

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, February 14, 2019 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of the minutes from the meeting of January 10, 2019.
2. Conditional use permit for a major home occupation "B":
 - a. Eyelash extensions located at 443 E. 100 S. for Montana Turnbow.
 - b. Swim lessons located at 1665 W. Leola St for Reuben D. Bell.
3. Conditional use permit for a model home, signage and flags located at 1876 W. 75 S. for Ivory Homes.
4. Conditional use permit for a church meetinghouse located approximately at 2103 W. 200 N. for Brian Bott Architects.
5. Public Hearing and preliminary plat approval for the West Gate Subdivision located at 2300 W. Schick Lane (200 N.) for Perry Homes.
6. Final Plat approval for Charly's Acres #2 Fourth Amended Subdivision located at approximately 2100 W. 200 N. for Terraventure Development.
7. Call to the public.
8. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
9. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday, February 8, 2019.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Eyelash Extensions. February 14, 2019

Applicant/Owner: Montana Turnbow
Location: 443 East 100 South
Zone: R-D (Residential Diverse)

Description:

The applicant is requesting a conditional use permit for Major Home Occupation B at the above listed address. Ms. Turnbow is currently anticipating doing eyelash extensions for clients from her home 3 days a week. From 9 am to 6pm. Appointments take over 2 hours on average so she would see 3 to 4 people a day. All appointments are with 1 client at a time and would be by appointment only.

Recommendation:

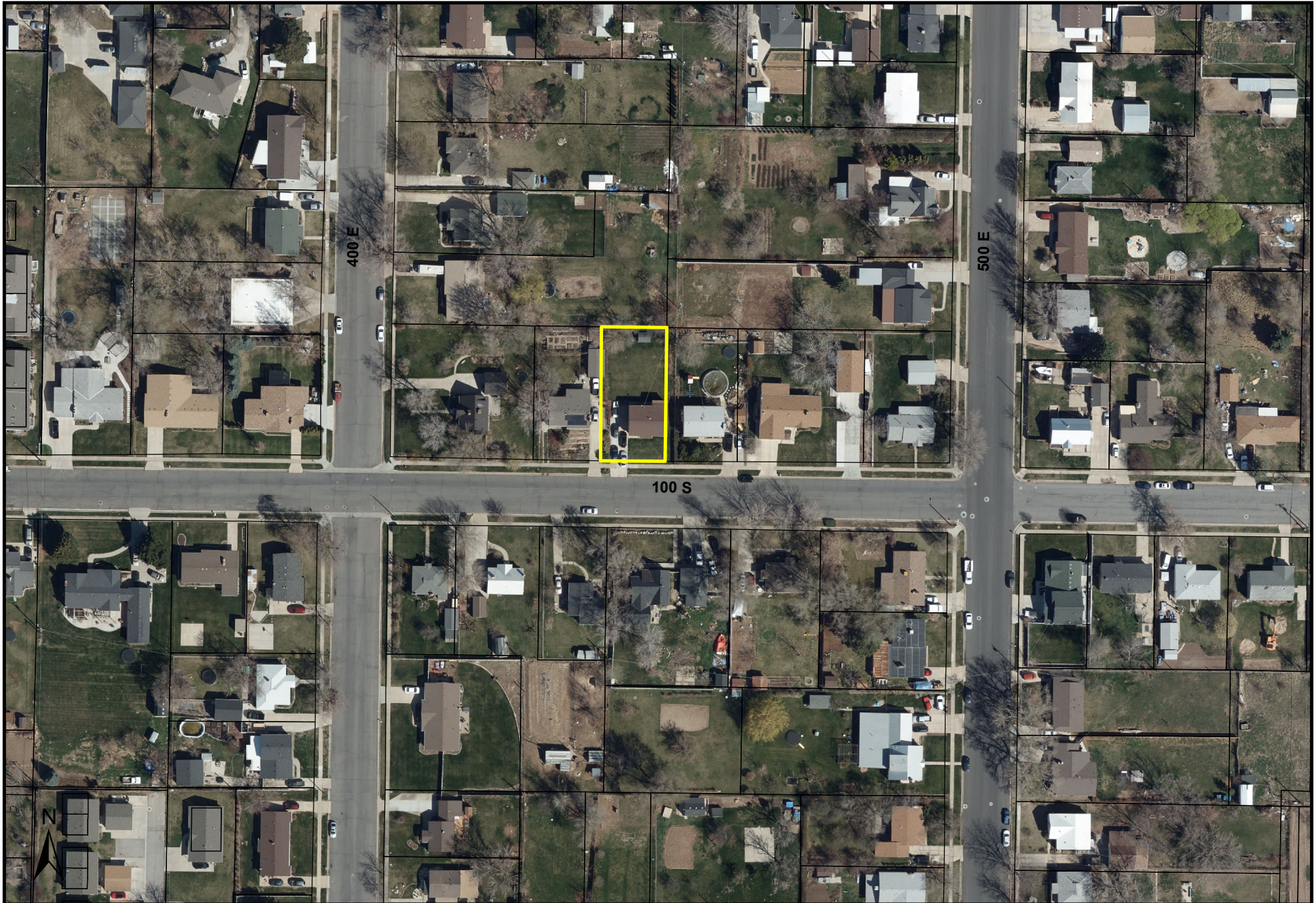
Staff is recommending approval of the proposed conditional use permit for a Major Home Occupation B, eyelash extensions without the need for additional conditions.

Reasoning:

Having discussed the use with the applicant, staff feels that the restrictions already in place within the ordinance are sufficient for mitigating reasonably potentially detrimental impacts.

Attachment 1: Area Map

443 East 100 South





Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Swimming Lessons. February 14, 2019

Applicant/Owner: Reuben Bell
Location: 1665 W. Leola St.
Zone: R-D (Residential Diverse)

Description:

The applicant is requesting a conditional use permit for Major Home Occupation B at the above listed address. Mr. Bell has a couple of daughters who would like to teach swimming lessons during the summer months. They property currently has a pool.

Lessons would be offered during the summer months for beginner type students, typically children 8 or under. Groups would typically range from 4 to 6 students at a session. Each session is 30 minutes long with 10 or 15 minutes between sessions. Swimming lessons would go about 4 hours a day 4 days a week.

Per 17-26-4: Major Home Occupations B (12) (d), for organized classes, limits shall be placed on the number of students and/or the number of vehicles transporting students to prevent congestion.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a Major Home Occupation B, swimming lessons with the following condition:

- The number of students at any given session be limited to no more than 8.

Reasoning:

Having discussed the use with the applicant, staff feels that the restrictions already in place within the ordinance and the proposed condition as required by ordinance are sufficient for mitigating reasonably potentially detrimental impacts. Staff has discussed the condition with the applicant who has expressed their willingness to accept it.

Attachment 1: Area Map

1665 West Leola Lane





Planning Commission Staff Report

Conditional Use Permit for a model home, signage and flag lots February 14, 2019

Applicant/Owner: Ivory Homes
Location: 1876 West 75 South
Zone: R-1-14 (Residential Single Family)

Description:

The applicant is requesting a conditional use approval for a model home at the subject address which is permitted as a conditional use as a temporary tract office in the R-1 districts. The home would be for sale of homes in the Apple Blossom Subdivision where it is located. The subdivision consists of 6 total lots. The applicant is asking for use of the home on lot 6 as a model home for 1 year.

In addition to temporary use of the home as a model home. The applicant is requesting approval for a 3' x 6' model home sign

A sign is defined in KCC 17-33-4 as: 'Every advertising message, announcement, declaration, demonstration, display, illustration, insignia surface, or space erected or maintained in view of the observer thereof for identification, advertisement, or promotion of the interests of any person, entity, product, or service. The definition of sign shall also include the sign structure, supports, lighting system, and any attachments, ornaments or other features used to draw the attention of observers. This definition does not include any flag, badge, or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.'

Development Signs are allowed temporarily in R districts by conditional use subject to the following size and height requirements.

Size: 32 sq. ft. plus 1 sq. ft. for each 10 ft. of frontage over 30 ft. to a maximum of 96 sq. ft. per development

Height: 12 ft. maximum

17-12-4 Conditional Uses

5. Temporary tract offices and development signs subject to the provisions of KCC 17-30-7 and KCC Chapter 17-33.

17-30-7 Temporary Uses

A Conditional Use Permit for uses which are of a temporary nature only may be issued for the intended duration of the temporary use or for one (1) year, whichever period of time is shorter. The Planning Commission may grant extensions of six (6) months each under exceptional circumstances.

As a conditional use, the planning commission is looking to approve the request so long as any reasonable anticipated negative impacts have been mitigated. Impacts can be mitigated with conditions, which should be based on the city's standards which are found in 17-30-8 of the city's ordinances:

17-30-8 Standards

Conditional uses shall comply with the standards in this Title applicable to the particular conditional use. In addition, all conditional uses shall comply with the following standards:

1. Provide a use at the particular location that is a necessary or desirable service or facility which will contribute to the general well-being of the community and the neighborhood without detrimental effects on the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
2. Provide adequate access to the use without detrimental effects on streets.
3. Provide for safe circulation of vehicles and pedestrians.
4. Provide adequate access for public safety services and water volume and pressure for fire fighting.
5. Provide adequate off-street parking on the site.
6. Provide architectural design and exterior finishes that are compatible with the surrounding environment.
7. Provide landscaping that is compatible with the surrounding environment.
8. Provide adequate site lighting without detrimental effects on other properties.
9. Provide adequate utilities for the use without detrimental effects on utility systems.
10. Provide for water runoff without detrimental effects on other properties.
11. Provide adequate waste disposal without detrimental effects on other properties.
12. Accommodate special site conditions without creating any attractive nuisances.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a model home and connected signage with the following condition:

- The use be allowed for a period of 1 year or until all lots within the Apple Blossom Subdivision are sold, whichever comes first.
- Staff verify that the proposed sign location be shown to be outside of city's clear view triangle to ensure appropriate visibility for traffic.
- The model home sign be no taller than the allowed ft. per the ordinance, and only flags which do not qualify as signs be allowed on flag poles.
- No blade/flag signs allowed as KCC does not permit banner signs in R districts.

Reasoning:

Staff has reviewed the proposal and believes that the provided plans and details are in compliance with applicable standards and ordinances and has demonstrated compliance with the standards of review for a conditional use permit.

Attachment 1:	Area Map
Attachment 2:	Subdivision Plat
Attachment 3:	Letter from Applicant
Attachment 4:	Site Plan

1876 West 75 South



A vicinity map showing the project location. The map is oriented with North at the top. A scale bar at the bottom indicates 1/4 mile. The project location is marked with a black square. The map shows the intersection of Angel Street and Plant Street. The project is located on Angel Street, south of the intersection. The map also shows the intersection of Angel Street and Flint Street. The project is located on Angel Street, south of the intersection. The map also shows the intersection of Angel Street and Flint Street. The project is located on Angel Street, south of the intersection.



Case Table				
Case #	Age	Sex	Case Outcome	Case Length
C1	22.06	M	ADVERSE	2.87
C2	60.12	F	ADVERSE	1.72
C3	127.77	M	NON-ADVERSE	0.84
C4	8.11	M	ADVERSE	0.89
C5	8.11	M	NON-ADVERSE	7.39
C6	75.42	F	ADVERSE	44.73
C7	51.43	F	NON-ADVERSE	47.11
C8	72.61	F	ADVERSE	6.26
C9	1.39	M	NON-ADVERSE	3.36
C10	14.65	F	NON-ADVERSE	5.18
C11	41.85	F	ADVERSE	41.85
C12	24.26	M	NON-ADVERSE	42.76
C13	23.81	M	NON-ADVERSE	21.26
C14	20.23	F	NON-ADVERSE	42.68

BOUNDARY DESCRIPTION

OWNER'S DEDICATION

UNITED LIABILITY COMPANY AGREEMENT
ON THE 16th day of _____, 2023,
APPROVED BEFORE ME, the undersigned authority, known to the parties and competent to act in the State of TEXAS,
IN THE STATE OF TEXAS, WHO HEREBY GOVERNED, APPROVED AND TO BE THE SING
PRESIDENT OF UNITED LIABILITY, LLC, A LIMITED LIABILITY COMPANY, AND THE SECRETARY OF THE COMPANY,
THE FORMALS AND INSTRUMENTS, AND CERTAINED FOR AND IN BEHALF OF SAID LIMITED LIABILITY
COMPANY FOR THE PURPOSES SET FORTH HEREIN.

Robert S. Lenneman #182912
NOTARY PUBLIC
COMMISSION NUMBER _____
EXPIRATION DATE _____

SIGNATURE

UNITED PUBLIC COMMISSIONER IN THE STATE OF TEXAS, COMMISSION EXPIRES 01-10-2023

F. Kaysville City
Att: Kaysville 2007 Nov 10 23 AM
10:29 AM



Ivory Homes
1536 N Woodland Park Dr. Ste. 210
Layton UT, 84041

January 30, 2019

Kaysville City Planning Commission
23 E Center Street
Kaysville UT, 84037

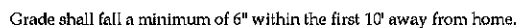
To whom it may concern:

We are submitting a conditional use application for a Model Home in the Ivory Homes Apple Blossom subdivision on lot 6 (1876 W 75 S). We plan to use the model home for up to 12 months or until we have sold and closed the last lot in the subdivision. A model home sign will be placed in front of the home with the model home hours and home information, the sign will be 3'x6' in size. We are planning on putting up a large American flag and a few flags along Angel Street, the flags will be under 30' high. All customer parking will be in the driveway or along the street, since the model home is in a cul-de-sac it allows for easy street parking without interfering with the traffic on Angel Street. The model home will be fully furnished and decorated with full yard landscaping to be installed in the spring. I have included a copy of the community plat and site plan to show the layout of the home. Please contact me if there are any additional questions.

Sincerely,

Jake Balle
(801) 935-0166

* Any utilities shown on this plan are based upon the best information available & are subject to change. Ivory Homes assumes no liability for any utilities shown or not shown.



IVORY HOMES
Utah's Number One Homebuilder



Planning Commission Staff Report

Conditional Use Permit for a church meetinghouse February 14, 2019

Applicant/Owner: Bott Pantone Architects/ Church of Jesus Christ of Latter Day Saints
Location: approximately 2100 West 200 North
Zone: R-1-LD (Residential Single Family)

Description:

The applicant is requesting a conditional use approval for a new church building at the subject address. KCC 17-12-4 allows for public or quasi-public buildings of the educational, recreational, cultural or public service type by conditional use. The property was recently rezoned by the city council from the GC zone to the R-1-LD district with a development agreement for the purpose of a church.

The plans submitted by the applicant show a 20,600 sq. ft. building which fronts 200 North street and has parking to the west, east, and south. Access is provided onto 200 North on both the east and west sides of the building providing for adequate emergency service access on site and adequate traffic flows. The city's off-street parking ordinance requires that there be 1 parking space for every 5 seats. Based on the provided plans, staff has interpreted a seating capacity of 879 seats which requires 175 parking stalls. The applicant has provided 295 parking stalls. The radii and drive aisle dimensions are all in compliance with applicable standards.

Per Title 18, Institutional sites are required to have at least 10% of the site landscaped, which would require roughly 17,000 sq. ft. of landscaped area. The proposed development includes roughly 40,000 sq. ft. of landscaped area well exceeding the minimum requirement.

Site lighting is proposed with light poles labeled as item #23 on the provided site plan. Light fixtures on poles would be placed on the inside of the sidewalk around the church and be downcast on the sidewalk and parking lot.

As a conditional use, the planning commission is looking to approve the request so long as any reasonable anticipated negative impacts have been mitigated. Impacts can be mitigated with conditions, which should be based on the city's standards which are found in 17-30-8 of the city's ordinances:

17-30-8 Standards

Conditional uses shall comply with the standards in this Title applicable to the particular conditional use. In addition, all conditional uses shall comply with the following standards:

1. Provide a use at the particular location that is a necessary or desirable service or facility which will contribute to the general well-being of the community and the neighborhood

without detrimental effects on the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

2. Provide adequate access to the use without detrimental effects on streets.
3. Provide for safe circulation of vehicles and pedestrians.
4. Provide adequate access for public safety services and water volume and pressure for fire fighting.
5. Provide adequate off-street parking on the site.
6. Provide architectural design and exterior finishes that are compatible with the surrounding environment.
7. Provide landscaping that is compatible with the surrounding environment.
8. Provide adequate site lighting without detrimental effects on other properties.
9. Provide adequate utilities for the use without detrimental effects on utility systems.
10. Provide for water runoff without detrimental effects on other properties.
11. Provide adequate waste disposal without detrimental effects on other properties.
12. Accommodate special site conditions without creating any attractive nuisances.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a church as proposed without the need for additional conditions.

Reasoning:

Staff has reviewed the proposal and believes that the provided plans and details are in compliance with applicable standards and ordinances and has demonstrated compliance with the standards of review for a conditional use permit.

