

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

JUNE 24, 2014

MEMBERS PRESENT: Brian Bodily, Dawn Fitzpatrick, Gerald Gilbert, Dave Weaver, L.T. Weese

MEMBERS ABSENT: Wynn Hansen, Brett Nilsson, Robert Van Drunen

OTHERS PRESENT: Staff Members: Peter Matson, Kem Weaver, Brandon Rypien, Andrew King, Tyson Willis, Julie Matthews, Councilmember Tom Day, Councilmember Joy Petro

1. JUSTIN MANNING – CONDITIONAL USE FOR A VETERINARY CLINIC

This property is located at 166 South Fort Lane in a CP-2 (Planned Community Commercial) zoning district. The applicant, Justin Manning, is representing the property owner, Kevin Garn.

Planner I, Brandon Rypien, presented the request from applicant, Justin Manning, for a veterinary clinic in the Fort Lane Village Subdivision in the former Zion's Bank building, which has been vacant for several years. He said landscaping needs to be installed and the parking lot restriped. He said the property is in the CP-2 zone (Planned Community Commercial), which restricts the clinic from having outdoor pens. The applicant has stated that on rare occasions, animals would be kept overnight, and if so, they would be indoors.

Commissioner Weaver asked if a grassed area would be available for the animals and pet owners' convenience. Mr. Rypien said he would ask the applicant during the regular meeting about the landscaping plan.

Commissioner Weaver asked about an ordinance that was discussed with a previous conditional use regarding a requirement to double bag waste from the clinic. Planner I, Andrew King, said a section was added to the ordinance specific to the CP-1 zone, but that an additional ordinance could be proposed to add the double bagging requirement to the CP-2 zone.

City Planner, Peter Matson, said the questions regarding scope of services, which the applicant states would be spay, neuter and vaccinations, as well as overnight stays and waste disposal, could be asked to the applicant during the regular meeting.

Commissioner Fitzpatrick expressed concerns about the applicant investing in the property since it would possibly not be long term if Fort Lane Village develops.

There was a discussion regarding the landscaping, and Mr. Rypien said that one of the conditions was that the property be weed free.

Commissioner Fitzpatrick asked if the applicant had requirements for mitigating barking dogs. Chairman Gilbert said that if the neighbors complain, then code enforcement would consider the complaint under the nuisance code.

2. GREYHAWK TOWNHOMES NORTH PRUD– PRELIMINARY APPROVAL

This 23.25 acre property is located at approximately 3260 North 1700 East in an R-M1 PRUD (Low/Medium Residential Planned Residential Unit Development) zoning district. The applicant, Travis Taylor, representing the owner, Ed Green, is proposing 114 townhome units.

Planner II, Kem Weaver, presented the request for preliminary approval for the Greyhawk Townhomes North, PRUD. He said the project was approved by the City Council in October, 2012. This preliminary approval has subsequently expired according to ordinance since no progress was made within the year following approval. The applicant, Travis Taylor, is now required to re-apply and to receive preliminary plat approval from the Planning Commission and City Council again.

Mr. Weaver read a letter from Assistant City Attorney, Steve Garside, which stated the subject property is vested and already has multi-family zoning in place. Therefore, Resolution 14-07, which puts a hold on multi-family housing development while Staff studies multi-family housing in Layton, does not apply to the Greyhawk Townhomes PRUD development.

Commissioner Bodily asked why there was a delay in moving forward with the development. Mr. Weaver said it was HUD financing driven, however, the developer anticipates securing financing within the next few months.

Commissioner Gilbert asked if there had been any changes with regard to density and number of units since the original preliminary approval. Mr. Weaver said there were no changes from the approval in October 2012.

Councilmember Day asked for clarification on approval extensions. City Planner, Peter Matson said that a preliminary approval cannot be extended. Mr. Weaver said with regard to final approvals, the Zoning Administrator can approve the first extension. The City Council must approve subsequent extensions.

Commissioner Fitzpatrick asked if the garages were rear-loaded. Mr. Weaver said the garages would be rear-loaded and detached.

Commissioner Bodily asked about the sediment basin. Mr. Weaver said it was not a detention pond but acts like one during construction.

Commissioner Fitzpatrick asked if there was still a trail through the project. Mr. Weaver said there would still be a trail. She also asked if a geotechnical survey had been done and if any of the development would be where the landfill had been. Mr. Weaver said the survey had been done and that development was not located in a landfill area.

With regard to density, Mr. Weaver said the annexation agreement for the property allowed for a total of 256 units. He said the south portion of the townhome project has 137 units, which are individually owned. The North townhome project will have 114 leased units in the amended preliminary plat. This would bring the total number of units to 251.

Chairman Gilbert asked if the 114 units in this project were included in the current multi-family study. Mr. Weaver replied in the affirmative.

CONDITIONAL USE UPDATES

Mr. Matson said the Code Compliance Officer, Shannon Hansen, is enforcing on snow shacks out of compliance. He said there should be a quite drastic change in enforcement once Ms. Hansen can monitor code compliance full time. Planners have been working with Ms. Hansen to bring her up to speed on regulations, and he said she is doing a good job of picking up on the requirements.

