trees would be allowed within the easement.

Mr. Weaver gave an overview of the subdivision and stated that parcel A, in the southwest corner of the property by Weaver Lane, is to be dedicated as a storm drain detention basin. The detention basin must be landscaped with possibly a split three-rail fence and trees along the Weaver Lane frontage to be maintained by the subdivision's HOA (Home Owner's Association).

4. CHRISTOPHER NORTON – CONDITIONAL USE FOR A MOBILE STORE SITE

This property is located at 698 North Main Street on the C & B Maddox site. The applicant, Christopher Norton is representing the owner, Ben Maddox, and proposing a mobile store site for Southern Smoke BBQ.

Planner I, Andrew King, presented the request for a mobile store site for outdoor barbequing. The applicant is proposing to grill at the C & B Maddox business site on Friday evenings. Mr. King said that there are five parking stalls on site, but with the Maddox business being primarily drive-thru, parking for the barbequing should be well accommodated on the site.

Mr. King explained that code requires an eight-foot landscaping strip along Main Street, and the applicant will not be able to operate in the landscaping strip.

Commissioner Gilbert asked if Friday nights and summer only operation should be added as a condition of approval. Mr. King explained that other mobile stores can operate seven days a week. Mr. Gilbert said he felt there could be parking issues, and Mr. King responded that there were no parking requirements for mobile stores.

Commissioner Fitzpatrick asked about restroom access, and Mr. King said Maddox is granting permission for use of their restrooms.

OTHER:

Mr. King reported that he had visited the C.A.L. Ranch store site. He said the applicant had concerns with placing large trees in the landscaping strip since his store sign is only 20 feet high. The spacing and size of the trees being required would limit the view of the sign. Mr. King stated there were other trees in the landscaping areas near the drive entrances that Staff had not previously considered. If these trees are included in the number of required trees, the applicant could put additional trees in planter islands at the end of each row of parking to meet the landscaping requirement.

There was a discussion on the visibility of signage and placement of trees in the landscaping.

The Commissioners remarked that the applicant had done a good job in increasing the fence height to 10 feet.

Commissioner Weaver asked if the Police Department had responded regarding the facing of the barbed wire strands at the top of the fence. Mr. King said the Police Department said that the general practice is to face the barbed wire in the direction from which entrance it trying to be prevented.

Mr. King asked the Commission if they had any issues with putting the trees at the ends of the parking lanes. Commissioner Weaver asked if the applicant put the trees in the parking stall area rather than along the frontage if they would be in violation of ordinance. City Planner, Peter Matson, explained the difficulties with planting trees on the slope on the frontage of the property. Mr. Weaver said that although trees are typically clustered along the frontage, this proposal would spread out the trees in the landscaping and provide shade for the parking area. Mr. Wright said that the proposal for trees at the end of the parking stalls was a good balance for obtaining landscaping objectives. He felt it would not be advantageous to plant landscaping that would block the sign.



Julie Jewell, Planning Commission Secretary

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MEMBERS ABSENT: Brian Bodily, Kristin Elinkowski

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

Planning Commission Chair, Sharon Esplin, called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and an invocation was given by Commissioner Fitzpatrick.

Chairman Esplin called for a motion to approve the May 24, 2011, Planning Commission and Work Meeting minutes. There were no additions or corrections to the minutes. Commissioner Gilbert moved to approve the May 24, 2011, minutes as written. Commissioner Fitzpatrick 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 Weaver 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.

Chairman Esplin said the applicant, Duncan Barlow, had asked that the request for rezone be tabled to the June 28, 2011, Planning Commission Meeting. Chairman Esplin asked for audience comments, and there were no comment.

Chairman Esplin called for a motion on the item. Commissioner Hazen moved to table the rezone request to June 28, 2011. Commissioner Pales seconded the motion, and the voting was unanimous.

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

PUBLIC REVIEW:

2. WHISTLESTOP – CONDITIONAL USE FOR A CONVENIENCE STORE

This property is located at approximately 64 South Main Street on Lot 4 of the Kays Crossing Subdivision. The applicant/owner is Larry Hill.

Planner II, Kem Weaver, presented the request for conditional use for a convenience store in the MU-TOD zone. The store is proposed to be located between the apartment complex planned for the area and the UTA (Utah Transit Authority) commuter rail station. Mr. Weaver reviewed the design, usage, and elevations of the building and said the building design would be reviewed by the DRC with the final recommendation of the DRC being forwarded to the Planning Commission. Mr. Weaver said that part of the retail space would incorporate a kitchen area to sell breakfast items in the morning to commuters and apartment residents and pre-made dinners in the evening. Due to the sale of food items, the applicant would be required to work with the Davis County Health Department for licensures and inspections. The building would also have to meet all Fire and Building codes.

Mr. Weaver explained the guidelines the RedBox kiosk would have to meet. He gave an overview of parking requirements stating that most of the 17 required spaces would be located south of the store, and an agreement with the owner of the apartment building would allow access to parking north of the store.

Mr. Weaver said the landscape plan for the project will be reviewed by the DRC and be part of the development plan to be approved by the Planning Commission.