Attachment 1:	Area Map
Attachment 2:	Elevation Drawings
Attachment 3:	Site Plan
Attachment 4:	Landscape Plan
Attachment 5-6:	Rendering and Floor Plan

Approximately 2100 West 200 North





A Building Elevation
1/8" = 1'-0"

$$1/8" = 1'-0"$$


B Building Elevation
1/8" = 1'-0"

$$1/8" = 1'-0"$$

Architect / Engineer:

Stamp:

Heritage Area Stake Center Standard Plan 2017

Project for:
THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

[illegible]

Project Number:

Plan Series:

HER-17-SC-02

Property Number:

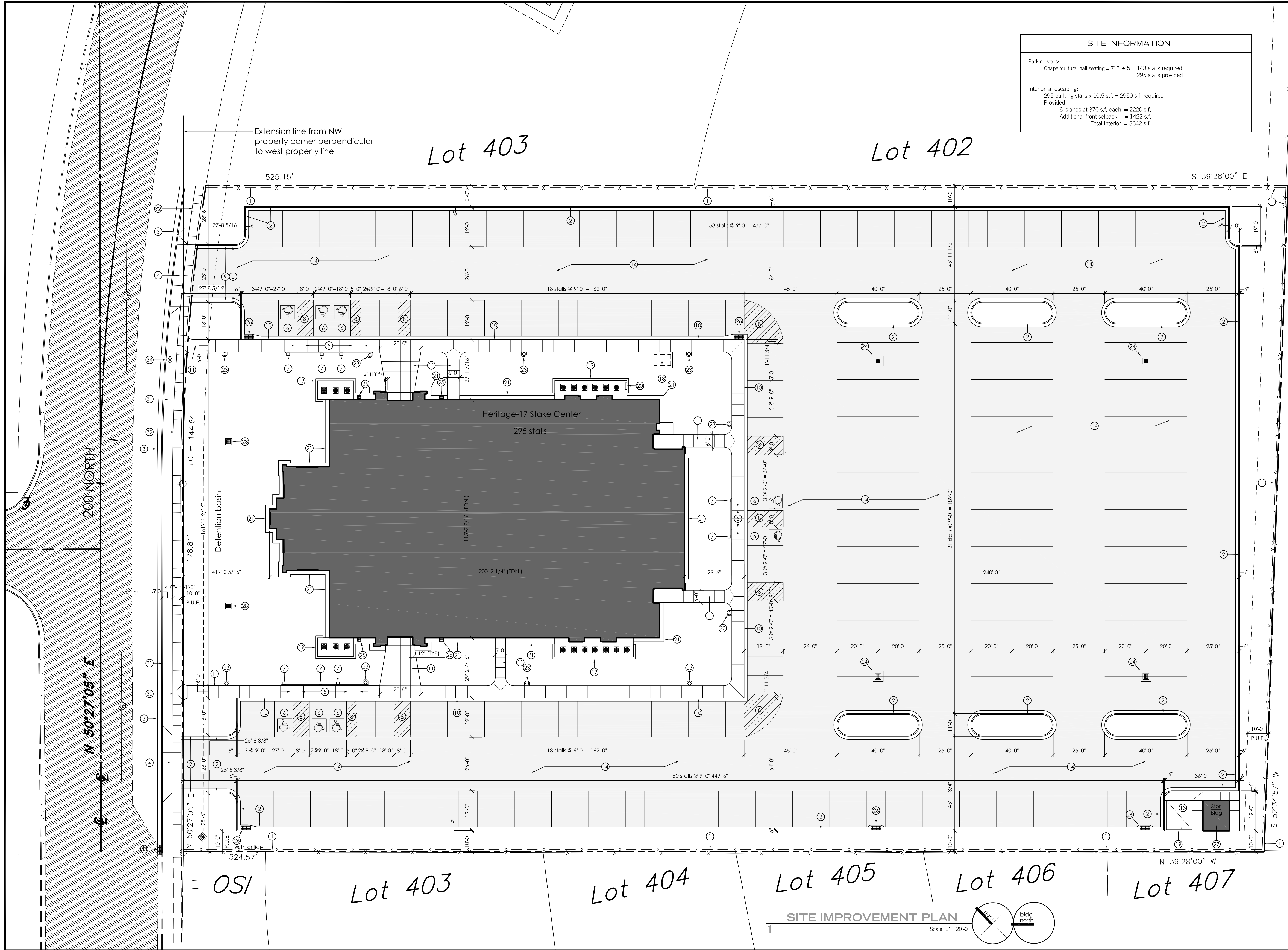
Sheet Title:

EXTERIOR
ELEVATIONS

Sheet:

A201

1/30/2019 3:43:09 PM



SITE INFORMATION

Parking stalls:
Chapel/cultural hall seating = 715 ÷ 5 = 143 stalls required
295 stalls provided

Interior landscaping:
295 parking stalls x 10.5 s.f. = 2950 s.f. required
Provided:
6 islands at 370 s.f. each = 2220 s.f.
Additional front setback = 1422 s.f.
Total interior = 3642 s.f.

Architect / Engineer:

ARCHITECTS

BOTT PANTONE

620 24TH STREET
SODER, UT 84401
PHONE: 801.394.3033
FAX: 801.394.0064

Stamp:

Project for:

KAYSVILLE
STAKE CENTER

2103 WEST 200 NORTH
KAYSVILLE, UTAH

Project for:

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

Mark	Date (dd/mm)	Description

Project Number:

1857.01

Plan Series:

--

Property Number:

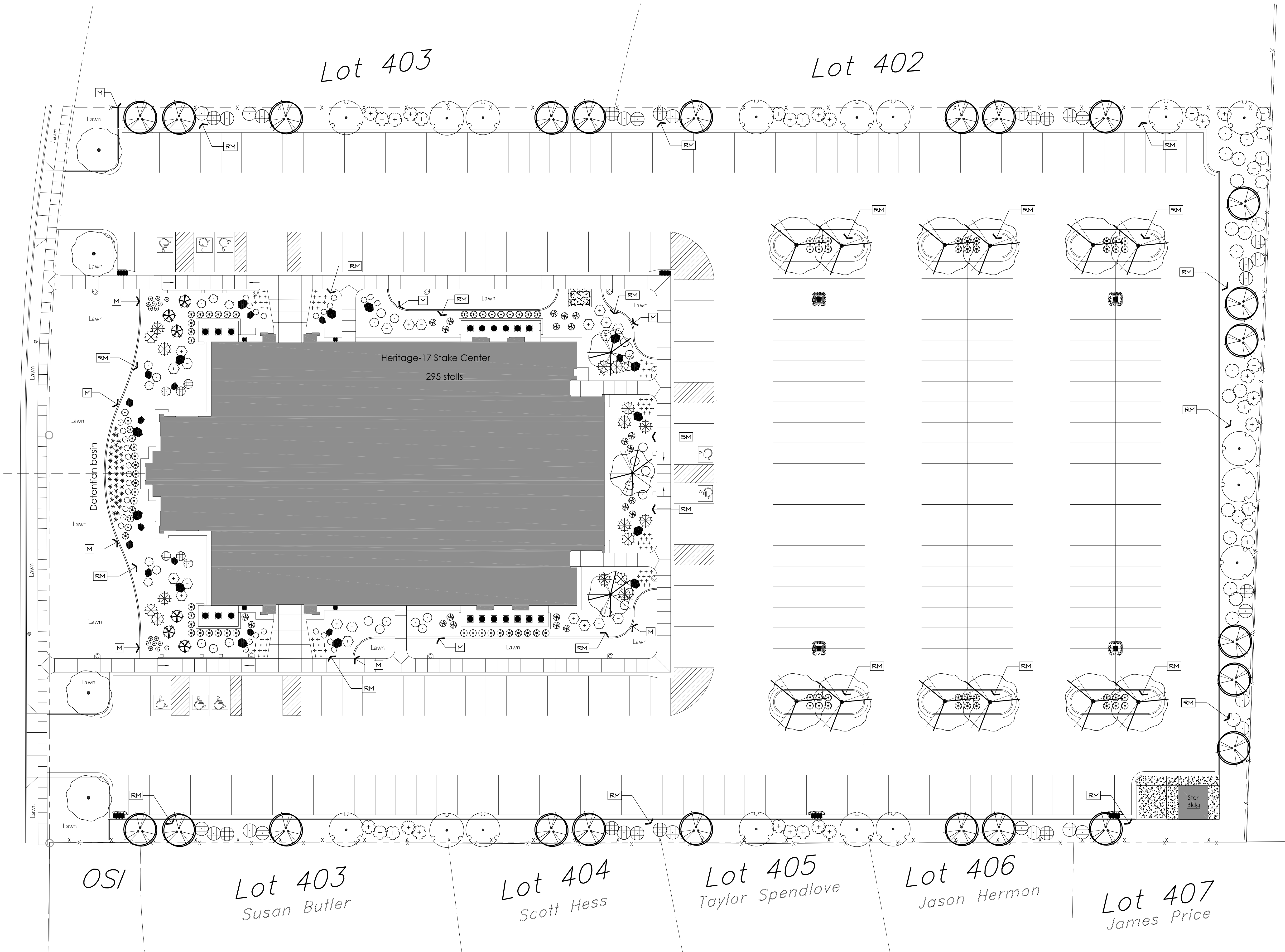
501-4019

Sheet Title:

SITE
IMPROVEMENT
PLAN

Sheet:

SD101



E. A. Lyman
Landscape Architecture
Land Planning
Urban Design
8188 South Highland Dr. D7
Sandy, Utah 84093
Telephone: 801.943.6564
E-mail: eric@ealyman.com

Architect / Engineer:
BOTT PANTONE
620 24TH STREET
SUITE 200
BOCA RATON, FL 33433
P 801.394.3033
F 801.394.3004

Stamp:

**KAYSVILLE
STAKE CENTER**
2103 WEST 200 NORTH
KAYSVILLE, UTAH

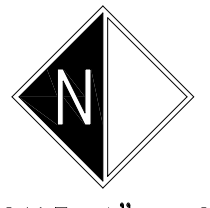
Project for:
**THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS**

Mark	Date	Description

Project Number:
1857.01
Plan Series:
Property Number:
501-4019

Sheet Title:
**LANDSCAPE
PLAN**

Sheet:
L111



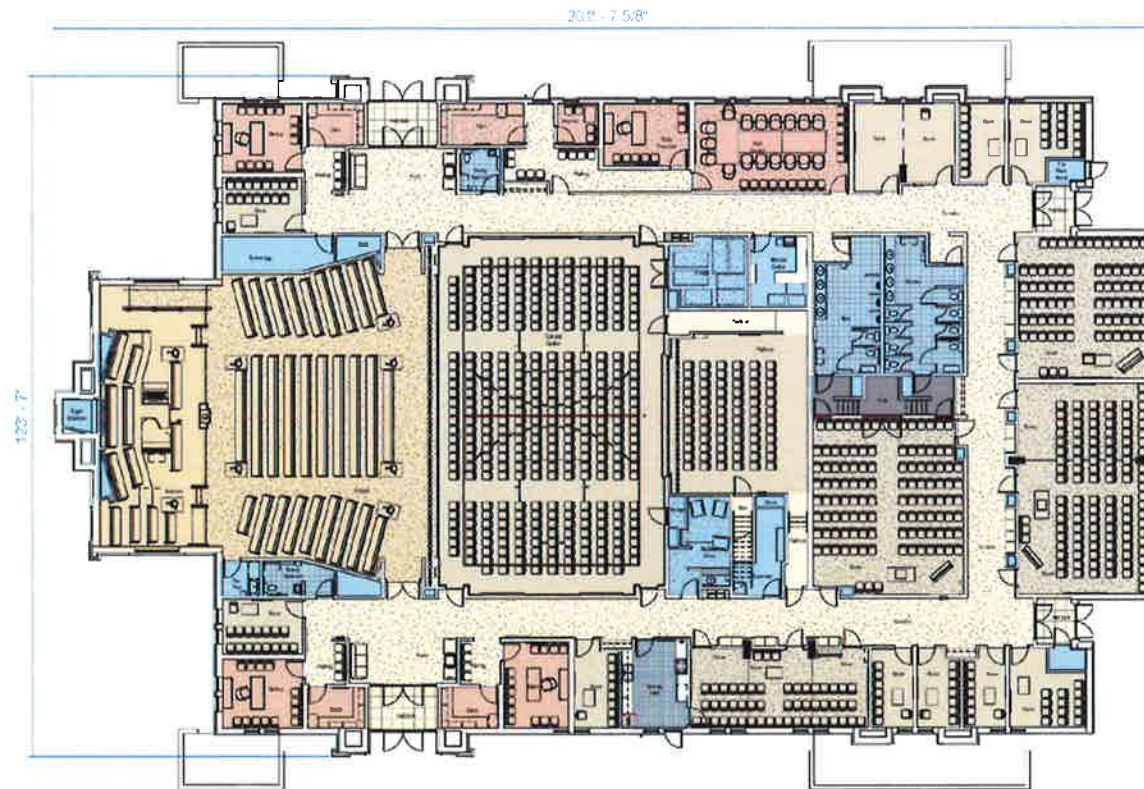
*See Sheet L112 for Plant Schedule
0 20 40 60 80 100

SCALE: 1" = 20'

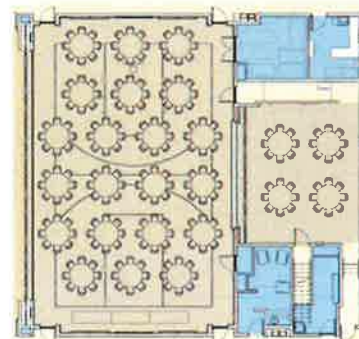


Heritage 17 SC Stake Center

December 21, 2017



BANQUET
SEATING



Heritage 17 Stake Center (SC)

PROGRAM

Area: 20,602 SF

Assembly Seating:

Rostrum: 55
Chapel Floor: 236
Overflow: 588
Conference Seating: 660

Teaching Areas: 22

Assembly Room Capacities:

PH: 115
RS: 115
PR: 75
YW: 52

Cultural Center: Multipurpose

Indoor Sports: Yes
Platform: Yes
Banquet Seating: 200

Offices:

Unit Leader Offices: 4
Clerks: 4

Support Spaces:

Serving Area: Yes (teaching area)
Materials Center: Yes
Mothers' Room: Yes





Planning Commission Staff Report

Public Hearing and Preliminary Plat Review for the Westgate Subdivision. February 14, 2019

Applicant/Owner: Perry Homes
Location: 2300 West 200 North (Schick Lane)
Zone: GC, R-1-8, R-1-LD

Description:

Perry Homes recently rezoned the subject property in anticipation of the proposed development. In continued pursuit of the project they have submitted a preliminary plat application giving additional detail regarding the anticipated development of the site.

The subdivision consists of 122 total lots and a commercial pad which are anticipated to be developed over 5 phases starting from the south end of the project along 200 North Street.

The preliminary plat is consistent with what was shown during the rezone process which includes open space to be dedicated to the city for use as a park as well as a trail connection which is anticipated to tie into Layton City's trail system over time.

As there is no PRUD element to this subdivision, all lots within their respective zoning districts meet the minimum lot size and frontage requirements. This includes 37 lots in the R-1-8 (lots 166-193 and lots 117, 118, 119, 136, 137, 138, 155, 156, and 157). Lots in the R-1-8 zone range from 8,170 sq. ft. to 14,179 sq. ft. in size. All lots meet or exceed the required 65 ft. of frontage for the zone. The remaining 85 residential lots are located in the R-1-LD zone which meets the 2 unit per acre lot requirement with lots ranging in size from 12,000 sq. ft. to 61,324 sq. ft. in size. The applicant has also left a 3 acre commercial pad along 200 north in the property which has been zoned GC.

The proposed subdivision has only 1 cul-de sac which is less than 200 feet deep. The ordinance allows for a dead end street to be as long as 600 feet in length. The remaining network consists of through streets which completes the anticipated network from Lloydwood Drive and Eulalia Way to the East.

