

LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES

NOVEMBER 25, 2014

MEMBERS PRESENT: Brian Bodily, Dawn Fitzpatrick, Gerald Gilbert, Wynn Hansen, Brett Nilsson, Randy Pulham, Robert Van Drunen, Dave Weaver

MEMBERS ABSENT: L.T. Weese

OTHERS PRESENT: Staff: Peter Matson, Kem Weaver, Steve Garside, Julie Matthews

City Council Member: Tom Day

1. WILLOW BEND COMMERCIAL CONDOMINIUM PLAT – FINAL APPROVAL

This .42 acre property is located at 489 West 2275 North in a PB (Professional Office) zoning district. The applicant, Bob Stevenson, is proposing to separate ownership between three entities that will occupy the building.

Planner II, Kem Weaver, presented the request for final approval for the Willowbend Commercial Condominium plat. He said there were three owners of the building who would each have ownership of their individual suite as well as the common area. He said there would be an HOA responsible for the parking and landscaping in the common area.

Commissioner Bodily asked about a triangular piece that is the detention area. Mr. Weaver said there had been a land swap that had provided storm water detention for that area.

There was a question about the zoning of the adjacent property, which Mr. Weaver said was currently zoned agriculture. Commissioner Weaver asked why there were four gas meters on the building and only three owners. Councilmember Day said that a portion of one of the suites would be rented out, which may be the reason for the fourth meter.

2. CASTLEBROOK COMMERCIAL SUBDIVISION – FINAL APPROVAL

This property is located at 930 West Antelope Drive in a CP-2 (Planned Community Commercial) zoning district. The applicant, Elliott Smith, is requesting approval for a three-lot commercial subdivision.

Mr. Weaver presented the request for final approval for the Castlebrook Subdivision. There was a discussion about obtaining memorabilia from the site when it was demolished.

Mr. Weaver said the reason the final plat was being requested for the three lot Subdivision was because the plat was not going to change. Popeye's Chicken wanted ownership of the lot where its restaurant would be built.

He said the conditional use was approved in June of 2014. He said that two restaurants were now being built on Lot 3, Pizza Revs and Moe's. Verizon will be built on Lot 1 rather than Corner Bakery. There was a discussion about traffic and the possibility that Verizon would have less traffic.

There was a discussion about Mimi's and McGrath's vacant buildings.

Commissioner Weaver asked if there was a detention basin planned. Mr. Weaver said there would be one on both Lots 1 and 2.

The question was asked if there was a landscaping plan to prevent headlight glare. Mr. Weaver said the landscaping plan was approved with the conditional use in June.

Commissioner Hansen asked if there still would be a wall in the curve of the drive thru. Mr. Weaver said nothing had changed from the approval.

There were no other questions.

OTHER:

Commissioner Fitzpatrick expressed a concern that Home Owners Associations are being required to maintain improvements that benefit the entire City.

City Planner, Peter Matson, talked about the Envision Utah kickoff on January 6 from 4:30 to 6:00 p.m.

Mr. Matson said that in future meetings the land use authority ordinance would be discussed as well as the proposed sign ordinance amendments. He also outlined upcoming training.

Chairman Gilbert asked that the sign ordinance, when it is before the Planning Commission again for review, not be voted on at the same meeting as the review.

The Commissioners will be given a copy of the proposed amendments prior to the review. Mr. Matson said former Planner I, Andrew King, had prepared a comparison of the current ordinance and proposed ordinance with provisions relative to temporary signage for car dealerships.

Commissioner Fitzpatrick asked if it would be possible to see what Main Street would look like if all the businesses put up the signage that would be allowed with the ordinance change. Mr. Matson said that would be possible.

There was a discussion regarding shared solutions for transportation.

Commissioner Hansen asked Staff to look at the site west of Andrescapes and the boats and vehicles that were being stored on the property.

Mr. Matson said Shannon Hansen (Code Compliance Officer), Bill Wright (CED Director) and Kent Andersen (Deputy CED Director) had talked with the business owner and there were certain things he was allowed to have on the property and certain things he had to remove. He said the business owner

has certain things he can do by right of the zone and certain things that are related to the conditional use.

Mr. Matson said he would have the Code Compliance officer check on the situation, and he would report back to the Commission.

Commissioner Hansen asked if Staff was not going to do anything about the semi trucks on Fort Lane and Gentile Street until WinCo begins construction. Commissioner Van Drunen said there were 32 trucks on the property.

It was suggested that no parking signs be posted on the property. Assistant City Attorney, Steve Garside, said the City does not have the authority to post signs because it is private property and permission would have to be granted by the property owner.



Julie K. Matthews, Planning Commission Secretary

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Chairman Gilbert called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited, and Commissioner Nilsson gave an invocation.

Chairman Gilbert called for a motion to approve the October 28, 2014, Planning Commission and Work Meeting minutes. Commissioner Hansen moved to approve the minutes as written. Commissioner Van Drunen seconded the motion, and the voting was unanimous.

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

1. WILLOW BEND COMMERCIAL CONDOMINIUM PLAT – FINAL APPROVAL

This .42 acre property is located at 489 West 2275 North in a PB (Professional Office) zoning district. The applicant, Bob Stevenson, is proposing to separate ownership between three entities that will occupy the building.

