

**LAYTON CITY PLANNING COMMISSION WORK MEETING MINUTES
DECEMBER 22, 2015**

MEMBERS PRESENT: Dawn Fitzpatrick, Robert Van Drunen, Dave Weaver, Randy Pulham, Wynn Hansen, Daniela Harding, Tricia Pilny

MEMBERS ABSENT: Brian Bodily, Brett Nilsson

OTHERS PRESENT: Staff: Peter Matson, Nicholas Mills, Christy Wixom, and Bill Wright

City Council Members: Tom Day

APPROVAL OF MINUTES: November 24, 2015

PUBLIC REVIEW

1. RANDALL DISTRIBUTING – CONDITIONAL USE

This property is located at 415 N. Sugar Street in an M-2 (Heavy Manufacturing/Industrial) zoning district. The applicant, Brad Randall, is representing Randall Properties.

Mr. Matson said there are three parts of the conditional use permit. The first two parts are related to the land use of the project. The first one is gasoline petroleum products storage. The second one is gasoline sales wholesale. The third one is a requirement that comes from the Drinking Water Source Protection Zone.

This property is located in the Sugar Street Industrial Park and is 3.85 acres on a corner parcel. Across the street to the east is Smith's distribution facility and to the west is the other business in the Industrial Park. Along the frontage on the south side there are three homes that have been there for a long time and are zoned M-2. Randall Distributing is currently located at 137 South Main Street. The City has been working with the Randall's to relocate and this area they are looking at meets their requirements and also the requirements of the Code. The plan is to develop the site and construct an office-warehouse building similar to the smaller office/warehouse buildings in the Sugar Street Industrial Park. Petroleum product storage would be located both inside and outside of the building. Certain mitigating measures will need to be considered to reduce any impacts this use may have with adjacent properties.

The applicants are seeking conditional use approval from the Planning Commission for the land uses associated with proposed development. The site plan is being reviewed by staff and final site plan approval will be handled administratively. The applicants are proposing the storage of petroleum products both inside the proposed 32,768 square foot building and outside of the building. The Fire Department is addressing the storage of the products inside and outside the building, and the Planning Division is addressing the storage of products outside the building. The proposal is to locate six fuel tanks at a height of 30 feet near the west property line. These tanks are located approximately 130 feet from the closest industrial building to the west and

approximately 350 feet from the closest residential buildings to the southeast. Since this is outside storage of fuel, the City will require the tanks to be screened to a minimum height of eight feet with an opaque masonry wall. The eight foot masonry wall will be required on the north, west and south sides of the tank storage and then left open on the east side for access to the tanks. Trees will be required on the north, west and south sides to assist in screening the tanks. This will reduce the visual impact of the tanks for the area. There will be approximately 25 tanks stored inside the warehouse portion of the building.

The proposed development is located in Zone 4 of the Drinking Water Source Protection Zone. Zone 4 means the development is located far enough from the wellhead that a development with the storage of fuel and oil has a low risk of contaminating the water source for the area. Per ordinance, the applicant will be required to have a registered geologist review the development plans to determine that the proposed development results in no loss of beneficial use of groundwater or determine no negative impact. Then, if an impact is identified, the applicant will need to revise the development plans to mitigate the negative effect to the groundwater. Approval of the conditional use permit for the Drinking Water Protection Zone is subject to the implementation of the Best Management Practices. The Utah Division of Drinking Water Quality will need to review the development plan before permits are granted.

Commissioner Weaver asked if the geologist was reviewing the site plan. Mr. Matson said no, they do not have all the information yet. Commissioner Weaver asked what would happen if Planning Commission approved the Conditional Use and the geologist do not approve the site plan. Mr. Wright said building permits would not be issued. Mr. Matson said if it involves some modifications that needed to take place to the development plan and it was substantial enough for them to continue with development and it affected the conditional use then it would come back before the Planning Commission.

Commissioner Pilny asked if there was going to be a gate on the east side. Mr. Matson said that side is where the trucks will come in. The site plan does not indicate whether there is a gate. Mr. Wright said the plan is to have a gate along the property to the building so the public will not be able to get in on that side.