Recommendation:

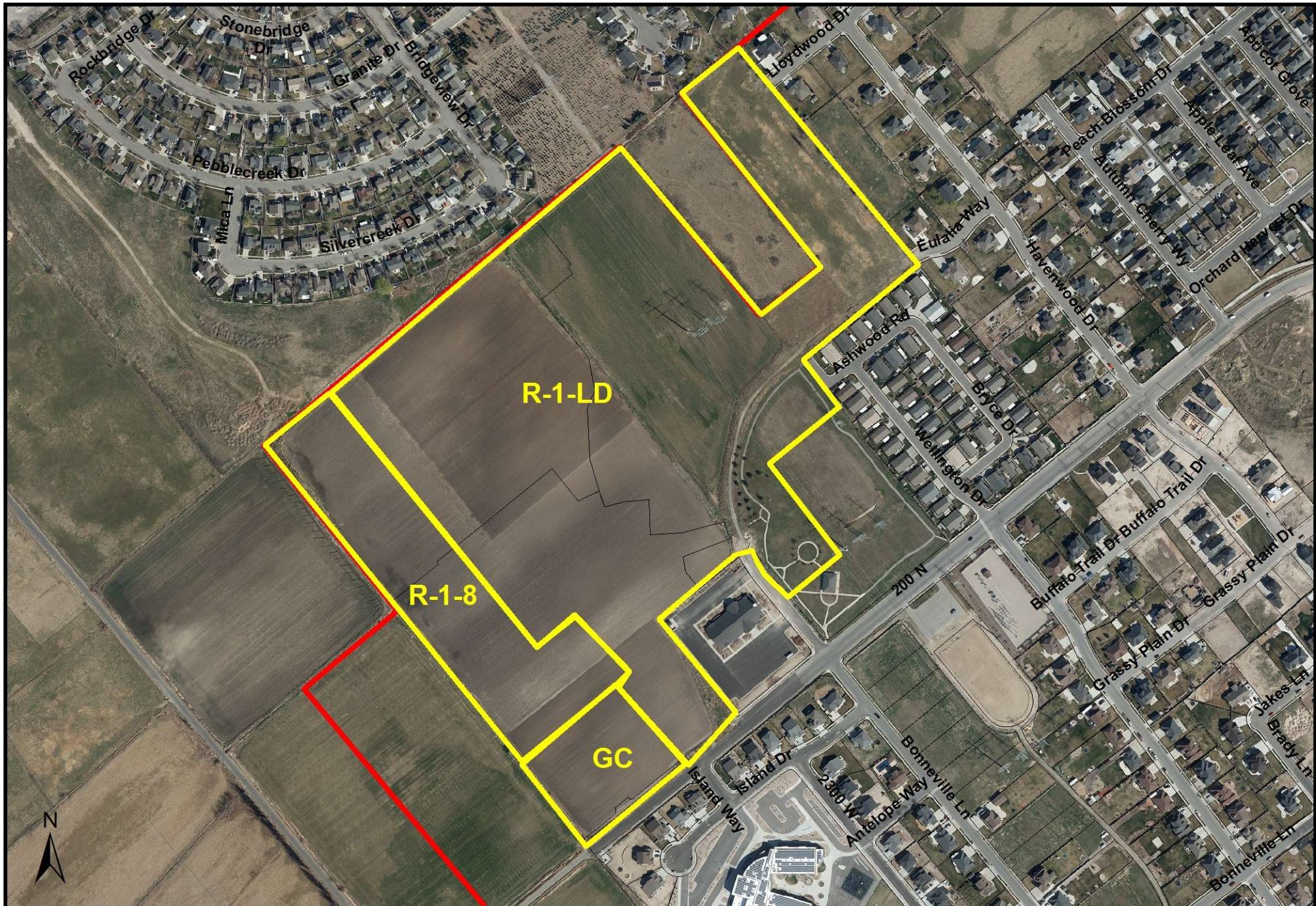
Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for approval of the proposed preliminary plat for the Westgate Subdivision.

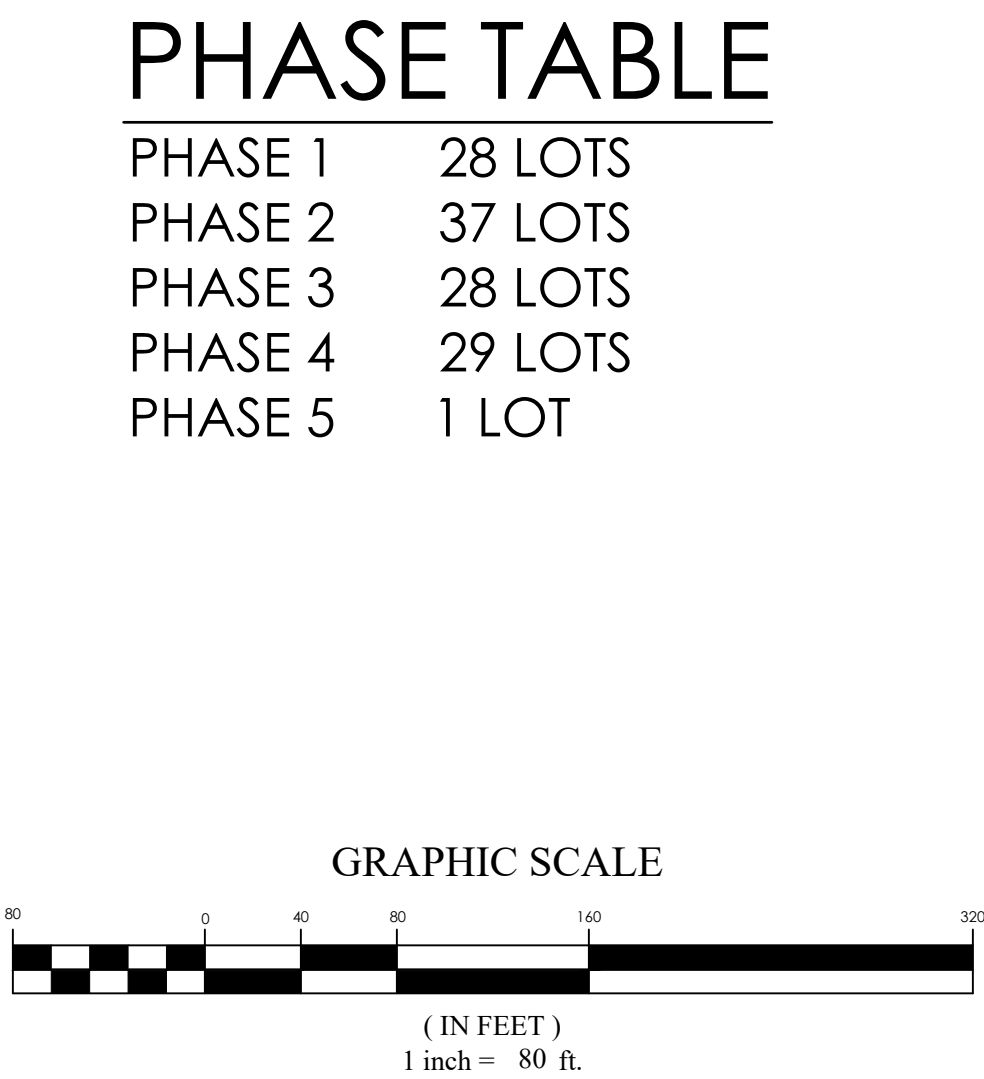
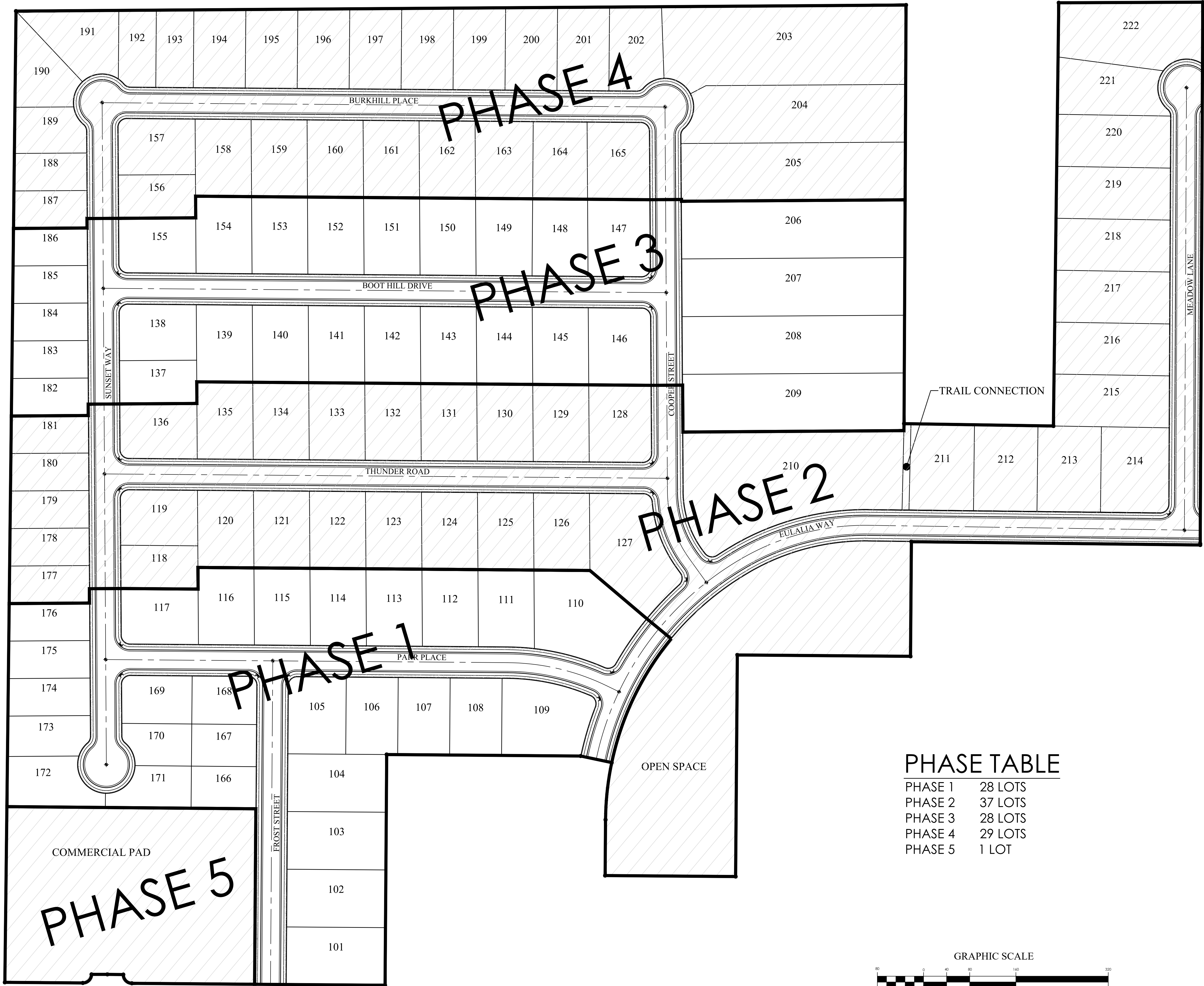
Reasoning:

The proposed subdivision is consistent with the anticipated development through the rezone process. It is in compliance with applicable zoning districts, and proposes a desirable road network. Some fine-tuned details regarding utilities will still need to be worked out at final plat review for each phase, but the preliminary details indicate an acceptable development.

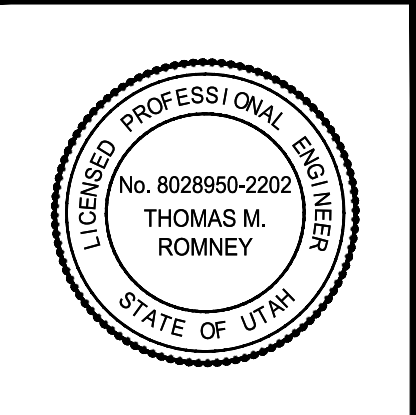
Attachment 1:	Area Map with zoning district overlay.
Attachments 2-6:	Preliminary Plat documents
Attachment 7:	Anticipated Phasing Plan.

Rezone of 2300 West Schick Lane (200 North) from R-A to GC, R-1-LD, and R-1-8





FOCUS
ENGINEERING AND SURVEYING, LLC
32 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

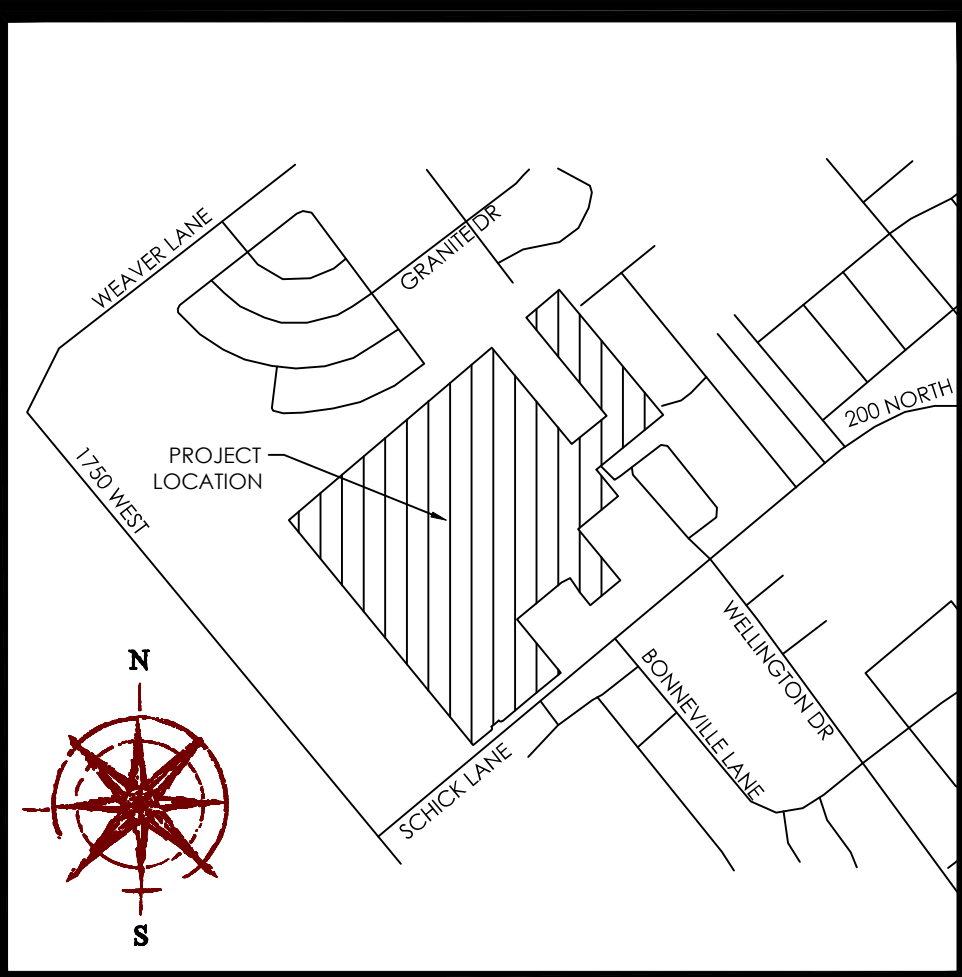


WESTGATE
KAYSVILLE, UT
PHASING PLAN

REVISION BLOCK		DESCRIPTION	
#	DATE		
1			
2			
3			
4			
5			
6			

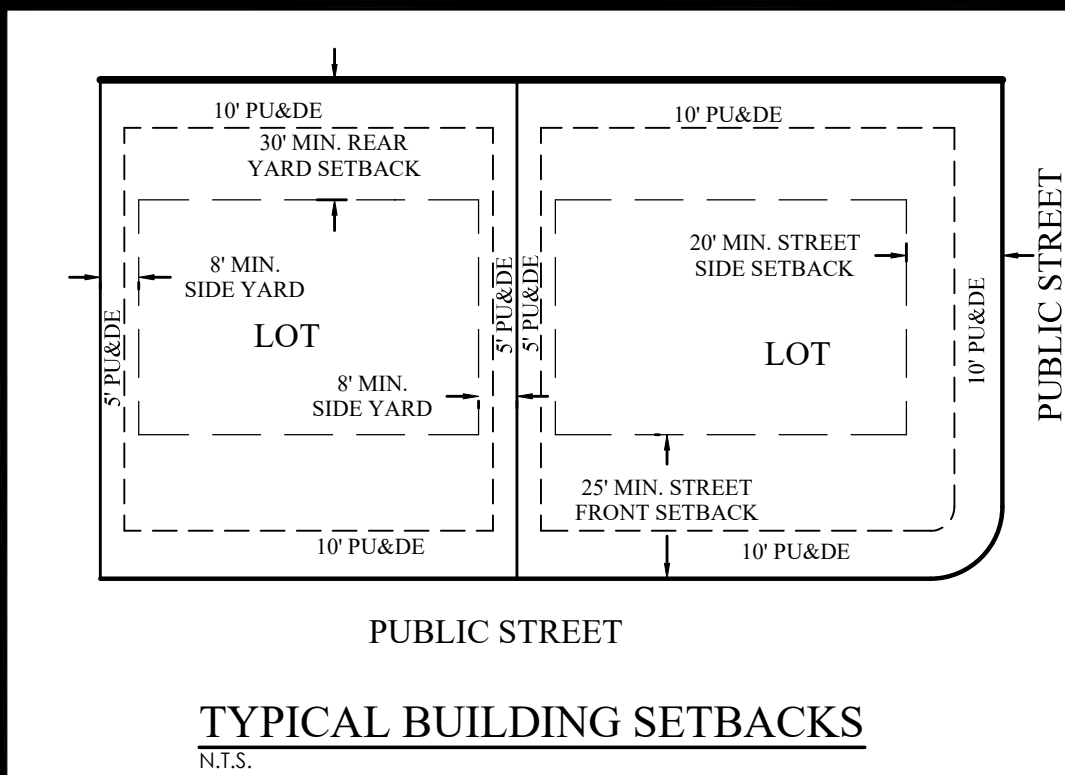
PHASING PLAN

Scale: 1"=80'	Drawn: JRB
Date: 01/15/19	Job #: 17-319
Sheet:	C3.1



VICINITY MAP
N.T.S.

