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 28, 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 24, 2019 and February 14, 2019

2. Conditional use permit for a major home occupation "B":
    a. Pest control located at 326 N. Apricot Grove for Angela Ashby.
    b. Pre-School at 321 N. Autumn Cherry Way for Erin Hoffman.

3. Public Hearing for the rezone of 1.31 acres of property at 1048 Tyler's Way from R-A to the R-1-10 zoning district for MacRay and Sheila Baxter.

4. Rezone of 3 acres of property at 1576 West 200 North from R-A to R-2 with the PRUD Overlay zone for Robert Green.

5. Final Plat approval for the Orchard Ridge Phase 1 Subdivision at approximately 1402 North Highway 89 for Compass Holdings Development.

6. Call to the public.

7. Other matters that properly come before the Planning Commission:
    a. Reports.
    b. Correspondence.
    c. Calendar.

8. 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 22, 2019.

Lyle Gibson
Zoning Administrator

Planning Commission
Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Lawn Care and Pest Control Contactor. February 28, 2019

Applicant/Owner:	Angela Ashby
Location:	326 North Apricot Grove
Zone:	R-1-14 (Single Family Residential)

Description:

The applicant is requesting a conditional use permit for Major Home Occupation B at the above listed address to for a lawn care and pest control business. The applicant is looking only to do paperwork, schedule appointments, and have an address for contact and mailings at this location. Ms. Ashby has arrangements with a business partner already where all the equipment is off site. All of the work takes place off site as well. There would be no customers or employees coming to this location.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a Major Home Occupation B, landscape contractor at the subject address without the need for additional conditions.

Reasoning:

The restrictions of the ordinance appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

326 North Apricot Grove

Planning Commission
Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Preschool.
February 28, 2019

Applicant/Owner:	Erin Hoffman
Location:	321 North Autumn Cherry Way
Zone:	R-1-14 (Single Family Residential)

Description:

The applicant is requesting a conditional use permit for Major Home Occupation B at the above listed address to run an in-home preschool. The applicant plans to teach a morning classes Tuesday through Thursday from 9:00 am to 11:45 am.

She anticipates having about 8 students in her class. She has tried to coordinate the timing of her class so that it does not conflict with drop off and pick up times for kindergarten and elementary classes.

Because a preschool is an organized class, section 17-26-4 (12) d. requires that 'limits be placed on the number of students and/or the number of vehicles transporting students to prevent congestion. The applicant's has expressed the intention to work with parents on a consistent drop off and pick up pattern to keep traffic flowing one way through the neighborhood to improve flow and minimize impact.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a Major Home Occupation B, preschool, at the above listed address with the following condition:

- Groups be limited to no more than 10 students at a time.

Reasoning:

The restrictions of the ordinance together with the recommended condition appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

321 North Autumn Cherry Way

Planning Commission
Staff Report

Public Hearing for the Rezone of 1.31 acres of property at 1048 West Tyler's Way from R-A (Residential Agriculture) to the R-1-10 (Single Family Residential) zoning district. February 28, 2019

Applicant/Owner: Mac Ray and Sheila Baxter

Description:

The applicants property is located at the end of the cul-de-sac on Tyler's Way surrounded by R-A and R-1-20 zoning districts.

The subject property is well over an acre in size with an existing home and large detached garage building already on site. While the property is large and could be divided based on an acreage calculation in the existing zoning district, as it sits on the end of a cul-de-sac it lacks the necessary frontage to be subdivided with the existing zoning. The purpose of the applicants' request to rezone the property is to be able to divide the lot into 2 total lots keeping the existing home and allowing the detached garage to be on a separate lot ultimately to be converted into a dwelling.

The regulations of the existing R-A zoning district are found in Chapter 17-10. Primarily this zone is for residential purposes with lots half an acre in size or larger. Properties in this zoning district do not require a conditional use permit for farm animals.

The requested R-1-10 zone has all the same uses allowed on the rest of the cul-de-sac and the surrounding R-1-20 neighborhood, the difference is that it allows for smaller lots with a smaller frontage requirement.

The concept subdivision includes a lot with the existing home at about 20,000 sq. ft. in size. The 2nd lot with the garage to be converted would be roughly 37,000 sq. ft. in size. The concept plan shows a 90 ft. frontage for the existing home which is consistent with the required frontage for the R-1-20 zone. The larger lot however would be left with only 80 feet of frontage, this requires the R-1-10 zoning district.

A flag lot division under the existing zoning has been considered, but creates a sideyard setback issue between the existing buildings as there is only 20 feet from the home to the detached garage. There would be sufficient space for the required side yard under the proposed or existing zoning if the property could be subdivided into standard lots.