Madam Chair Fitzpatrick asked how many fuel pumps they would have. Mr. Wright said to ask the Randall's at the 7:00 meeting. However, there are three islands shown on the plan.

Madam Chair Fitzpatrick said in the Fire Department report this 32,000 square foot building is it a single level. She asked if it is proposed for one or two levels. Mr. Wright said they will be doing a second level on at least part of the building. Fire Marshall Dean Hunt said the building would be sprinkled and he did not foresee a problem.

Commissioner Weaver asked if there was an earth berm required around the tanks. Mr. Hunt said they have to be able to contain 110% of the largest tank.

Commissioner Harding asked how many fire hydrants are required. Mr. Hunt said three are required. Two are within distance and another one will need to be added.

Madam Chair Fitzpatrick asked if there will be EPA clean up when they leave to go to the new location. Mr. Wright said there is a fund in place to clean up their existing site.

Madam Chair Fitzpatrick asked how much more are they storing at the new location. Mr. Hunt said they only store oils and solvents because of the hazards. The capacity that they have right now is six tanks and those tanks are certified. The Fire Department requires a pressure test before installing them.

Commissioner Hansen asked how the tanks inside are contained. Mr. Hunts said they are self contained tanks.

Commissioner Weaver asked how it is known if one of the tanks stops working. Mr. Hunt said Randall Distributing will monitor each tank.

Madam Chair Fitzpatrick asked if the tanks are anchored down in case of an earthquake. Mr. Hunt said the tanks will need to be anchored down.

Madam Chair Fitzpatrick asked if there was any input from the surrounding businesses. Mr. Wright said Randall Distributing has met with the surrounding businesses and they said this project is well received.

Commissioner Van Drunen asked if the State comes in and checks to make sure they are in compliance. Mr. Matson said yes they do.

GORILLA SHINE – LANDSCAPE BUFFER MODIFICATION REQUEST

This Landscape Buffer Modification request is for property located at 2056 North Hill Field Road in a CP-2 (Planned Community Commercial) zoning district.

This will be discussed in the regular meeting.



Christy Wixom, Planning Commission Secretary

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Madam Chair Fitzpatrick called the meeting to order at 7:04 p.m.

The Pledge of Allegiance was recited and an invocation was given by Commissioner Pulham.

APPROVAL OF MINUTES: Commissioner Van Drunen made a motion to approve the November 24, 2015 minutes and Commissioner Pulham seconded the motion. All in favor. Voting was unanimous.

Madam Chair Fitzpatrick asked for a motion to open the public hearing. Commissioner Pulham motioned to open the public hearing and Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

PUBLIC REVIEW

1. RANDALL DISTRIBUTING – CONDITIONAL USE

This property is located at 415 N. Sugar Street in an M-2 (Heavy Manufacturing/Industrial) zoning district. The applicant, Brad Randall, is representing Randall Properties.

Mr. Matson said the Randall's are requesting conditional use approval for both the land use and the Drinking Water Source Protection Zone. The land use proposed is gasoline, petroleum products storage and wholesale services. The parcel is located in the Sugar Street Industrial Park with other industrial uses are located to the west, north, and east. This property is 3.85 acres and the proposal is to move from their current location, which is located at 137 South Main Street, to the new location at 415 N. Sugar Street. The applicants are seeking conditional use approval from the Planning Commission for the land uses associated with the proposed development. The site plan is being reviewed by Staff and final site plan approval will be handled administratively. The building proposed on the site is approximately 32,000 square feet. The correction in the staff report is related to the outdoor storage containers, which are actually 30,000 gallon containers, and instead of 13.5 feet in height, they are 13.5 feet in width and approximately 30 feet high. The outdoor storage fuel tanks are located about 130 feet from the closest industrial building to the west and approximately 350 feet from the closest residential buildings to the southeast. Since this is outside storage of fuel, the City will require the tanks to be screened to a minimum height of eight feet with an opaque masonry wall. The eight foot masonry wall will be required on the north, west and south sides of the tank storage