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	50.00	278°20'08"	242.89	S49°38'08"W	65.38
C2	50.00	189°36'46"	165.47	N04°48'18"E	99.65
C3	50.00	187°31'44"	163.65	S84°57'40"E	99.78
C4	200.00	35°20'23"	123.36	S58°02'04"E	121.41
C5	555.00	18°11'52"	176.27	S01°17'04"E	175.53
C6	527.50	26°35'07"	244.76	N01°22'11"W	242.57
C7	500.00	48°11'21"	420.53	N04°01'20"W	408.24
C8	527.50	13°27'16"	123.87	N21°23'23"W	123.59
C9	427.50	23°07'40"	172.56	S62°00'22"W	171.39
C10	400.00	25°26'28"	177.61	S63°09'46"W	176.16
C11	527.50	8°08'58"	75.03	N15°59'51"E	74.97
C12	427.50	30°35'07"	228.21	S35°21'54"W	225.51
C13	400.00	30°35'07"	213.53	N35°21'54"E	211.00
C14	50.00	172°32'05"	150.57	S02°37'40"E	99.79
C15	371.55	22°45'59"	147.63	N61°47'45"E	146.66
C16	15.00	87°54'37"	23.01	S62°53'44"E	20.82
C17	540.29	9°25'37"	88.89	S23°31'43"E	88.79
C18	423.89	17°05'53"	126.50	S65°05'38"W	126.03
C19	15.00	83°57'12"	21.98	S31°35'56"W	20.06
C20	555.00	9°48'17"	94.97	S05°28'51"E	94.86
C21	427.50	6°10'31"	46.08	S53°31'48"W	46.05
C22	15.00	89°11'36"	23.35	N84°57'40"W	21.06
C23	15.00	90°48'24"	23.77	N05°02'20"E	21.36
C24	15.00	84°49'04"	22.21	S87°08'56"E	20.23
C25	227.50	30°57'51"	122.95	S60°13'19"E	121.46
C26	15.00	83°31'07"	21.87	S33°56'41"E	19.98
C27	546.38	8°31'32"	81.30	S03°37'05"W	81.23
C28	15.00	90°48'24"	23.77	S05°02'20"W	21.36
C29	15.00	89°11'36"	23.35	N84°57'40"W	21.06
C30	15.00	90°48'24"	23.77	N05°02'20"E	21.36
C31	15.00	89°11'36"	23.35	S84°57'40"E	21.06
C32	15.00	90°48'24"	23.77	S05°02'20"W	21.36
C33	15.00	89°11'36"	23.35	N84°57'40"W	21.06

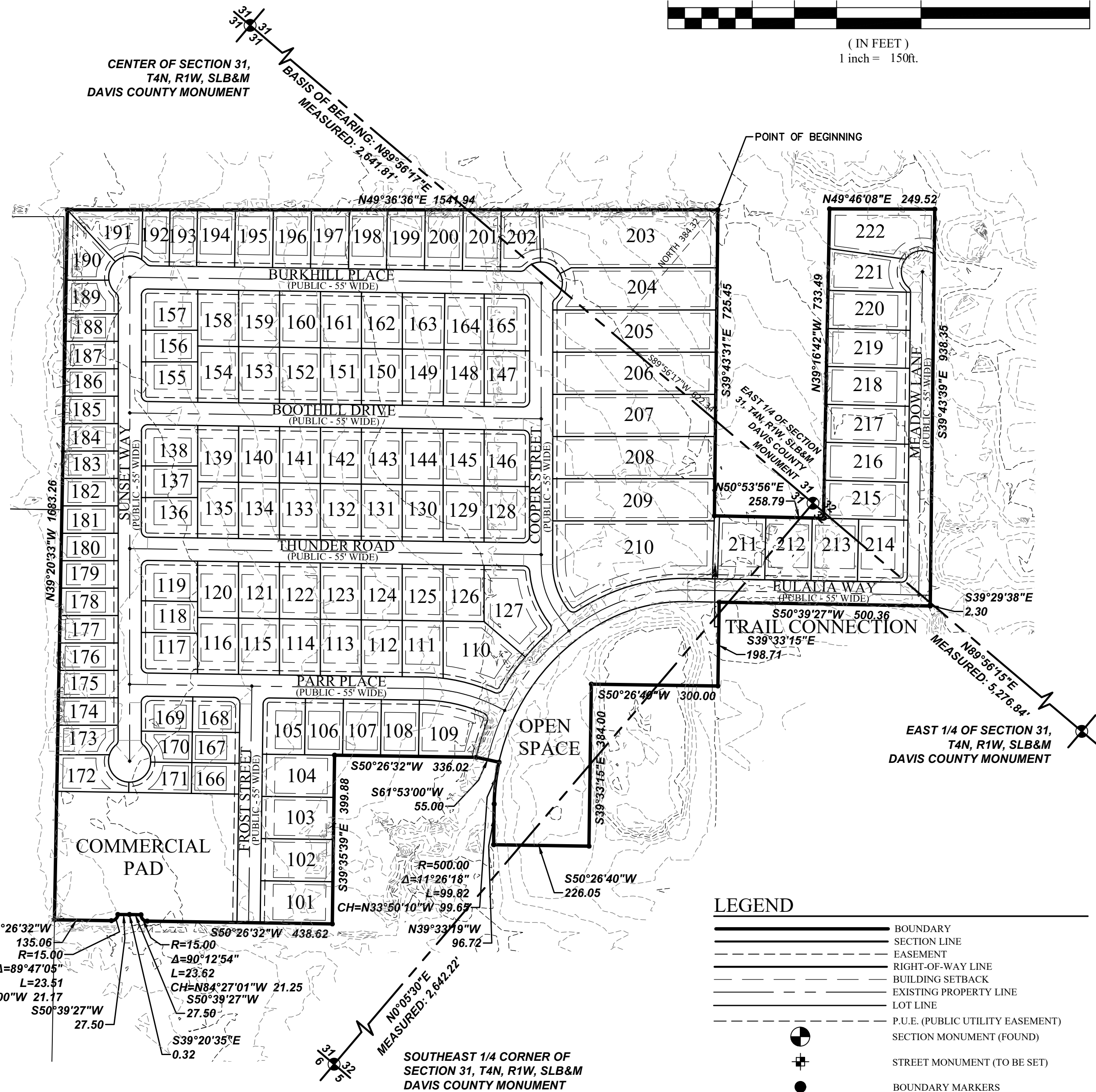


TYPICAL BUILDING SETBACKS
N.T.S.

WEST GATE SUBDIVISION

PRELIMINARY PLAT - NOT TO BE RECORDED
LOCATED IN THE EAST 1/4 OF SECTION 31, T4N, R1W,
SALT LAKE BASE & MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH

CENTER OF SECTION 31,
T4N, R1W, SLB&M
DAVIS COUNTY MONUMENT



1 OF 3

SURVEYORS CERTIFICATE

I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owners(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, blocks, streets, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

Spencer W. Llewellyn
Professional Land Surveyor
Certificate No. 10516507

Date

RECORD DESCRIPTION

A portion of the land located in Section 31, Township 4 North, Range 1 West, Salt Lake Base and Meridian, more particularly describe as follows:

Beginning at a point located S89°56'17"W along the Section line 622.34 feet and North 384.32 feet from the North East Corner of Section 31, T4N, R1W, SLB&M; thence S39°43'31"E 725.45 feet; thence N50°53'56"E 258.79 feet; thence N39°16'42"W 733.49 feet; thence N49°46'08"E 249.52 feet; thence S39°43'39"E 938.35 feet; thence S39°29'38"E 2.30 feet; thence S39°33'15"E 384.00 feet; thence S50°26'40"W 226.05 feet; thence N39°33'19"W 96.72 feet; thence along the arc of a curve to the right with a radius of 500.00 feet a distance of 99.82 feet through a central angle of 11°26'18" Chord: N33°50'10"W 99.65 feet; thence S61°53'00"W 55.00 feet; thence S50°26'32"W 336.02 feet; thence S39°35'39"E 399.88 feet; thence S50°26'32"W 438.62 feet; thence along the arc of a curve to the right with a radius of 15.00 feet a distance of 23.62 feet through a central angle of 90°12'54" Chord: N84°27'01"W 21.25 feet; thence S50°39'27"W 27.50 feet; thence S39°20'35"E 0.32 feet; thence S50°39'27"W 27.50 feet; thence S50°39'27"W a distance of 23.51 feet through a central angle of 89°47'05" Chord: S05°33'00"W 21.17 feet; thence S50°26'32"W 135.06 feet; thence N39°20'33"W 1,683.26 feet; thence N49°36'36"E 1,541.94 feet to the point of beginning.

Contains: 58.59 acres +/-

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT, AND NAME SAID TRACT

WEST GATE SUBDIVISION PRELIMINARY PLAT

AND DO HEREBY DEDICATE, GRANT AND CONVEY TO KAYSVILLE CITY, DAVIS COUNTY, UTAH, ALL EASEMENTS AS SHOWN ON THIS PLAT AS PUBLIC UTILITY EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY KAYSVILLE CITY.

SIGNED THIS ____ DAY OF ____, 20__

Z:_2017\17-319 Schlak Form\design 17-319.dwg Sheets\02- Preliminary Plat.dwg



PLANNING COMMISSION

Approved as to form this ____ day of ____
20__ by the Kaysville City Planning Commission.

Chairman, Planning Commission

CITY ENGINEER

Approved as to form this ____ day of ____
A.D., 20__.

Kaysville City Engineer

CITY ATTORNEY

Approved as to form this ____ day of ____
A.D., 20__.

Kaysville City Attorney

CITY COUNCIL

Presented to the Kaysville City Council this ____ day of ____, 20__ at which time this subdivision was approved and accepted.

Mayor

Attest:

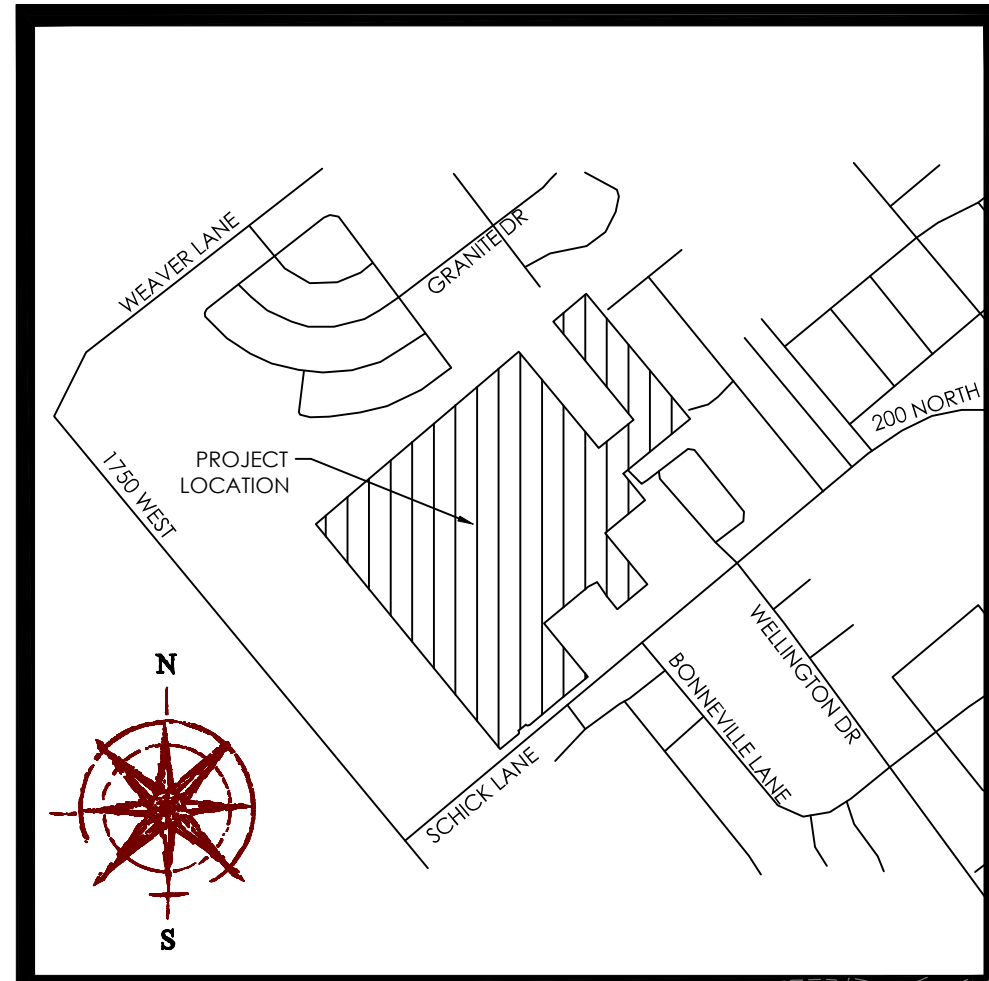
City Recorder

RECORDED

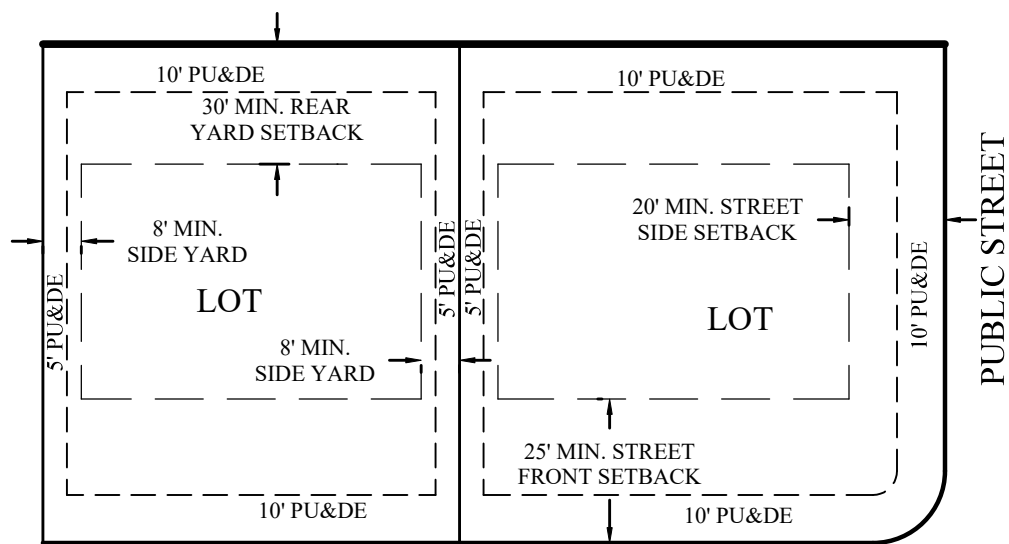
State of Utah, County of Davis
Recorded at the request of

Date ____ Time ____ Book ____ Page ____

\$ ____
Fee ____ County Recorder



VICINITY MAP
N.T.S.



TYPICAL BUILDING SETBACKS
N.T.S.