Mr. Weaver said Staff recommends the Planning Commission approve the conditional use based on the following requirements:

1. The building shall have a mixture of exterior materials including stucco, hardiboard and stone veneer.
2. The exterior colors of the building shall be of earth tone colors.
3. The business owner shall work with the Davis County Health Department for the kitchen use with regards to inspections and licensures.
4. The kitchen area shall meet applicable Building and Fire codes.
5. Any outdoor kiosk shall be located 100 feet from a residential structure.
6. Any kiosk shall have the appropriate utility connections and inspections.
7. Any outdoor kiosk shall have a reasonable amount of landscaping as determined by City staff.
8. Any outdoor kiosk shall be kept clean, neat and orderly.
9. Any outdoor kiosk shall be illuminated for public safety.
10. A landscape plan is required for review during the development plan review and approval.
11. Any form of outdoor storage is strictly prohibited.
12. Trash receptacles or dumpsters shall be screened from public view by a 6-foot masonry enclosure that architecturally matches the retail building.
13. All Engineering, Building and Fire requirements shall be met as outlined in staff memorandums to the applicant, architect and civil engineer.

The applicant, Larry Hill, said he had received a copy of the conditions and said that he agreed with them.

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

Commissioner Pales moved that the Planning Commission approve the request for conditional use subject to the application meeting all Staff conditions which are hereby adopted as requirements. Commissioner Hazen seconded the motion, and the voting was unanimous.

3. WEAVER PARK SUBDIVISION – PRELIMINARY APPROVAL

The applicant is proposing 52 lots on 18.445 acres located at approximately 800 West Weaver Lane in an R-1-8 (Single Family Residential) zoning district. The property owner is Dix Roberts represented by Ed Green.

Mr. Weaver presented an overview of zoning in the area of the Weaver Park Subdivision. He said the preliminary plat proposes 52 lots on 18.445 acres, which is a density of 2.82 units per acre and lower than the typical R-1-8 zone with 4 units per acre. Mr. Weaver also outlined the roadways in the subdivision stating that the roads will be 58-foot right of ways meeting the new ordinance requirements for street width and block length. He explained that the storm basin required in the southwest corner of the development will catch storm water for the entire subdivision and then meter the storm water out into the Weaver Lane storm drain system. He said the detention pond must be landscaped with trees in the flatter portion at the top of the berms, and a split 3-rail fence along the sidewalk on Weaver Lane. In addition, there will be trees planted in the park strip along Weaver Lane.

Mr. Weaver reviewed the Chevron/Texaco easement stating that notes will be included on the final plat and in the covenants to be recorded for the subdivision, stating that no fences, sheds, or large trees would be allowed within the easement. An HOA will maintain the detention basin.

Mr. Weaver said all lots meet the requirements for the R-1-8 zone with regard to lot size and frontage. He said Staff recommends the Planning Commission approve the preliminary plat, which does not have to be approved by the City Council, subject to the applicant providing covenants with the final plat of each phase of the subdivision.

There were no questions or comments from the Commission.

An audience member, Drew Weidman, 1052 West 450 South, asked for an explanation of streets connections. The street connections were explained by Mr. Weaver.

Duane Snyder, 635 South 935 West, expressed concerns regarding water pressure. His name, address, and phone number were recorded and passed on to the Layton City Engineering Division to investigate any water pressure problems.

The developer, Ed Green, 2150 North Valley View Drive, explained how the water pressure should improve with the new construction.

Mr. Snyder also expressed concerns about the preliminary plan being different from the conceptual plan as far as the location of the detention pond is concerned. He also expressed concerns about the pond's ability to hold storm water and possible flooding.

Mr. Green explained that the pond capacity is determined by an engineer and explained how the water will be metered out of the detention pond. Mr. Weaver explained that plans aren't set at the conceptual stage and may change with the preliminary submittal.

Pat Snyder expresses concerns that homes would be built behind her property rather than the detention pond being located behind her property.

Dan Pitts, 550 South 931 West, expressed concerns about the traffic, which concerns were addressed by Commissioner Fitzpatrick.

Mr. Green clarified that the fence would not be a "split rail fence," which is wooden, but would be a vinyl rail fence.

There were no other questions or comments. Chairman Esplin called for a motion on the item. Commissioner Davis moved that the Planning Commission approve the preliminary plat for Weaver Park subject to the applicant providing covenants with the final plat of each phase of the subdivision and subject to meeting all Staff requirements as outlined in Staff memos. Commissioner Gilbert seconded the motion, and the voting was unanimous.

4. CHRISTOPHER NORTON – CONDITIONAL USE FOR A MOBILE STORE SITE

This property is located at 698 North Main Street on the C & B Maddox site. The applicant, Christopher Norton is representing the owner, Ben Maddox, and proposing a mobile store site for Southern Smoke BBQ.

Planner I, Andrew King, explained the process of a conditional use for a mobile store. He said Staff recommends the Planning Commission approve the conditional use subject to the applicant meeting all Staff conditions.

Commissioner Weaver asked about advertising for the mobile store. The applicant, Christopher Norton, 5446 South 4275 West, Roy, and the owner, Ben Maddox, 1598 East 275 North, Layton, said there would be just a small sign located on the barbeque. Mr. King explained allowable signage and locations.

Mr. King had e-mailed a copy of the conditions to Mr. Norton, but Mr. Norton had not read them. Mr. King read the conditions as follows:

1. All requirements and/or conditions from the Fire Department, Building and Engineering Divisions are met.
2. All planning and zoning regulations are maintained including but not limited to buffers, signage for mobile stores and lighting.
3. Any mobile store on the site shall be set back from the sidewalk at least eight (8) feet, out of what would be considered the required landscape strip.

Mr. Norton had no questions regarding the conditions. There were no questions from the Commission or the audience.

Chairman Esplin called for a motion on the item.

Commissioner Gilbert moved that the Planning Commission grant conditional use approval for the mobile store subject to the applicant meeting all the conditions which are hereby adopted as requirements. Commissioner Pales seconded the motion, and the voting was unanimous.

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

The meeting adjourned at 7:50 p.m.



Julie Jewell, Planning Commission Secretary