area and then left open on the east side for access to the tanks. As part of the landscaping surrounding the outside tanks, trees will be required on the north, west and south sides to assist in screening the tanks. This will reduce the visual impact of the tanks for the area. There are no other tanks to be located outside and there will be approximately 25 tanks stored inside the warehouse portion of the building. Related to the safety and containment of these fuel tanks, all items will have to be met with the Fire Department before permits can go out. The proposed development is located in Zone 4 of the Drinking Water Source Protection Zone. Zone 4 means the development is located far enough from the wellhead that a development with the storage of fuel and oil has a low risk of contaminating the water source for that area. Per ordinance, the applicant will be required to have a registered geologist review the development plans who has demonstrated expertise in the assessment of recharge rates. If it is determined that the proposed development results in a loss of beneficial use of ground water or there is a negative impact, the applicant will need to revise the development plans to mitigate the loss or negative effect to the groundwater. Approvals of the conditional use permit for the Drinking Water Source Protection Zone is subject to the implementation of the Best Management Practices (BMP). The Utah Division of Drinking Water Quality will need to review the development plan before permits are granted. The development plan is showing 19 parking spaces for the use. The calculation of parking for a 32,768 square foot building or office/warehouse is based on the number of employees. With the amount of parking proposed, the business can have 25 employees at the highest work shift. If additional parking is going to be required in the future, there is enough space on the site to accommodate additional parking. Staff is pleased with the colors and the window treatments of the building. The proposed development will have grass areas fronting both Sugar Street and Jack D Drive. These grassed areas will require a tree for every 50 feet of frontage on both streets. Trees will also be required along the south property line to assist in buffering the development from the adjacent residential uses. A six-foot solid vinyl fence currently exists along the south property line and can be used as part of the buffer requirement. Staff is recommending that the Planning Commission approve the conditional use permit subject to the following conditions:

1. Meet all Building Division, Engineering Division and Fire Department requirements.
2. Meet all site plan ordinances requirements.
3. Prior to site plan approval, a registered geologist shall assess recharging rates and determine if the development results in the loss of groundwater or has a negative impact on the groundwater.
4. The development is subject to the implementation of the Best Management Practices (BMP) for groundwater protection.
5. Prior to site plan approval, the Utah Division of Drinking Water Quality shall review this development plan.
6. Screen the outdoor fuel tanks with an eight foot masonry wall and landscaping (use of evergreen and deciduous trees) on the north, west and south sides.

Commissioner Harding asked what the three properties to the south of the proposed building are zoned. Mr. Matson said they are zoned M-2.

Commissioner Harding asked if these homeowners have been notified. Mr. Matson said yes with the public notice.

Commissioner Weaver asked if there was any feedback from the homeowners. Mr. Matson said no, not that he was aware of.

Madam Chair Fitzpatrick asked Mr. Randall how many employees he anticipated. Brad Randall, 574 E 700 N Centerville, said not more than 10 or 12 people. Most of the employees are out selling or delivering fuel and there is a small amount of office staff.

Madam Chair Fitzpatrick asked how many pumps there would be and the hours of operation. Mr. Randall said they proposed to put a couple of pumps up front that will be able to be unattended mainly for contractors and do not anticipate generating additional traffic along the road.

Madam Chair Fitzpatrick asked if there will be gates at the entrances after hours. Mr. Randall said a lot of it will be gated off. The east side where trucks can go will not be gated.

Commissioner Weaver asked what type and how much of inventory will they have to bring to the new location. Mr. Randall said they will probably have six existing tanks which will be located inside the warehouse and those will store motor oils. The rest of the tanks will be all new tanks. Also, they do have package product and drums of oil but do have the capability to do that in house.

Commissioner Hansen asked if there will be trucks delivering the fuel to those tanks and will those tanks have the capacity to sell fuel for other needs. Mr. Randall said they distribute a lot of fuel around the area and those tanks are typically to take advantage of when prices spike to be more competitive in the market place.

Commissioner Hansen asked if the bulk of the outbound products are being transferred to Randall's trucks for delivery to the customers. Mr. Randall said at times trucks will bring in the fuel and they will probably sit on the product for a while and then distribute it. Most of the product is loaded at the refineries and then delivered.