WEST GATE SUBDIVISION

PRELIMINARY PLAT - NOT TO BE RECORDED

LOCATED IN THE EAST 1/4 OF SECTION 31, T4N, R1W,
SALT LAKE BASE & MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH



GRAPHIC SCALE



CENTER OF SECTION 31,
T4N, R1W, SLB&M
DAVIS COUNTY MONUMENT

N89°56'17"E
MEASURED: 2,641.81'



RECORDED

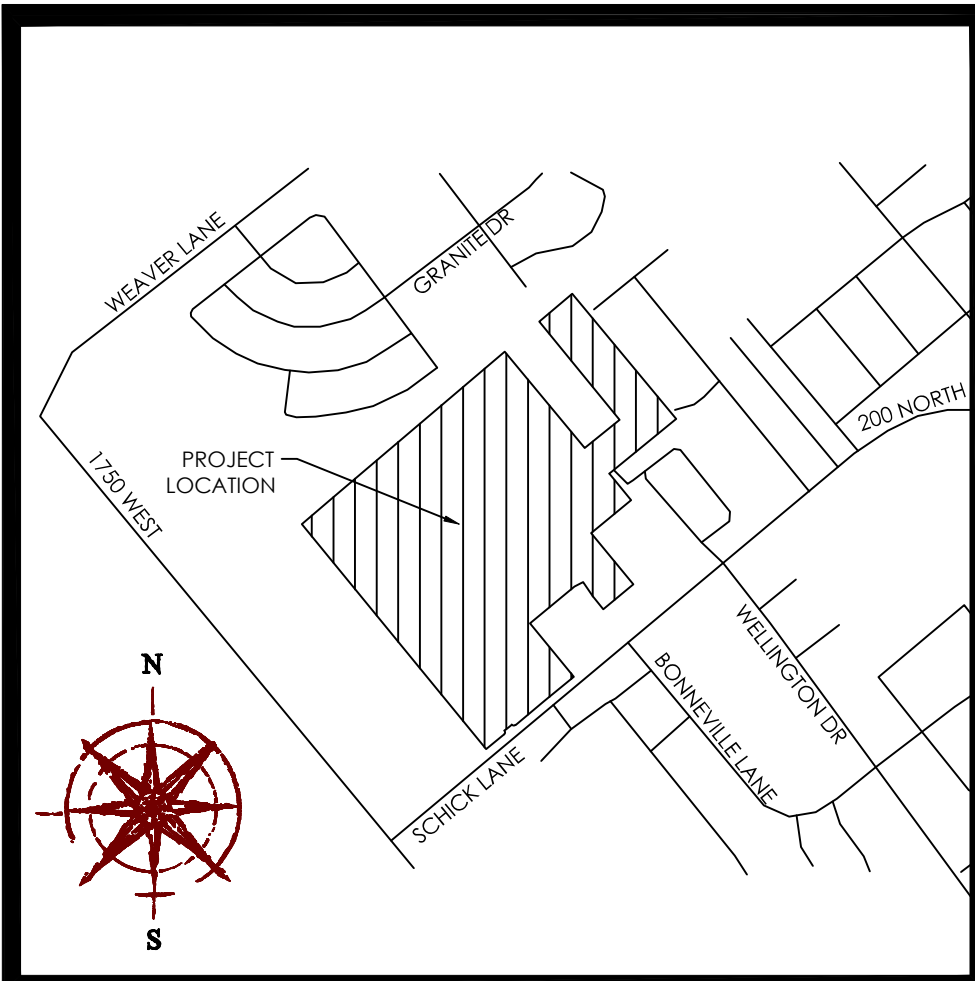
State of Utah, County of Davis
Recorded at the request of

Date _____ Time _____ Book _____ Page _____

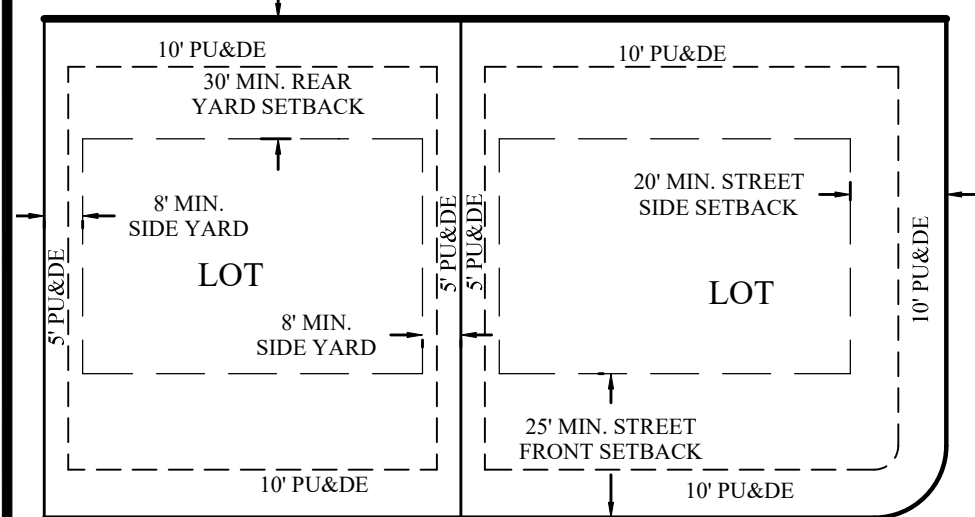
\$ _____
Fee _____ County Recorder

LEGEND

- BOUNDARY
- SECTION LINE
- EASEMENT
- RIGHT-OF-WAY LINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- LOT LINE
- P.U.E. (PUBLIC UTILITY EASEMENT)
- SECTION MONUMENT (FOUND)
- STREET MONUMENT (TO BE SET)
- BOUNDARY MARKERS



VICINITY MAP
N.T.S.



TYPICAL BUILDING SETBACKS
N.T.S.

LEGEND

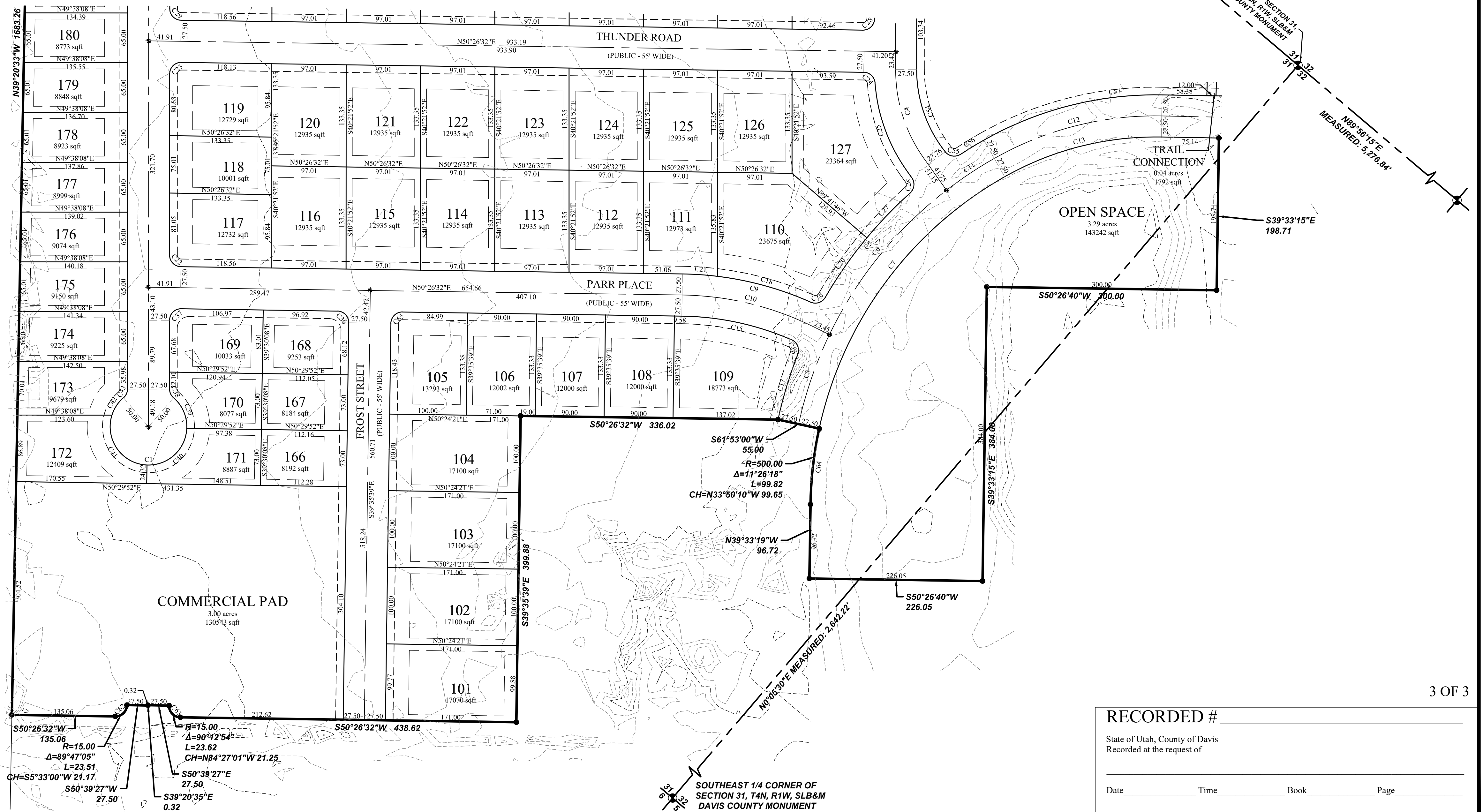
- BOUNDARY
- SECTION LINE
- EASEMENT
- RIGHT-OF-WAY LINE
- BUILDING SETBACK
- EXISTING PROPERTY LINE
- LOT LINE
- P.U.E. (PUBLIC UTILITY EASEMENT)
- SECTION MONUMENT (FOUND)
- STREET MONUMENT (TO BE SET)
- BOUNDARY MARKERS



WEST GATE SUBDIVISION

PRELIMINARY PLAT - NOT TO BE RECORDED

LOCATED IN THE EAST 1/4 OF SECTION 31, T4N, R1W,
SALT LAKE BASE & MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH



CENTER OF SECTION 31,
T4N, R1W, SLB&M
DAVIS COUNTY MONUMENT

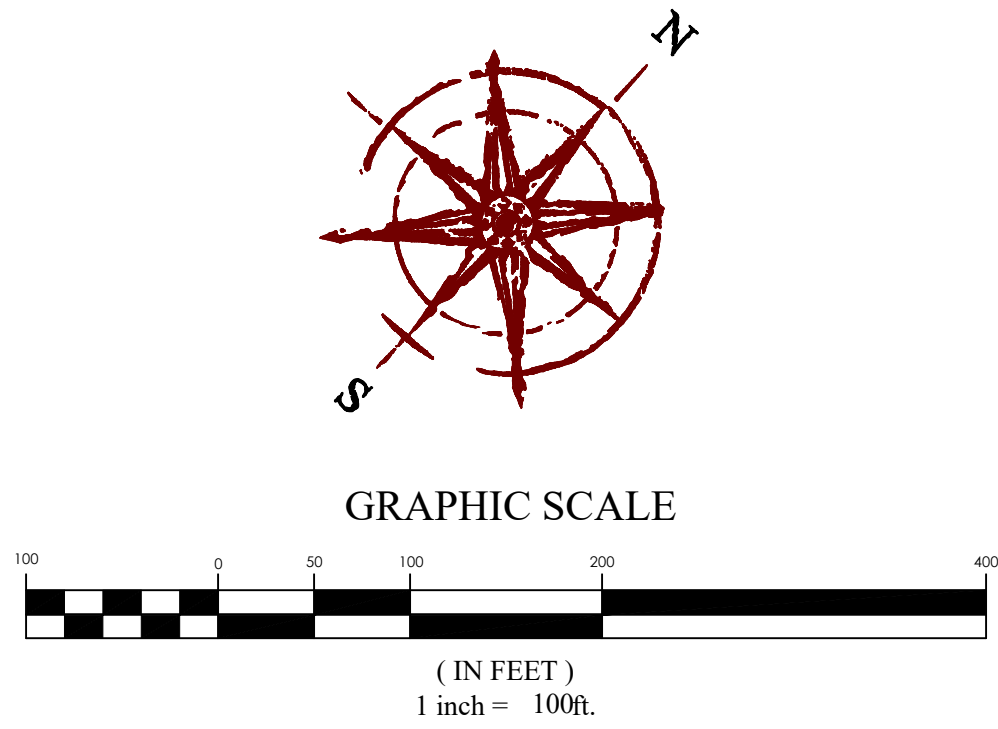
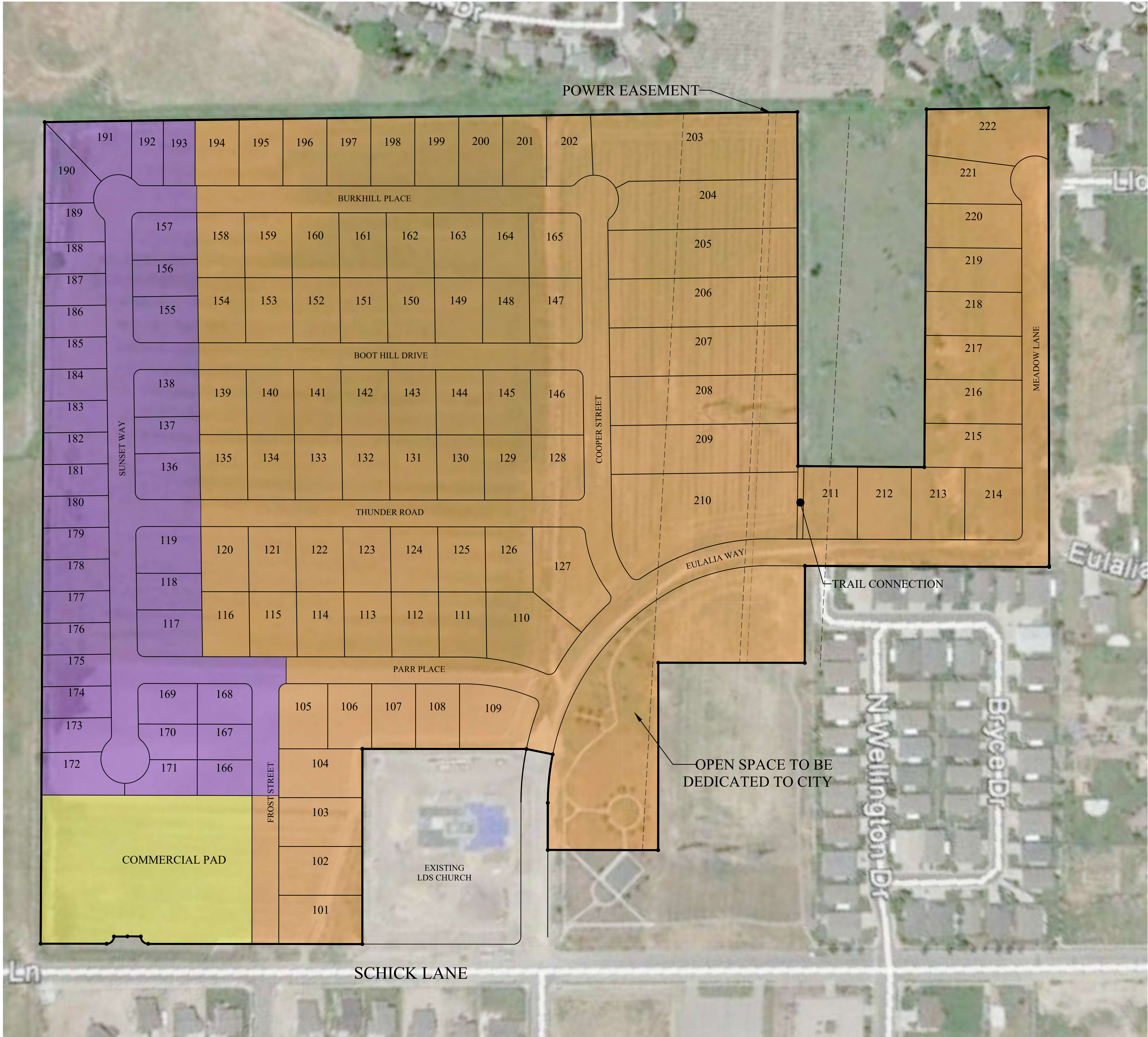
GRAPHIC SCALE
(IN FEET)
1 inch = 80 ft.