Planner II, Kem Weaver, presented the request for final approval for the Willow Bend Commercial Condominium plat final approval. He said the applicant is Bob Stevenson and the property is currently under group ownership with a single building and landscaping. The purpose is for each of the three units to have a separate ownership with individual tax identification numbers once the plat is recorded. Mr. Weaver said covenants are required for the common areas including parking, signage and landscaping, and will be recorded with the plat and dictate responsibility for the maintenance of these areas.

Mr. Weaver said that based on this information, Staff recommends the Planning Commission forward a positive recommendation to the City Council subject to meeting all Staff requirements.

Chairman Gilbert asked for public comments, and there were none.

Chairman Gilbert called for a motion on the item. Commissioner Nilsson moved that the Planning Commission forward a positive recommendation to the City Council to approve the request for final plat approval for the Willow Bend Commercial Condominium plat subject to the applicant meeting all Staff recommendations. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

2. CASTLEBROOK COMMERCIAL SUBDIVISION – FINAL APPROVAL

This property is located at 930 West Antelope Drive in a CP-2 (Planned Community Commercial) zoning district. The applicant, Elliott Smith, is requesting approval for a three-lot commercial subdivision.

Mr. Weaver presented the request for final approval for the Castlebrook Commercial Subdivision plat. He said the purpose is to create three commercial lots and to deed 13.5 feet of right of way to Layton City for Antelope Drive. He said Popeye's Chicken will own its own lot. Currently Lot 3 is being built on with two restaurant users. He said there are no frontage requirements and the lots each meet the CP-2, 20,000 square foot requirement. Cross access easements will be established and there will be one way in and one way out of the development.

Mr. Weaver said based on this information Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the final plat subject to the applicant meeting all Staff recommendations.

Commissioner Fitzpatrick asked about landscaping. Mr. Weaver said there would be landscaping with bushes along the boundaries with two landscaped islands between Popeye's and Lot 1 and between other building areas.

Chairman Gilbert asked about the landscaping plan, which Mr. Weaver said had been previously reviewed with the conditional use approval. Chairman Gilbert asked about the bushes being removed that were to block the headlights in the Popeye's drive thru from the westbound traffic.

Mr. Weaver said the existing bushes had been taken out because the detention basin is being built.

Commissioner Weaver asked about fencing. Mr. Weaver said the fencing would be on the west between the subject property and the school. He said there was no requirement for fencing on the east and north with that being commercial against commercial property.

Commissioner Van Drunen pointed out that the applicant wanted bushes versus a wall along the drive thru for Popeye's.

The applicant, Elliott Smith, Terraform Companies, 6770 south 900 East, in Salt Lake City, 84047, said the buffer had been approved with the conditional use. He said the idea is to create a berm in the corner of the drive thru for Popeye's, and on top of the berm to plant bushes. He said he had to remove the existing bushes to dig the detention pond. Big equipment would have damaged bushes. He said they prefer no bushes on the east so that there is walking area between the commercial buildings. He was not able to get drive access permission into the adjacent property. He said there would be a white vinyl 6 foot high privacy fence on the west boundary.

Commissioner Hansen asked if the fence could be earthtone in color. Mr. Smith said he was not sure if it was too late in the project to change the fence color.

Commissioner Hansen asked for more specificity on how the berm and the new plantings will block headlights since it takes 3-5 years for plants to mature enough to serve that purpose

Mr. Smith said he had previous success in a Saratoga Springs project using a berm, which by itself blocks the headlights. He said it would not just be a big pile of dirt but made attractive with swells. He said some of the taller grasses if planted densely are thick and look good.

Commissioner Hansen felt the plans to block headlights with the berm and plantings would not be adequate and there was a discussion of those concerns. Mr. Smith respectfully disagreed stating that those types of grasses in a 3-4 gallon bucket had matured by the end of the summer in some plantings in his yard.

Commissioner Hansen felt concern that the berm wouldn't be up to what was expected since Mr. Smith had promised bricks to the public and the public had not been able to get bricks.

Mr. Smith said when the Castle was demolished, there were no bricks in the structure. He invited people over to take something for a memory since the building was just wood and stucco.

Commissioner Hansen continued asking for assurance. City Planner said the landscaping was part of the original conditional use approved. Mr. Smith said he had not deviated from the approvals as there was nothing specified that the original bushes be kept in place.

Commissioner Hansen asked if earthtone vinyl could be specified. Chairman Gilbert asked Assistant City Attorney Steve Garside if earthtone vinyl could be required. Mr. Garside stated that earthtone vinyl could not now be required since it was not specified in the conditional use approval. Mr. Smith said he would do what he could to change to earthtone if it was not too late in the process.

Chairman Gilbert called for a motion on the item. Commissioner Bodily moved that the Planning Commission forward a positive recommendation to the City Council to approve the Castlebrook Commercial Subdivision plat. Commissioner Weaver seconded the motion, and the voting was unanimous.

Chairman Gilbert called for a motion to close Public Review and adjourn the meeting. Commissioner Weaver moved to adjourn Public Review. Commissioner Fitzpatrick seconded the motion. The voting was unanimous, and the meeting adjourned at 7:24 p.m.


Julie K. Matthews, Planning Commission Secretary