

KAYSVILLE CITY PLANNING COMMISSION

August 9, 2018

Members Attending: Chairperson Matthew Anderson, Gary Bullock, Wilf Sommerkorn, Tamara Tran, Thomas Wood

Excused: Betty Parker, Joshua Sundloff

Staff Present: City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Council Member Larry Page, Justin Page, Cameron Garner, Jessie Pond, Mark Taylor, Julie Taylor, Lauren Taylor

OPENING

The Planning Commission meeting was held on Thursday, August 9, 2018 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, GROUP SWIMMING LESSONS AT 2052 WEST PEACH BLOSSOM DRIVE – CAMERON GARNER

Lyle Gibson explained that the Garner’s are requesting a conditional use permit for a major home occupation “B” to offer swimming lessons from their home at 2052 West Peach Blossom Drive. The family teaches swimming lessons during the summer months while school is out. Typical lesson structure includes thirty minute classes starting at 9:00 a.m. until noon, Monday through Friday. Every thirty minutes there may be as many as two groups with four students in each class. Staff is recommending approval with the condition that the number of students be limited to eight students at any one time.

Wilf Sommerkorn asked about limiting the number of students to eight.

Lyle Gibson responded that the limitation recommendation is based on how the Garner’s have been doing their business with only eight students per session. However we have approved applicants to have up to twelve students per class. One reason we set a limitation is to try to mitigate the amount of traffic.

Tamara Tran asked about the number of classes that will be occurring at the same time.

Lyle Gibson responded that they will have two groups with two different instructors.

Gary Bullock suggested approving the permit with the limit of eight students per class, and then if they find they would like to have more students they can come back for review.

Tamara Tran made a motion to grant a conditional use permit for a major home occupation “B”, group swimming lessons at 2052 West Peach Blossom Drive for Cameron Garner with the condition that the number of students be limited to eight students at any one time. Gary Bullock seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR AMENDMENT TO A PUBLIC UTILITY SUBSTATION AND STORAGE FACILITY AT 485 EAST SHEPARD LANE – BENCHLAND WATER DISTRICT

Lyle Gibson explained that in the late 1990’s Benchland Water District (known at that time as Farmington Area Pressure Irrigation District) received a conditional use permit for an office and storage area at 485 East Shepard Lane. A site plan was approved at the time which indicated the existing office and the open storage area towards the eastern portion of the property. Benchland now desires to add a new utility building and storage bins on site. Their proposal includes four 450 square foot concrete storage bins containing materials such as road base, sand, and gravel. Adjacent to the bins will be a newly constructed utility building that is just over 1,100 square feet in size. The single-story pitched roof structure is proposed as a metal-skinned building with a couple of garage bays to store equipment. The bins and building will be 36 feet from the closest property line on the north, leaving room for multiple utilities and over 150 feet to any other property line. The existing conditional use permit approval was granted on May 28, 1998 as follows: “Conditional use permit granted to FAPID offices and equipment storage at the location indicated on the condition that the Staff approve the elevation drawings and exterior for the front of the office building; that it be in some finishes that make it look other than a traditional steel building and attractive; that heavy equipment not be utilized in and out of the facility during the summer months other than to fuel; that the heavy equipment be allowed to be stored inside the building between October 15 and April 1, and that the Staff approve the landscaping and other matters along the street.”

Matthew Anderson asked about the site and how much of it can be seen from Shepard Lane.

Lyle Gibson responded that there is vegetation along Shepard Lane which helps to screen the site.

Matthew Anderson asked if the city had received any comments from neighbors about this request.

Lyle Gibson responded that they hadn’t. The neighbors will benefit by this because it will help to screen the open storage.

Matthew Anderson asked if there were any concerns about the aesthetics of the new building.

Lyle Gibson responded that Staff feels that what is being proposed is appropriate for the type of use and location.

Gary Bullock asked if their conditional use will allow for additional types of uses here in the future.

Lyle Gibson responded that if there are any changes from the original approval then they have to come back to the Planning Commission for approval.

Thomas Wood asked about the vegetation along Shepard Lane, and if it would have to be replaced by Benchland if removed.

Lyle Gibson said that Benchland does not own that piece of ground and therefore has no control over what happens to the property. It is considered city right-of-way and is in place in anticipation of Shepard Lane being widened at some point in the future. There's no assurance that the vegetation would remain.

Matthew Anderson said he feels that some kind of screening should remain between Shepard Lane and the storage area, no matter what happens along Shepard Lane. Mr. Anderson asked what kind of fencing there is on the property.

Justin Page, representing Benchland Water District, said they currently have open chain link fencing surrounding the property.

Gary Bullock said that slats could be installed in the existing chain link fencing. The proposed building and storage bins will improve the look of the property.

Gary Bullock made a motion to grant the amendment to a public utility substation and storage facility at 485 East Shepard Lane for Benchland Water District with the condition that in the event that the vegetation along Shepard Lane is removed that something comparable be installed along the fence. Thomas Wood seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FOOD MANUFACTURING (BAKERY) AT 590 NORTH 900 WEST, SUITE 104 AND 112 – KETO CAKES UTAH, LLC

Lyle Gibson explained that the applicants, Keto Cakes Utah, are looking to locate their bakery at 590 North 900 West, Suites 104 and 112. The property is located in the Kaysville Business Park, and is zoned LI (Light Industrial). In the LI zoning district, food and kindred product manufacturing or processing is considered as a conditional use. Keto Cakes bakes and sells low carb, sugar free, gluten free cupcakes. They sell preorders online and deliver to several pickup locations across the Wasatch Front in a refrigerated truck. They bake about 5,000 to 8,000 cupcakes per week. There will be fifteen employees total, and five employees will work each shift typically baking from 8:00 a.m. to 5:00 p.m. Sysco delivers twice a week during the morning hours, with wholesale deliveries coming a few times a week. This location will occasionally be used as a will-call pickup. The location is a newly developed building with each suite having large bays to handle shipments and deliveries. Keto Cakes will take two of the sixteen suites, and based on the employee count is required to have six available off-street parking spaces. While parking is not assigned, the average per business parking at this location

is five stalls per suite, so the bakery would essentially have ten stalls available to use.