Commissioner Fitzpatrick asked if Ms. Hansen had to be certified like police officers. Associate City Attorney, Tyson Willis, said she would have to be certified to issue citations on site, but not to send letters.

Planner I, Andrew King said conditional use reviews will be on the July 8, 2014, agenda and that Midnight Euro deadline to be in compliance is July 9, 2014. The Midnight Euro owner has submitted a formal application for a conditional use modification and will bring all other items into compliance before the modification is reviewed.

Mr. Rypien, said Dave Andre of Andrescapes is asking for a conditional modification for the landscape buffer behind the fencing and the requirement to park vehicles under the awning. Mr. Rypien told him if he wants the Commission to consider those two requests, then all other requirements must be met.

Commissioner Gilbert commented on the unfinished fence and the storing of items behind B & R Rides. Commissioner Bodily said there were a lot of cars out in the street. Mr. Rypien said he would check on the site the next day. Commissioner Gilbert said he is not looking to bring B & R Rides in for a conditional use review and said that the owner had done a good job.

Chairman Gilbert asked for an update on the pool company's outdoor storage. Mr. Matson said the owner had been approved for an outdoor storage area in the industrial area of the City and whatever the court had mandated be removed from the property was supposed to go to the new location.

There was a discussion about storage sheds being stored and sold on a car sales site. Mr. Matson said there had been a case started on that issue.

3. PRECISION ASPHALT MAINTENANCE INC. – CONDITIONAL USE FOR A OUTDOOR STORAGE/CONTRACTOR'S STORAGE YARD

This property is located at 201 East 2150 North in an M-1 (Light Manufacturing/Industrial) zoning district. The applicants, Aaron Martinez and Jayce Schneider from Precision Asphalt Maintenance, are representing the owner, Chris Loock.

Mr. King presented the request for outdoor storage. He reviewed the zoning and development in the area and said the property is inside the Accident Prevention Zone (APZ). He said Precision Asphalt wants to store their trucks, fuel tanks for trucks, a limited amount of asphalt products and a shed on the property, which are the items they need for operation.

Mr. King said the applicant stated workers will come at 6:30-7:00 a.m. in the morning, take trucks and be gone for the day. Mr. King told the applicant that the noise ordinance is in place until 7:00 a.m. and there can be no running of equipment prior to that time. One of the conditions state that no noise shall be heard from residentially zoned property.

Mr. King said the outdoor storage area is on an area where there is an approved building and improved site plan. The applicant is being required to put in the landscaping and buffers as part of the site plan. He

said according to the application, the applicant will have on site drainage and an onsite oil and grease separator to keep the products from getting mixed in with the water.

Mr. King said he had met with the owner and applicant. The property owner said his future intent was to build out the development. He didn't want to install an eight-foot masonry wall for screening and then have to take it down when buildings are built.

Chairman Gilbert asked why this applicant was being required to have so much screening when the Energy Savers business has four trucks and a semi-trailer parking in the gravel and weeds. He mentioned the limitations put on Got Storage for what the public can see and said that on this property, it seems that a warehouse is being emptied.

Mr. King said Precision Asphalt came to the City's attention through a business license. They asked for outdoor storage, which triggered the conditional use process. He said when a business just has vehicles, outdoor storage is not required in the M-1 zone.

Mr. King said he told the owner, Chris Loock that the parking had to be on an improved surface. Mr. Loock said he did not want to be the one to be made an example, and his trucks will park in the parking lot.

Mr. Loock said that more than anything, Precision Asphalt needs to park their vehicles. With regard to the conditional use he said he was not excited to spend \$50,000 on improvements for something that will be torn down in a year. If he was required to do all the masonry fencing, then he may want two weeks to decide what to do.

Chairman Gilbert asked the applicants about what their options were and the applicant related the needs for his business both for location and storage.

Chairman Gilbert asked if there was a memo from the Fire Department. Mr. King said the Fire memo mostly addressed the fuel storage tanks.

The applicant said he could seek alternative places for the fuel tanks. He said they do not bring in hot asphalt but they have seal coat, which would be in the trucks. He said the crack seal is heated on the way to the job. They do not stock pile or dump asphalt but they have brought in asphalt millings to improve the surface. He said the diesel was the only dangerous product and he would move the fuel tanks if they are a problem.

Commissioner Weaver asked the applicant if when he started setting the yard up if he was unaware of the conditional use. The applicant said they found out about the conditional use when they applied for the business license. He said he wanted to be in Layton but could not pay for all of the improvements.

There was a discussion about landscaping options.

Mr. King asked the owner and applicant if they wanted to move forward with the conditional use request or table the request and look for an area that would allow this type of storage.

Mr. Loock said he did not want to do all the improvements as they are required and doesn't want to be approved for that.

Commissioner Fitzpatrick expressed her concerns with fuel tanks, the residential area and other buildings.

Chairman Gilbert said that Hill Air Force Base (HAFB) approval is usually acquired before conditional use approval. Mr. King said he had talked to the HAFB planner who indicated this use would not be an issue.

The applicant said he was okay with tabling the request to the July 8, 2014, meeting.


Julie K. Matthews
Planning Commission Secretary