Commissioner Hansen asked what is the route that the fuel trucks will travel. Mr. Randall said out through Hill Field Road and to the freeway.

Commissioner Hansen asked if there will be tanker truck storage on the site. Mr. Randall said they will park three to four semi trucks that will be behind a locked gate.

Madam Chair Fitzpatrick asked if Mr. Randall has seen the copy of the conditions and if he had any concerns. Mr. Randall said he had no concerns.

Commissioner Pilny made a motion that the Planning Commission approve the conditional use permit for Randall Distributing subject to the conditions outlined in the Staff report for both the

Land use and Drinking Water Source Protection Zone. Commissioner Harding seconded the motion. All in favor. Voting was unanimous.

GORILLA SHINE – LANDSCAPE BUFFER MODIFICATION REQUEST

This Landscape Buffer Modification request is for property located at 2056 North Hill Field Road in a CP-2 (Planned Community Commercial) zoning district.

Mr. Matson said this property is located on the east side of Hill Field Road. The owner of Gorilla Shine is requesting a modification to the required landscape buffer along the east property line of a commercially zoned piece of property. The business will be adding onto the existing building and needs to shift the parking on the east side of the site five feet to accommodate a turning radius for large trucks. The type of use requires a 10-foot landscape buffer when adjacent to multi-family residential. The adjacent multi-family residential is the Quail Cove Apartments, which is zoned RM-1 PRUD. The owner is requesting a modification of 5-feet to reduce the buffer from 10-feet to 5-feet. The existing deciduous trees will need to be replaced within the buffer area. The owner will leave the existing grass and fencing. The following items support the modification of the landscape buffer at this location:

- 1-The modification will not impact the residents in the apartment complex to the east. The apartment buildings are 90 feet from the property line.
- 2-Parking and a carport structure for the apartments separate the commercial business from the apartment buildings.
- 3-The existing four deciduous trees will be replaced with five deciduous trees and the 6-foot vinyl fence will remain as part of the buffer.
- 4-The extra 5-feet give a better turning radius for large trucks and fire apparatus.

Staff recommends the Planning Commission approve the landscape buffer modification from 10-feet to 5-feet subject to planting five trees and keeping the 6-foot solid vinyl fence.

Madam Chair Fitzpatrick said the picture on the screen shows a 3-foot landscape buffer shouldn't it say 5-foot? Mr. Matson said it should be a 5-foot landscape buffer modification.

Madam Chair Fitzpatrick asked for explanation on the traffic pattern for getting in and out of tunnel. It was explained that vehicles typically enter from the north into the site.

Commissioner Hansen asked what the length was north to south of the buffer. Mr. Matson said 125-130 feet, but the buffer modification would only affect 110 feet of the buffer area.

Commissioner Hansen stated he was concerned about the apartments to the east and wanted to know if 5-feet was adequate to provide the mitigation to the apartments. Mr. Matson said it depends on the type of tree that is planted. It shows four trees with the possibility of planting one more tree.

Commissioner Weaver asked if there was any input from the residents at the apartments. Mr. Matson indicated that no feedback was received from the apartment project.

Madam Chair Fitzpatrick asked the applicant what the traffic flow would look like. Jack Reel, 826 W. 250 N. Clearfield, said the traffic flow will be the same is as it is now but with the extra five feet it would be easier for trucks to turn.

Madam Chair asked if they access the street behind the Maverick. Mr. Reel said sometimes they do, but the majority of the time access is from the north.

Madam Chair Fitzpatrick asked Mr. Reel if he was aware of all the requirements and if he was comfortable with them. Mr. Reel said yes he was aware and agreed with the requirements.

Commissioner Hansen asked if the street to the north was a private or public street. Mr. Matson said he was not sure if it was private or public. Mr. Reel said there has never been an issue on that street or with the apartments.

Commissioner Weaver made a motion to approve the modification based on all the Staff requirements as defined. Commissioner Hansen seconded the motion. All in favor. Voting was unanimous.

Commissioner Weaver made a motion to close the public review and adjourn. Commissioner Pilny seconded the motion. All in favor. Voting was unanimous.

Meeting adjourned: 7:43 p.m.



Christy Wixom, Planning Commission Secretary

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