Jessie Pond, representing Keto Cakes Utah, said that there is more of a demand for these types of cakes and they have been looking for a better space to bake. Their business started out of their house and has grown substantially. Each suite is about 4,000 square feet, and they'll have spaces for freezers. Their space will be inspected to meet health and fire safety codes before obtaining their business license.

Thomas Wood made a motion to grant a conditional use permit for food manufacturing (bakery) at 590 North 900 West, Suites 104 and 112 for Keto Cakes Utah, LLC. Tamara Tran seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO AMEND CHAPTER 19-4, FINAL PLAT, OF TITLE 19, SUBDIVISIONS, OF THE REVISED ORDINANCES OF KAYSVILLE CITY

Lyle Gibson explained that recently the City Council approved Ordinance 18-3-2 which made the Planning Commission the final approval body for final subdivision plat applications. Since approval, Staff has found a conflict with the amendment in Chapter 19-4 and is requesting tonight's amendment in order to correct the language and get it into compliance. The proposed ordinance amendment also modifies the number of hard copies required with submittal of the final plat, and requires a digital copy of the plat to be submitted for review. This is reflective of current needs and review methods.

Chairperson Matthew Anderson opened the Public Hearing.

There were no comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Gary Bullock made a motion to recommend approval of the request to amend Chapter 19-4, Final Plat, of Title 19, Subdivisions, of the Revised Ordinances of Kaysville City. Matthew Anderson seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO AMEND SECTION 17-34-9, FLAG LOT SUBDIVISION, OF CHAPTER 17-34, PRUD PLANNED RESIDENTIAL UNIT DEVELOPMENT, OF TITLE 17, PLANNING AND ZONING, OF THE REVISED ORDINANCES OF KAYSVILLE CITY

Lyle Gibson explained that the Planning Commission has recently had multiple discussions considering flag lot development on cul-de-sac streets. Historically this type of development was permitted in Kaysville City by conditional use, but has been prohibited for nearly a decade. A large amount of interest from property owners for this type of development has continued, thus Staff has pursued additional discussion with the Planning Commission and internally to determine whether or not allowing flag lots on cul-de-sac streets was problematic from a utility and public safety standpoint. The proposed ordinance amendments eliminates one sentence from the criteria for a flag lot in 17-34-9 which currently states: "Flag lot subdivisions are not allowed on cul-de-sac streets." It is the opinion of Staff that removing this text is an appropriate action

because of how flag lots are permitted. A flag lot subdivision can only be approved with the approval of a PRUD overlay zone. Because approval of a zone or overlay zone is a legislative decision it allows for case-by-case discretion. Experience with existing development along with discussion between city departments has yielded little to no concern regarding distance from through streets and providing utilities, even at the end of the city's longest cul-de-sac streets. Any hesitations have been softened by the ability to provide input case-by-case on a subdivision proposal for the consideration of the Planning Commission and City Council before approving the necessary zoning.

Chairperson Matthew Anderson opened the Public Hearing.

Mark Taylor said that he would rather see that the city limit the number of flag lots on a cul-de-sac to only one because of the already limited parking on cul-de-sac streets. Adding a flag lot stem road will take up more available street parking on a cul-de-sac.

There were no other comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Lyle Gibson commented that parking on cul-de-sac streets is a very valid concern as driveways take up a lot of space on a cul-de-sac. However, flag lots can also be a benefit for safety vehicles as cars won't be parked in front of those driveways. Since these will be taken on a case-by-case basis, we can review to see if a flag lot on a cul-de-sac is appropriate for the location.

Wilf Sommerkorn asked what the rationale was for not allowing flag lots on a cul-de-sac street.

Andy Thompson responded that about ten years ago the east side of the city was seeing several requests for flag lots. An infill committee was put together to discuss land development in the city and they felt that it would be best to reduce the number of flag lots allowed. Their reasoning was because of concerns with addition additional length to a cul-de-sac street, and the limitations on the length of cul-de-sac streets. To add a flag lot to a cul-de-sac felt like an extension beyond that street length limitation. The 600 foot cul-de-sac length limitation is an arbitrary number that Kaysville felt was appropriate for our city.

Wilf Sommerkorn made a motion to recommend approval of the request to amend Section 17-34-9, Flag Lot Subdivision, of Chapter 17-34, PRUD Planned Residential Unit Development, of Title 17, Planning and Zoning, of the Revised Ordinances of Kaysville City. Thomas Wood seconded the motion and it passed unanimously.

PLANNING AND PROJECTS PRESENTATION – LYLE GIBSON

Zoning Administrator Lyle Gibson made a presentation discussing the background of planning in Kaysville, some of the projects that are currently happening within the city, and anticipated future city plans and projects.

Matthew Anderson asked if a pedestrian overpass is planned to go over I-15 in the future.

Andy Thompson responded that at some point a new overpass will be built over I-15 and they will likely add a pedestrian component to it.

Tamara Tran commented that with limited space available to develop in Kaysville, the city will need to discuss infill development within the city.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Lyle Gibson announced training opportunities with the Utah APA on Thursday, October 4, 2018, and also with the ULCT on September 12-14, 2018. The Utah Land Use Academy of Utah also holds trainings regularly that are broadcast at the USU Botanical Center.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, August 23, 2018 at 7:00 p.m.

ADJOURNMENT

Thomas Wood made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:04 p.m.