RECORDED #

State of Utah, County of Davis
Recorded at the request of

Date _____ Time _____ Book _____ Page _____

\$ _____
Fee _____ County Recorder



GENERAL COMMERCIAL ZONE

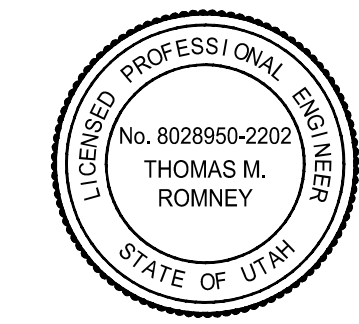
TOTAL AREA BEING REZONED:	3.00 ACRES
NUMBER OF LOTS:	1 LOTS
DENSITY:	0.33 LOTS/ACRE

R-1-LD ZONE

LOT SIZE:	12,000 SF
FRONT SETBACK:	30'
LOT WIDTH:	90'
TOTAL AREA BEING REZONED:	44.39 ACRES
NUMBER OF LOTS:	85 LOTS
DENSITY:	1.91 LOTS/ACRE

R-1-8 ZONE

LOT SIZE:	8,000 SF
FRONT SETBACK:	25'
LOT WIDTH:	60'
TOTAL AREA BEING REZONED:	11.21 ACRES
NUMBER OF LOTS:	37 LOTS
DENSITY:	3.30 LOTS/ACRE

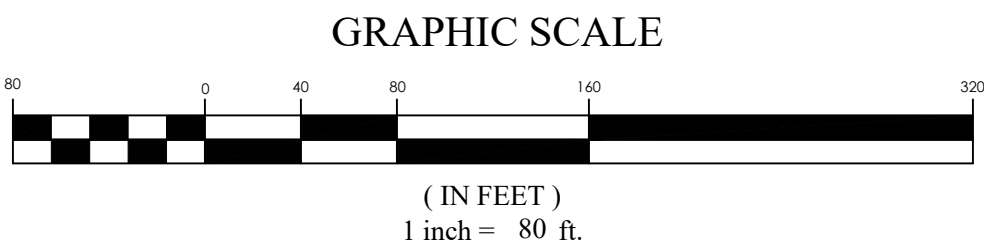
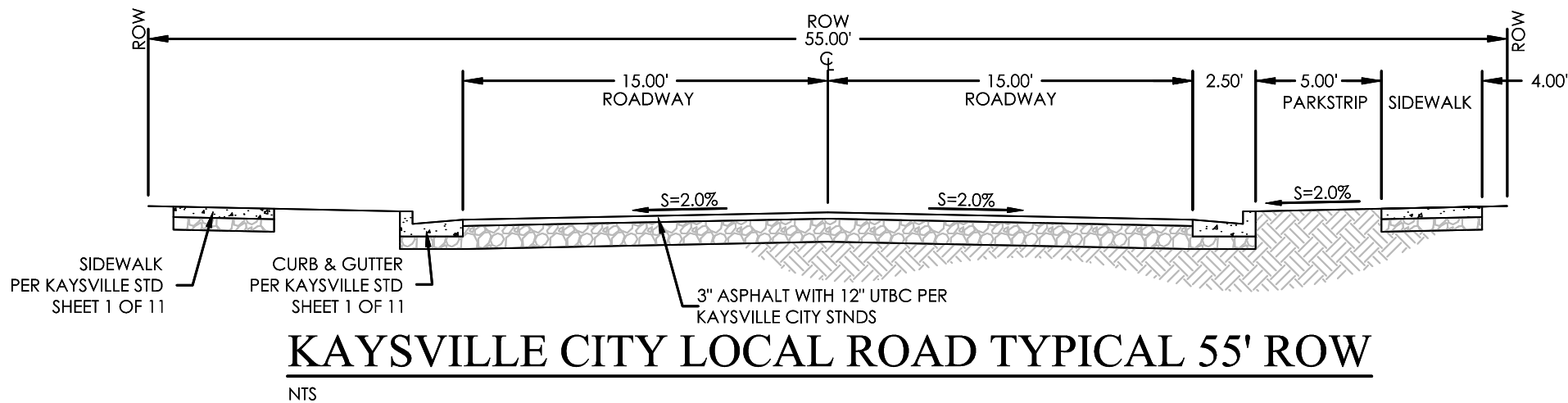
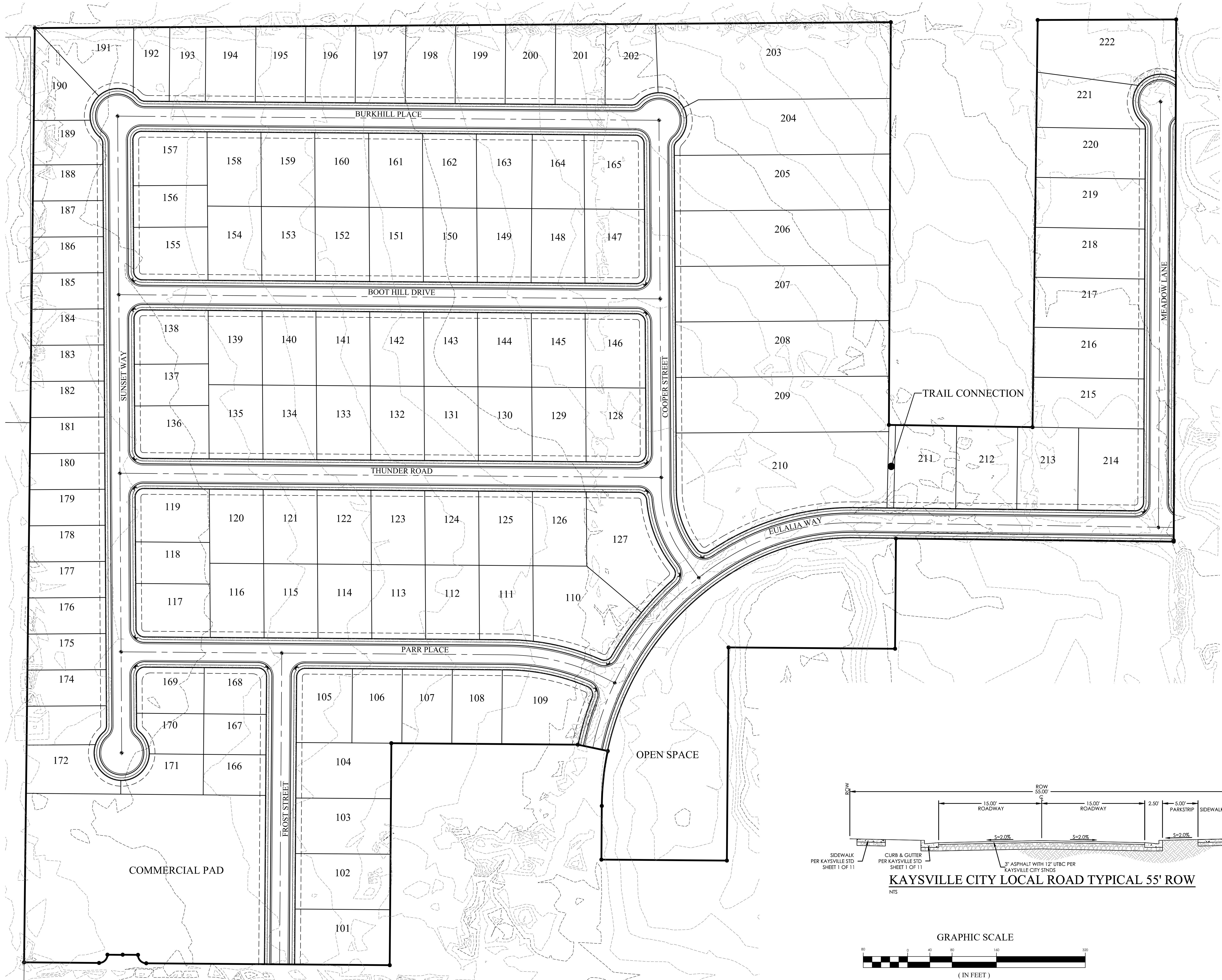


WESTGATE
KAYSVILLE, UTAH
ZONE EXHIBIT

REVISION BLOCK		DESCRIPTION
#	DATE	
1	----	----
2	----	----
3	----	----
4	----	----
5	----	----
6	----	----

ZONE EXHIBIT

Scale:	1"=100'	Drawn:	JRB
Date:	01/10/19	Job #:	17-319
Sheet:			



FOCUS
ENGINEERING AND SURVEYING, LLC
32 WEST CENTER STREET
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

WESTGATE

KAYSVILLE, UT

SITE PLAN

REVISION BLOCK		DESCRIPTION
#	DATE	
1	---	---
2	---	---
3	---	---
4	---	---
5	---	---
6	---	---

SITE PLAN

Scale: 1"=80'

Drawn: JRB

Date: 01/11/19

Job #: 17-319

Sheet: C4



Planning Commission Staff Report

Final Plat for Charly's Acres #2 Fourth Amended Subdivision at approximately 2100 West 200 North

February 14, 2019

Applicant/Owner: Terraventure Development
Zones: R-1-20 (Single Family), LI (Light Industrial), and GC (General Commercial)

Description:

Recently the proposed subdivision was approved for preliminary plat after a rezone of a portion of the property to the R-1-20 and LI zoning districts.

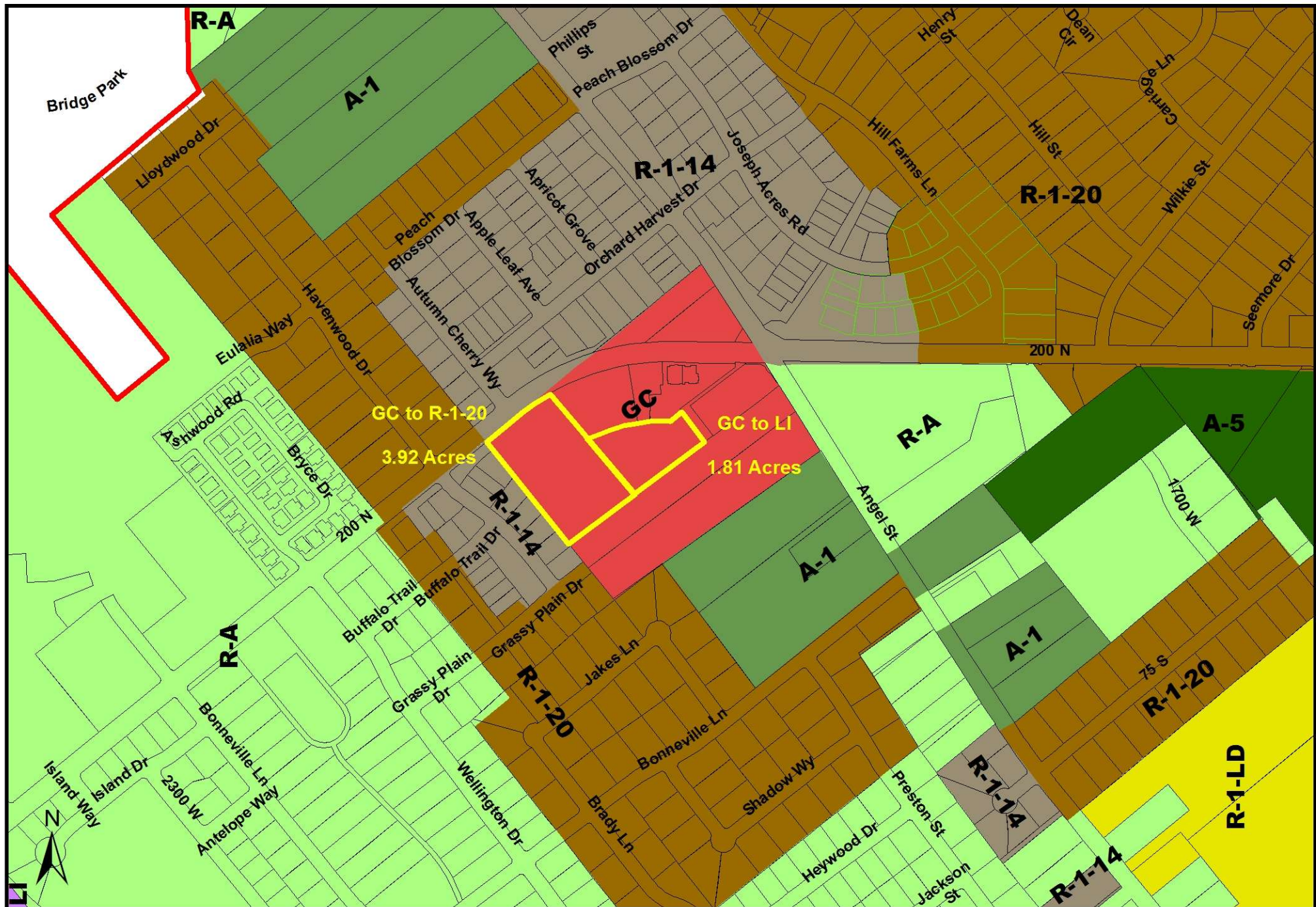
The applicant has now completed the engineering and is requesting final plat approval. The plat consists of four lots including lot 401 where a church is anticipated in the residential zone, and lot 402 which is anticipated for development of a storage unit facility in the LI zone. Access has been left for lot 402 along 200 North. The remaining 2 lots are commercial pads in the GC zone.

Recommendation:

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council for the approval of the preliminary plat as the proposed plat is consistent with the terms of the development agreement and the proposed lots are in compliance with applicable ordinances.

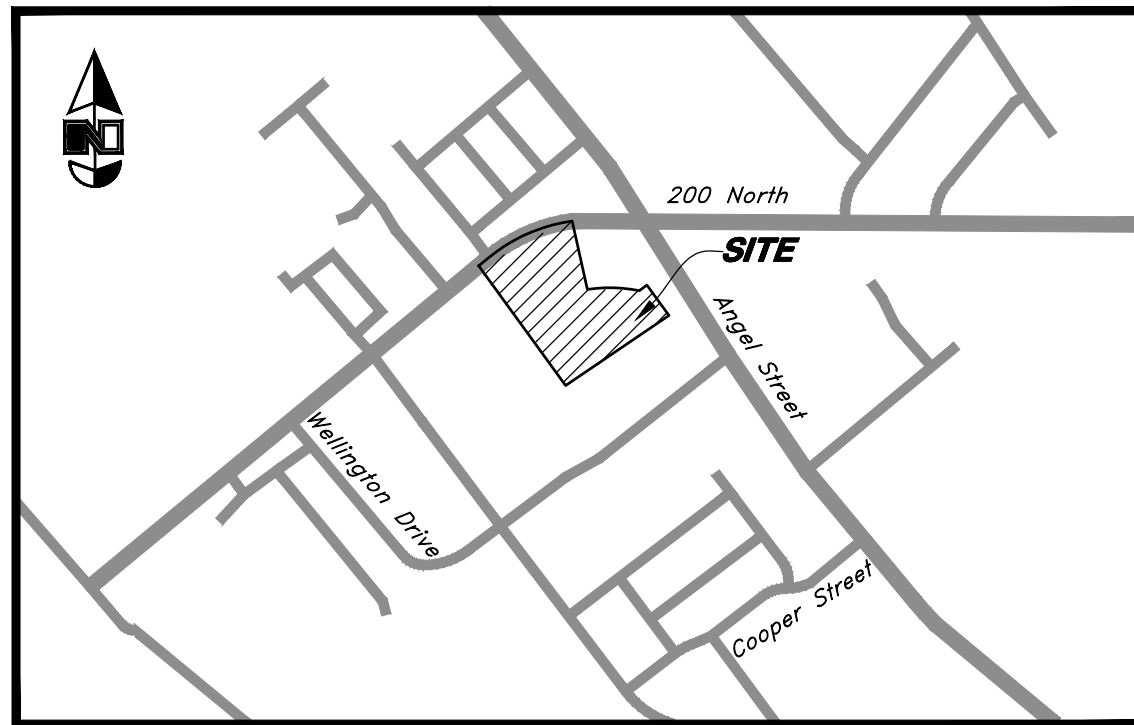
Attachment 1: Area Map
Attachment 2: Final Plat

2100 West 200 North - Rezone from GC to R-1-20 and LI



Charly's Acres #2 Fourth Amended Subdivision

Amending Lot 304, Charly's Acres #2 Third Amended Subdivision
A part of the Southwest Quarter of Section 32, T4N, R1W, SLB&M, U.S. Survey
Kaysville City, Davis County, Utah



Vicinity Map

A part of Kaysville, Davis County, Utah
Not to Scale

NARRATIVE

This Survey and Subdivision was requested by Terraventure to create 3 lots.

A 2015 Boundary Survey retracing and establishing the underlying subdivision was honored for control.

A line between monuments found for the Southwest Corner and the West Quarter Corner of Section 32 was assigned the Davis County bearing of S 00°05'30" W as the Basis of Bearings.

SURVEYOR'S CERTIFICATE

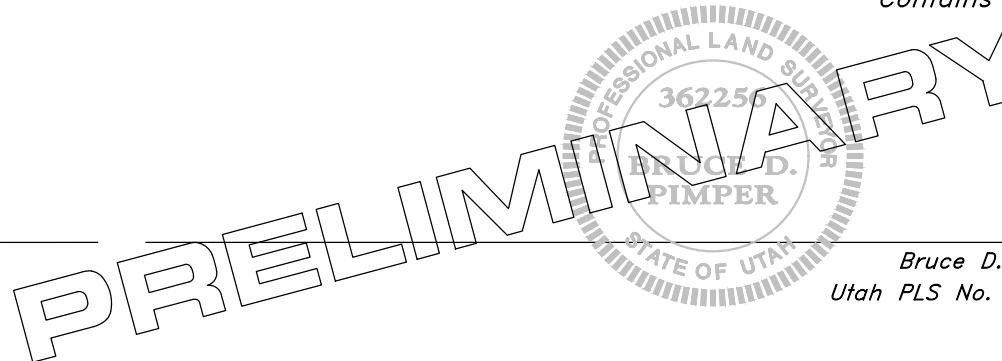
I, Bruce D. Pimper, a Professional Land Surveyor in the State of Utah, do hereby certify that this plat of Charly's Acres #2 Fourth Amended Subdivision in KAYSVILLE City, Davis County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the herein described lands in said subdivision based on data compiled from records in the Davis County Recorder's Office and from a survey made on the ground. I further certify that the requirements of all applicable land use codes of Kaysville City concerning zoning requirements have been complied with.

BOUNDARY DESCRIPTION

All of lot 304 of Charly's Acres #2 Third Amended Subdivision in Kaysville City, Davis County, Utah according to the Official Plat thereof.

Beginning at the most Southerly Corner of said Amended Subdivision as it exists on the ground located 739.47 feet South 0°05'30" West along the Section Line, and 1644.33 feet South 89°54'30" East from the West Quarter Corner of said Section 32; and running thence North 39°28'00" West 524.57 feet along the Southwesterly line of said Subdivision to the Southerly line of 200 North Street as it exists at 40.00 foot half-width; thence along said Southerly line the following two courses: North 50°27'05" East 178.81 feet to a point of curvature; and Northeasterly along the arc of a 914.93 foot radius, curve to the right a distance of 474.56 feet (Central Angle equals 29°43'07" and Long Chord bears North 65°18'39" East 469.26 feet) to the Westerly line of Lot 303 of said Third Amended Subdivision; thence South 9°49'47" East 233.00 feet along said Westerly Line to the most Southerly Corner thereof; thence Easterly along the arc of a 681.93 foot radius curve to the right a distance of 119.23 feet (Center bears South 9°49'47" East, Central Angle equals 10°01'04" and Long Chord bears North 85°10'45" East 119.08 feet) along the Southerly Line of said Lot 303 and the Southerly Line of WCP Kaysville Condominium; thence along the Southerly Line of said Condominium the following two courses: South 89°48'43" East 11.32 feet; and North 52°14'43" East 57.12 feet to the Westerly line of Lot 201, Charly's Acres #2 Second Amended Subdivision; thence South 37°44'01" East 150.26' along the Westerly line of Lot 201 to the most Southerly Corner thereof; thence South 52°34'57" West 676.98 feet along the Southeasterly Line of said Third Amended Subdivision as it exists on the ground to the point of beginning.

Contains 312,465 sq. ft.
or 7.173 acres
3 Lots



Owner's Dedication

We, the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same into lots as shown on this plat, and name said tract Charly's Acres #2 Fourth Amended Subdivision and hereby dedicate to KAYSVILLE City those certain strips as easements for public utility purposes over and across the portions of the lots designated as public utility easements, as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines, as may be authorized by KAYSVILLE City.

In witness whereby I Have hereunto set my hand This _____ Day of _____ AD, 20__.

Terraventure Development LTD

by: Stuart Adams
its: General Partner

Acknowledgment

State of _____
County of _____ } ss

On the _____ day of _____, 20__, personally appeared before me Stuart Adams, who being by me duly sworn did say that he is the General Partner of Terraventure Development, by authority of its members or its articles of organization, and he acknowledged to me that said company executed the same.

Residing in _____ County, _____
Commission Expires: _____
Commission Number: _____

Print Name

A Notary Public

KAYSVILLE CITY APPROVAL

This is to certify that this plat and dedication of this plat were duly approved and accepted by the City Council of KAYSVILLE City, Utah this _____ day of _____, 20__.

KAYSVILLE CITY ENGINEER

I hereby certify that I have carefully investigated the lines of Survey of the foregoing plat and legal description of the land embraced therein and find them to be correct and to agree with the lines and monuments on record in this office.
Signed this _____ day of _____, 20__.

KAYSVILLE CITY PLANNING COMMISSION

Approved by the KAYSVILLE City Planning Commission on this _____ day of _____, 20__.

Chairperson

KAYSVILLE CITY ATTORNEY

Approved by the KAYSVILLE City Attorney this _____ day of _____, 20__.

Signature

Attest: City Recorder

Mayor

Signature

Legend

- PUE Public Utility Easement
- Section Corner
- Property Line
- Centerline
- Section Line
- Right of Way Line
- (R) Radial
- (N/R) Non-Radial
- 5/8"x24" Rebar with AWA Plastic cap or nail with AWA brass tag to be set



ANDERSON WAHLEN & ASSOCIATES

2010 North Redwood Road, Salt Lake City, Utah 84116
801 521-8529 - AWAengineering.net

KAYSVILLE CITY PLANNING COMMISSION

January 10, 2019

Members Attending: Chairperson Matthew Anderson, Gary Bullock, Betty Parker, Wilf Sommerkorn, Joshua Sundloff, Tamara Tran, Thomas Wood

Staff Present: Zoning Administrator Lyle Gibson

Others Present: Marilyn Walker, Glen Walker, Lisa Jones, Kim Griesemer, Brandt Knowlton, Heather Knowlton, Dave Evans, Billie Garcia, Jason Garcia, Nicholas Majors, Clark Steed, Richard Allen, Allen Francis, Devonna Cantrell, Russ Cantrell, Ron Mitchell, Paul Waldrop, Renee Waldrop, Janice Pruess, Michael Arveseth, Amy Jarman, Glenn Borders, Jim Neuner, Pam Neuner, Robert Dengg, Darrell McKinnon, Pamela Brown, Melony Warner, Bonnie Peterson, Casey Brown, Richard Olsen, Dean Wall, Brad Walters, Carole G. Walters, Janet Smith, Craig Smith, Scott Barben, Steve Einfeldt, Andy Springer, Gary Mumford, Randi Von Bose, Brandon Jones, James David, Tanya Bird, Spencer Luke

OPENING

The Planning Commission meeting was held on Thursday, January 10, 2018 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the November 29, 2018 meeting were presented for approval.

Thomas Wood made a motion to approve the minutes of the November 29, 2018 meeting. Betty Parker seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, FINISH CARPENTRY AT 228 NORTH SEEMORE DRIVE – JASON GARCIA

Lyle Gibson explained that Jason Garcia does finish carpentry and has been in business for several years. Recently he moved to 228 North Seemore Drive and is requesting a conditional use permit for a home occupation at his new address. Mr. Garcia's does not have any outside employees and any materials will stored offsite. The City does not have any record of complaints or problems with Mr. Garcia's business activity at his previous location.

Jason Garcia commented that he's a subcontractor and has an office in his home. He doesn't have any deliveries to his home and the only equipment he keeps at the home is his truck and tools.

Josh Sundloff commented that he lived by Jason Garcia when Mr. Garcia was in his previous home and there were never any adverse effects from Mr. Garcia's business.

Gary Bullock made a motion to grant a conditional use permit for a major home occupation “B”, finish carpentry at 228 North Seemore Drive for Jason Garcia. Tamara Tran seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, ELECTRICAL CONTRACTOR AT 271 EAST 200 SOUTH – RICHARD OLSEN

Lyle Gibson explained that Richard Olsen is requesting a conditional use permit for a major home occupation from his home at 271 East 200 South. Mr. Olsen is an electrical contractor and has been in business previously. He does not have any employees and would only use his home for bookkeeping and scheduling purposes.

Richard Olsen said that there would be no deliveries to his home and the only equipment kept at his home would be his truck and tools.

Betty Parker made a motion to grant a conditional use permit for a major home occupation “B”, electrical contractor at 271 East 200 South for Richard Olsen. Wilf Sommerkorn seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, MASSAGE THERAPIST AT 559 EAST 1250 SOUTH – MELONY WARNER

Lyle Gibson explained that Melony Warner lives at 559 East 1250 South and is requesting a conditional use permit in order to offer massage therapy sessions from her home. Clients will come by appointment for a fifty to ninety minute session. Sessions would be on Monday and Wednesday afternoons, and Thursday and Friday evenings. Ms. Warner has stated that she expects to have at least a ten minute break between appointments to prep for the next client.

Gary Bullock asked about how many clients Ms. Warner expects each day.

Melony Warner responded that she would likely only have two clients a day.

Thomas Wood made a motion to grant a conditional use permit for a major home occupation “B”, massage therapist at 559 East 1250 South for Melony Warner. Gary Bullock seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR AN AGRICULTURAL HOME OCCUPATION, AUTO RESTORATION AT 651 SOUTH SUNSET DRIVE – SCOTT BARBEN

Lyle Gibson explained that Scott Barben does auto restoration and is requesting a conditional use permit to run his business from his home at 651 South Sunset Drive. There is a shop behind Mr. Barben’s home at the rear of the property where he will do the auto restoration. Mr. Barben said that he only anticipates working on one car at a time, restoring one or two cars a year. There will be no customers coming to his home, and any major paint or body work is outsourced to other companies. All of the parts for the cars, as well as the project car itself, will be stored in the shop.

Josh Sundloff said that there might be some concern by the neighbors with having this business next to another auto repair shop.

Gary Bullock responded that each business is different. The auto repair business next door typically has cars coming and going off the property often. That is not the case with auto restoration because he's only working on one car at a time for a long period of time.

Scott Barben commented that he's done auto restoration in the past and have never had any complaints from the neighbors.

Gary Bullock made a motion to grant a conditional use permit for an agricultural home occupation, auto restoration at 651 South Sunset Drive for Scott Barben. Betty Parker seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR CHARLY'S ACRES #2 FOURTH AMENDED SUBDIVISION AT APPROXIMATELY 2100 WEST 200 NORTH – TERRAVENTURE DEVELOPMENT

Lyle Gibson explained that in November 2018 the City Council voted to approve a development agreement and rezone at approximately 2100 West 200 North in anticipation of the development of a new church building and storage unit facility. The applicant, Terraventure, is now requesting a subdivision to divide the property, creating a separate lot in the R-1-20 zone and another lot encompassing the LI zoning district with access provided to 200 North Street. An additional two lots will be created along 200 North in the remaining General Commercial zone. The lot in the R-1-20 district exceeds the minimum 20,000 square feet lot minimum and 90 foot frontage requirement. The LI and GC zoning districts do not have a minimum lot size or frontage requirement, however it is necessary that each lot have access via ownership to a street. Thus a strip of ownership between Lots 403 and 404 has been provided for.

Chairperson Matthew Anderson opened the Public Hearing.

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

Wilf Sommerkorn made a motion to recommend preliminary plat approval for Charly's Acres #2 Forth Amended Subdivision at approximately 2100 West 200 North for Terraventure Development. Tamara Tran seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 0.71 ACRES OF PROPERTY AT 2062 SOUTH 450 EAST FROM R-1-20 (SINGLE FAMILY RESIDENTIAL) TO THE R-1-14 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT – CASEY BROWN

Lyle Gibson explained that this property is located on the corner of Shepard Lane and 450 East. The property owner, Casey Brown, is requesting to rezone the property from the existing R-1-20 zoning designation to the R-1-14 zone with the hope to be able to subdivide the land into two lots

so that another home could be built on the southern portion of their land. Both the R-1-20 and the R-1-14 zones have identical permitted uses, conditional uses, setback requirements and lot frontage requirements. The difference between the two zones is the total lot size requirement. The minimum lot size in the R-1-20 zone is 20,000 square feet while it is 14,000 square feet in the R-1-14 zone. As part of the rezone application, the applicant has provided a concept plan showing the lot split. Shepard Lane is classified as a major street per the City's Major Street Plan in Section 8-3-2.

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 asked where the new home would take access of.

Casey Brown responded that it would take access off of 450 East. They are planning to build a single story home measuring at about 1,500 to 1,900 square feet in size. They will be moving into the new home, and will sell their existing home.

Gary Bullock asked if Mr. Brown's neighbors knew about his plans.

Casey Brown responded that he had spoken with all of his neighbors in the cul-de-sac and they didn't have a problem with it.

Matthew Anderson commented that he feels that this rezone request meets the requirements of the General Plan.

Tamara Tran made a motion to recommend approval of the request to rezone 0.71 acres of property at 2062 South 450 East from R-1-20 (Single Family Residential) to the R-1-14 (Single Family Residential) zoning district for Casey Brown. Thomas Wood seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 4.1 ACRES OF PROPERTY AT 1480 WEST WILLOW DRIVE AND 1576 WEST 200 NORTH FROM R-1-20 (SINGLE FAMILY RESIDENTIAL) AND R-A (RESIDENTIAL AGRICULTURE) TO THE R-2 (ONE AND TWO FAMILY RESIDENTIAL) ZONING DISTRICT TO INCLUDE THE PRUD OVERLAY ZONE – ROBERT GREEN AND JAMES NEUNER (TABLED ITEM)

Lyle Gibson explained that at their December 13, 2018 meeting the Planning Commission held a Public Hearing and discussed this proposed project. The item has been re-noticed to include the overlay zone, which requires a new Public Hearing. In the previous meeting, the Planning Commission motioned to table the request so that it could be re-noticed with the PRUD overlay zone, and also to give the applicant time to address concerns expressed during the meeting. To this the applicant has proposed a development agreement setting some limitations and constraints regarding how the property would be developed. The developer and Staff have also been in touch with the Sewer District regarding the question of capacity and ability to serve the number

of units proposed. While a formal commitment to serving the proposed 37 units has not been given, the Sewer District has acknowledged that there is potential to connect into a sewer line to the east that has more capacity than the original anticipated route. This would require approval from UTA and the pipeline company to cross their easement and property. Another issue raised was regarding culinary water pressure. The city water department believes that there are not any issues with being able to provide adequate pressure to serve the proposed development. A draft development agreement has been put together and is being presented tonight.

Lyle Gibson said that some of the emails received mentioned restrictions on the Neuner property based on existing CCNRs. Mr. Gibson spoke with the City Attorney about this and was told that the City is not a party to those covenants and restrictions, therefore those covenants do not need to necessarily affect the decision being made. The Covenants are part of the Homeowners Association which is between the homeowners of the subdivision and the HOA.

Hugh Parke stated that he is a developer working with the Green and Neuner Families on this project. When they came before the Planning Commission previously, some of the biggest concerns mentioned were street alignments and sewer capacity. Further engineering would be done as this project progresses into a subdivision. They have spoken with the sewer district and were told that the sewer infrastructure was built to handle up to two units and acre in west Kaysville. With the Hill Farms Subdivision having been developed, their capacity is running above two units an acre. There is also more development going in along Angel Street and with that, the Angel Street line probably would not be able to handle a development of more than two units per acre. The sewer district mentioned that they could likely service their project if the developer were to find a way to connect the sewer lines over to Flint Street. There is an eight inch sewer line that runs from the Smith's Marketplace property that they might be able to tie into. It was installed in anticipation of potential future development to the north. Mr. Parke said that they had also contacted Tesoro as well as UTA, and both were amenable to go under their easements. Mr. Parke said that they would prefer to not pump the sewer lines for this project. Pumping the property wouldn't be financially viable for them. There has also been concerns expressed about the Tesoro pipeline that runs along here, including landscaping along their easement. In speaking with Tesoro they indicated that they prefer to only have sod planted on their easement, but have allowed some hard surfaces in some instances. Tesoro won't allow a parallel fence along their easement, so the development will be fenced around the perimeter with the exception of the east side. They have had the property staked and found that there are two sets of pipelines that run along here. The first pipe is about eight feet to the west of UTA's property line, and the other one is at about sixteen feet.

Thomas Wood asked about the concept plan being presented tonight.

Hugh Parke said that since the previous Planning Commission meeting, they have added a roundabout to help with access for emergency vehicles. There is still a lot of tweaking to do with this to make sure they meet all the setback requirements.

Tamara Tran asked about the proposed density and if they'd considered a lesser density.

Hugh Parke responded that they have planned for thirty-seven units which is about nine units per

acre. This property is a good location for this type of higher density housing. People are looking for smaller homes where they don't have to take care of a yard. The homes will help support the neighboring commercial and will also benefit the residents that live there.

Gary Bullock asked about secondary water for this development.

Lyle Gibson responded that the developer will need to verify that they can obtain water shares for these lots. That is typically done during the process of getting subdivision approval.

Gary Bullock asked about the ingress and egress of the subdivision, and if it'd be aligned with Mountain Vistas Road.

Hugh Parke said that they don't have survey data yet, but believes that it can be done.

Josh Sundloff asked about having a traffic study done to show what the potential impact of how this rezone might change traffic in the area. Having the data in front of us is better than having to make assumptions.

Thomas Wood said that the Commission had received many emails from the neighboring residents regarding this proposed development. In those emails they addressed several concerns and stated that they are primarily against this development for the following reasons: townhouses do not preserve the character of existing neighborhoods, two story townhouses sitting fifteen feet from existing properties does not preserve privacy, petroleum pipelines detract from a good living environment, traffic safety concerns from dead-end roadways, traffic safety concerns from vehicles entering and exiting the townhomes, lack of amenities, and the sewer collection system was not designed for high density housing.

Gary Bullock commented that he appreciated the emails because it's good to hear how the residents are feeling about these items.

Robert Green, the trustee of the Jay Green estate and youngest son of his, said that his dad owned a lot of the ground in this area and if he had not developed the land a lot of the neighbors here in the audience wouldn't be here tonight. When his uncle sold the property where the Smith's Marketplace is, many of the neighbors were strongly against its development. The commercial uses have definitely had an impact on the surrounding neighborhood as there are lights on and deliveries coming all day and night. As the owner of this property, he has been unsure of what would be the best use for the neighborhood and this property. Mr. Jake Garn sent out an email before the meeting to his neighbors about this request telling them what to say and how to say it. In that email it was mentioned that three Councilmen have already said that they'd vote against it. Mr. Green stated that he feels the emails from Councilman Garn were inappropriate. We all need to use common sense because we are here tonight to work it out. We just want to do what will work best here for the community and for the city. UTA has indicated that they plan to put in light rail in the next fifteen or twenty years along their easement here, next to the walking trail, and will need a stop here. That light rail will change the dynamics in this area. Mr. Green said that they had considered developing single family homes here but there isn't an interest for it. Nobody wants to build a large expensive home on a busy arterial street and next to busy

commercial uses.

Chairperson Matthew Anderson opened the Public Hearing.

Lisa Jones, the daughter of the Over's that live at 1488 West Willow Drive, said that this development will run right next to her parent's property and they will be the most impacted by this. They have a copy of the protective covenants for their subdivision which states that: "all lots in the subdivision shall be known and described as residential lots and no main structure shall be erected, altered, placed or permitted to remain on any residential lot other than a detached single family dwelling, not to exceed two stories in height and a minimum of two car attached garage." The Neuner's lot next door is proposed to be subdivided and will only be a negative impact to her parents. Their subdivision covenants also state that: "These covenants are to run with the land and shall be binding on all parties, successors or persons claiming under them for a period of twenty years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless no instrument is signed by a majority of the then owners of the lots and has been recorded changing said covenants in whole or in part." They were able to get a majority of signatures from the property owners in this subdivision stating that they wish for all of the lots to remain whole and intact, thereby preserving all existing homes quality and value. They have a binding contract here that those who bought in this subdivision felt protected by. Developing the Green's property is not what they have concern about, but rather it's the Neuner's property being subdivided is what they are against. The Green's have a right to develop their property, but the Neuner's should be bound by their subdivision covenants and excluded from this rezone request.

Paul Waldrop said that he was at the previous meeting where this was discussed and there are a few issues mentioned at that meeting that have not been addressed. The first is in regards to storm water runoff. Those that live on Seemore Drive often have their basements flooded when there is a big storm. Each home has a sump pumps which dumps the water into a storm drain. Then that water runs west into some containment ponds, but once those ponds fill up the water backs up into their basements. There is nowhere for that water to go and this problem needs to be addressed before we just add to the problem by developing this property. Mr. Waldrop added that the setbacks shown on this concept plan are incorrect. This high density housing development doesn't fit with the rest of the neighborhood. The city doesn't have a master plan of what types of developments will be built where in west Kaysville. We need to have a better idea of where these types of developments are most appropriate in the city before approving any more of them. We also need to have more than just a concept plan shown so that the neighbors know exactly what is being proposed.

Andy Springer said that he lives in west Kaysville and is concerned about potential pipeline leaks that could occur here. This is a very public area with many homes already built along the pipelines. It's only a matter of time before an incident occurs and we should do what we can to prevent more homes being built alongside them.

Gary Mumford said that he would have liked to have seen the property owners reach out to the surrounding neighbors regarding their development plans. The sewer capacity issue is very concerning. It has been mentioned that the city would like to start working on the General Plan

this fall. This development should be delayed until the Plan can be reviewed so we have some better direction of what to anticipate west of Flint Street. Approving townhouses here will be setting a precedent. Mr. Mumford said that he's heard that there are plans to run an aqueduct along the rail trail as well, and it doesn't seem that it would be appropriate to run a sewer system perpendicular to that water line aqueduct. Maintain the character of the existing neighborhoods by putting in a buffer to help with any negative impact these townhomes would have.

Randi Von Bose said that she is in favor of this development, as well as future high density housing developments in west Kaysville. Currently there are no similar high density housing located in west Kaysville, and there is a demand for it. On July 19, 2018 a group from the Utah Housing Gap Collation came to speak to the Kaysville City Council. They mentioned that there has been over a 304% increase in housing costs over the last twenty-six years. That far outpaces the national inflation rate of 3.22%. This points to an absolute need to change the course of the plans for the city and development of the remaining land. This development is a good start and will help to verify that we have the infrastructure needed. We need to be ready to make a change to allow for these developments. The east side of Kaysville shouldn't be the only area for high density housing. It should be available within the whole city.

Brandon Jones said that a rezone is a discretionary thing and the city is under no obligation to approve it. The General Plan says that areas west of I-15 are allowed a density of two units per acre, with the exception of properties along major streets where higher density could be considered. However, higher density doesn't seem to be compatible for this particular area. It would be helpful if the city created a map identifying areas where higher density housing might be considered. Having higher density housing is not necessarily a bad thing, but we need to know where the best places for it would be in the city. There needs to be more consideration of the entire city for these types of developments.

Lyle Gibson said that the city has a major street plan which indicates which streets would be considered as major streets. Those major streets are where there could potentially be higher density housing.

James David said that they live near this proposed rezone and they moved to this area because they wanted to live in single family neighborhood developments, and they liked the feel of the area. This proposal would be an extreme change to their neighborhood. It's possible that other properties in the area could also be proposed to be rezoned and subdivided but it would completely destroy the integrity of the neighborhood and significantly impact the neighbors. People have a right to develop their property, but when you move into a neighborhood you have a right to have your neighborhood preserved.

Tanya Bird said she lives just north of the Overs, and agrees with many of the comments made against this development tonight. When she first heard about this proposal she was told that there would only be eight single family homes on the property. Having thirty-seven homes here is just too high of density. Storm water is a big issue in the area because ground water levels are very high. During the process of the development of the Smith's Marketplace property she was very involved in the discussions between the developers, land owners and members of the city. Each group was very helpful and cooperative in that process. Ms. Bird said that her biggest

objection to this proposal is that there hasn't been due process with it. There has been not discussion with the neighbors and the developer. There are traffic concerns, as well as concerns with the lack of green space. Without the due process the final product will be significantly reduced. There are good results when the community is allowed to be involved. We do need more affordable housing, but this will encroach on the privacy of the adjacent neighbors. Those units that will sit closer to existing homes need to be treated differently than those that will abut 200 North Street.

Clark Steed said that he lives down the street from the Neuners and will be seeking an injunction against the Neuners if this is allowed to proceed. The development plan as it is currently written is wide open. If the residents in this development were to have an incident where they needed to get out there is only one access road. The Mountain Vistas Road is a much wider street than this one would be and there is no way that it would line up with it. There isn't any other highly inhabited areas abutting these major pipelines anywhere in the city. The number of units being proposed hasn't changed since the last Commission meeting where this was discussed and it seems that the developer doesn't not have the best interest of the city in mind.

Steve Einfeldt said that he lives in this area on 200 North and appreciates the comments being made, especially in regards to having a traffic study done. A complete traffic study needs to be done for this area. He has participated in three adhoc committees over the years and watched as the master plan was constantly changed. The master plan has always allowed for two units per acre in west Kaysville. Cluster developments are okay as long as you try to maintain that density because our services don't support the higher density. It is difficult for those living on 200 North to safely pull into traffic along this major street and have asked the city numerous times to do a traffic study of 200 North. Since the widening of 200 north, the residents no longer have parking along the street and this development will be in the same situation.

Allen Francis said that he lives on Flint Meadow Drive and supports Mr. Green in this opportunity to develop his property. However, the approach to the development has not been appropriate because requesting thirty-seven units does not fit into this area. There are other options which would help bring that number down and yet still allow for higher density housing. The developer needs to put together two or three other options for review so that the community can see what might be here in the future and provide some feedback. Let's make this something the whole community can get behind and support. Also, it seems that if a water culvert were to be built here, it would make it impossible for this developer to be able to tap into the sewer line over on the Smith's Marketplace property.

Elton Over said that he lives next door to the Neuners. If this project goes in like they are proposing it, these townhouses will be built right up against his backyard. There could be several townhomes behind his house. It will be an invasion of his privacy and negatively impact his property.

Spencer Luke said that he lives on Wilkie Street near here and it seems there hasn't been much substantial information given. If this development ties into the sewer line on the Smith's property, will it be able to handle the capacity from both properties? Every time Barnes Park is being watered their neighborhood has no water pressure. There won't be any for this

development either. Water pressure is not great with both culinary and secondary water. Can a fire truck turn around on these planned private streets? Also it's already hard for people to turn left onto 200 North. It will be hard for these residents to get out of their subdivision. These townhomes will be expensive and ownership will continuously turn over. They won't be considered affordable housing and won't add to the city's problem of not having affordable housing available.

Amy Jarman said she lives on the south side of 200 North in the Mountain Vistas neighborhood and are grateful that Jay Green developed their subdivision because it's a beautiful neighborhood. Ms. Jarman said that she's on their subdivision's HOA and is representing many of her neighbors that are against this development for all the reasons that people have already said. The amount of units being proposed is just too many for the area.

Brad Walters said that he's Jay Green's grandson and has no financial interest in this property. Mr. Walters said that he would like to see this approved because it meets the standards of the General Plan. High density housing is allowed along major streets. Mr. Walters said that as a business man he feels that thirty seven units is not enough. And as a father he is glad to see a development such as this being proposed because he'd like his children to have a place like this so they can live close by. Think of the facts rather than then feelings involved in this. Look toward the future and take the chance now to consider what goes there. Something much more impacting could be built here if this is denied.

Glenn Borders stated that while he sees this as a great piece of property to build on, what is being proposed is mass growth. Traffic is already busy along 200 North, especially at peak hours. If built, these townhomes will put many people into one small space. The culinary water costs have tripled since he moved here. They have been told that it's because of development in the area. Because these developers have built in the area, those already living here are paying the price. There won't be much green space here and no place for kids living here to play.

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

Matthew Anderson asked about light rail being installed next to this property.

Lyle Gibson responded that he has only heard about it conceptually, but is not aware of any finite plans that it will be happening or when.

Wilf Sommerkorn said that he is involved with regional transportation with Salt Lake County and has a lot of interaction with UTA. He has heard nothing about extending light rail to the north, only south to Utah County. So far the only plans for Davis County is to increase runs for Frontrunner and adding higher capacity bus transportation.

Matthew Anderson said that he would like to know what kind of buffer would be installed to help mitigate this development from the commercial and rail trail to the east.

Tamara Tran asked if anyone has been interested in purchasing this property.

Hugh Parke said that they've had other developers look at possibly putting in larger lots here but have felt that half-acre lots would not fit in well here. Especially because of the lot's odd shape and encroaching easements. Large single family lots are just not conducive for this location.

Matthew Anderson said that the Green's property is not included in the CCNR's of the neighboring subdivision. The city also does not get involved when it comes to those CCNR's and whether this would be in violation of them.

Gary Bullock asked if Tesoro and UTA have agreed to grant them access to their easements.

Hugh Parke said that UTA and Tesoro have given them a checklist of what will need to be met in order to be permitted to encroach on their easement. Obtaining that approval takes about ten weeks and they haven't pursued a permit yet because they wanted to go through the rezone process beforehand. It is not uncommon for both entities to grant permits to access their easements in order to provide infrastructure services.

Tamara Tran asked if the developer would be willing to do only one story units for those homes that back up to the existing homes.

Hugh Parke said that one story townhomes don't seem to sell as well, but they would be willing to look into that option.

Wilf Sommerkorn commented that west Kaysville is almost built out and adding a development like this would be beneficial to the community. It fits within the General Plan and this is a good location for higher density. It seems from the comments made by neighbors that many of the residents would be okay with the higher density housing as long as the design was done correctly. Mr. Sommerkorn asked how many units per acre would be allowed within this density under a PRUD.

Lyle Gibson said that the PRUD ordinance speaks specifically to different zoning designations and how many units per square foot can be had. Under the R-2 designation it is 4,000 square feet per unit as allowed. However, the Planning Commission could limit the number of units allowed through the development agreement.

Gary Bullock commented that the state requires that the General Plan be reviewed every so many years because things are constantly evolving and changing. The current proposal would meet the requirements of the General Plan, however there is still some question about how many units would be most appropriate. Mr. Bullock said that he feels that thirty-seven units is too high for this property and doesn't seem to fit the space well. There needs to be some buffer installed and we need to address the problems with infrastructure. There are still a lot of concerns and questions to address. Mr. Bullock said that the developer needs to go to the community and help engage them and get them involved. He would like to see a revision of this plan showing a couple more options, as well as an architectural design of the units. These will not be considered low income housing and is a good location for this type of housing. It won't set a precedence because the city looks at each request on a case by case basis.

Tamara Tran said that she likes the idea of diverse housing and knows that it is needed, especially in west Kaysville. However, Mrs. Tran stated that she doesn't like the current design of the development and suggested showing other options for the layout of the lots. Thirty-seven homes seems like too many, especially with only having one access point out of the subdivision.

Gary Bullock commented that having more detailed drawings helps to alleviate some of the hesitancy of the neighbors and the Planning Commission. Mr. Bullock asked if there is a timeline for this. We also need a development agreement in place to have the assurance that the design we want will be the one that is built.

Josh Sundloff said that this could be very beneficial to the community. There have been similar developments that have added to the city and have brought wonderful people to the area. Higher density is a relative term. This is a higher density than what is typically in west Kaysville, but in relative terms thirty-seven units is not that dense. Right now all of our higher density housing is located east of I-15. This is less dense than many of the higher density subdivisions in east Kaysville. It makes sense to add more density in west Kaysville. With West Davis Corridor coming near here, the character of this area is changing. The demographics of Kaysville have and will change. There are some concerns with the infrastructure and providing utilities to this property, but all of those things can be addressed. Before this development is approved, a traffic study should be done for this project to see how this project might impact traffic in the area, as well as what the traffic would be if this were to stay in the same zone.

Thomas Wood said that the General Plan states that high density housing should be dispersed throughout the city. This project would be the first high density housing development on the west side of the city. The intent of the General Plan says that in areas such as this we are in need of this type of housing. Mr. Wood said that he is concerned about the amount of units being proposed for this property though.

Josh Sundloff asked if Kaysville's Police and Fire Departments had looked at this project yet.

Lyle Gibson responded that this development was mentioned during one of their meetings, but because this is just a concept plan it's hard for them to give feedback on it yet.

Tamara Tran suggested asking the developer for a more specific development agreement.

Wilf Sommerkorn stated that it seems that the Commission is okay with the concept of having higher density on this property, but would like to see more details about the project. Mr. Sommerkorn suggested tabling this item to ask the developer to come back with some alternative designs to review, possibly showing lower density and some buffering in those designs.

Josh Sundloff said that the Commission could also make a favorable recommendation to the Council with conditions outlined of what they would like to see for this development.

Hugh Parke said that they would prefer to have this item tabled for a few weeks to give them the opportunity to meet with the residents and those this might affect and get some feedback from

them.

Gary Bullock made a motion to table the request to rezone 4.1 acres of property at 1480 West Willow Drive and 1576 West 200 North from R-1-20 (Single Family Residential) to the R-2 (Single and Two-Family Residential) zoning district to include the PRUD overlay zone for Robert Green and James Neuner with the request that the developers provide other options to address possibly having a lesser density, provide architectural styles, showing additional green space and buffer options, and also having a traffic analysis done. Mr. Bullock also recommended that the developers meet with the neighbors to present these different options and obtain their feedback. Betty Parker seconded the motion.

Wilf Sommerkorn said that they will obviously have more traffic generated here, but how much will it impact the traffic along 200 North?

Gary Bullock said that he feels that the developer shouldn't be imposed to do a full-scale traffic study, but instead should work with city Staff to get a general idea of traffic along 200 North now and how they see it in the future based on historical data and future projections.

Josh Sundloff said that he feels it worth spending the money to have a full study done so we can see the data and make a more informed decision.

The Planning Commission voted unanimously on the motion.

CALL TO THE PUBLIC

A member of the audience asked about Title 17-34 and how this Green property development would be preserving the character of the existing neighborhood.

Josh Sundloff commented that preserving the character is very subjective because it's hard to define what the character of a neighborhood is and whether a project changes it.

A member of the audience asked about parking in the project.

Gary Bullock said that it will be addressed further into the review of the subdivision process.

REPORTS

Tamara Tran asked about creating a mixed use zone.

Lyle Gibson responded that it is currently being reviewed and discussed by city Staff. Staff hopes to have something to present to the Planning Commission in a future meeting.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, January 24, 2019 at 7:00 p.m.

ADJOURNMENT

Gary Bullock made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 10:24 p.m.

DRAFT