As a rezone is a legislative decision, the Planning Commission and ultimately the City Council have broad discretion in their decision making. The Planning Commission is looking to make a recommendation to the city council.

The City's General Plan states, among other things:

Identity and Character:
Kaysville should be primarily a residential community with a vision to promote business, industry and public use.

Housing:
A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.

1. West of I-15, allow zero to two units per acre with some higher density housing along the major streets.

B. The majority of the housing should be one unit per structure (single unit).
About ten percent (10%) of the housing should be more than one unit per structure (multiple unit). Multiple unit housing should consist mostly of duplexes (two unit structures) and some three to six unit structures dispersed throughout the City.
C. Housing development should have a minimum of through vehicular traffic and a maximum of open space.
D. Housing developments should essentially pay for themselves.

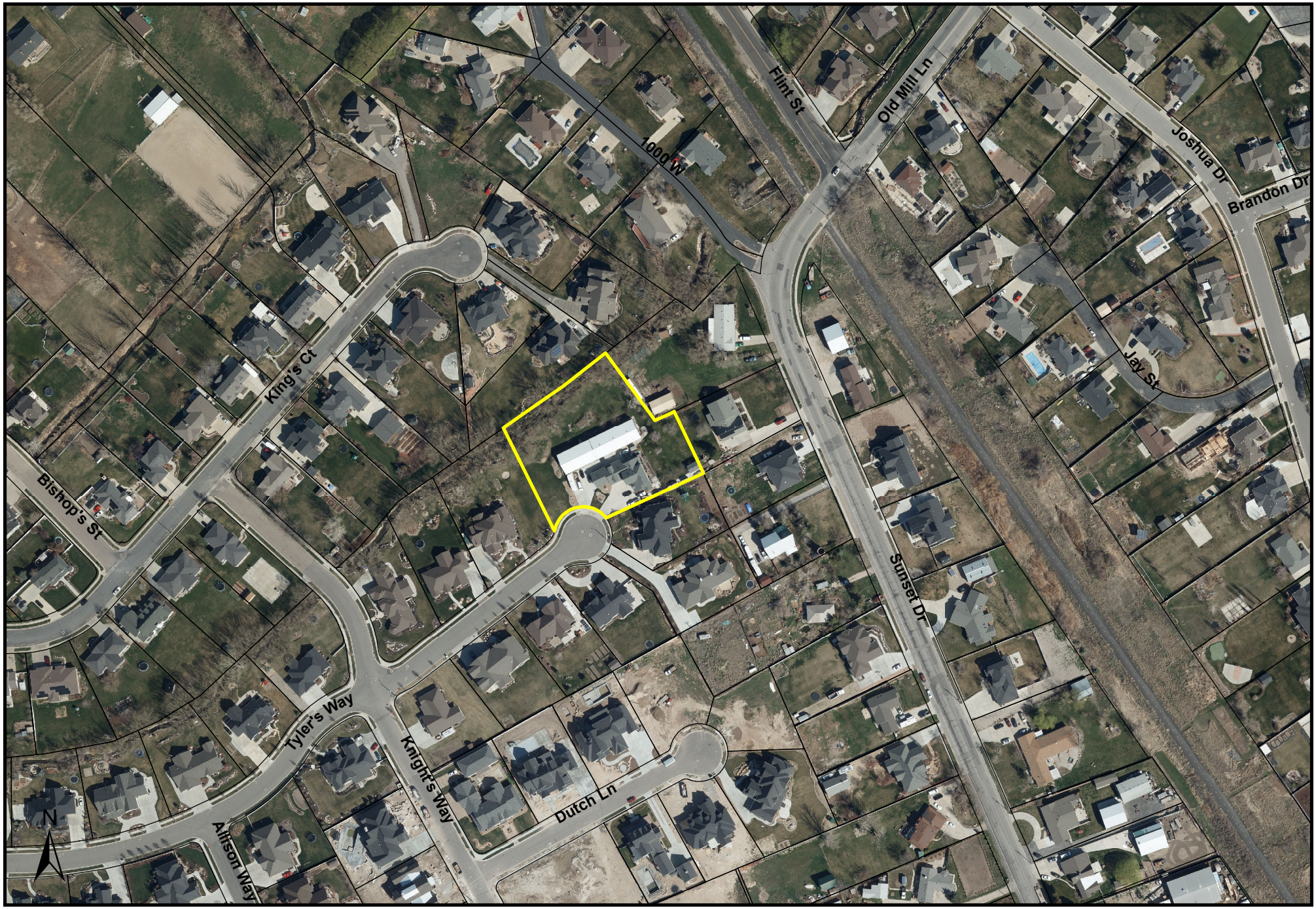
Recommendation:

The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan and how well the proposal works at this specific location.

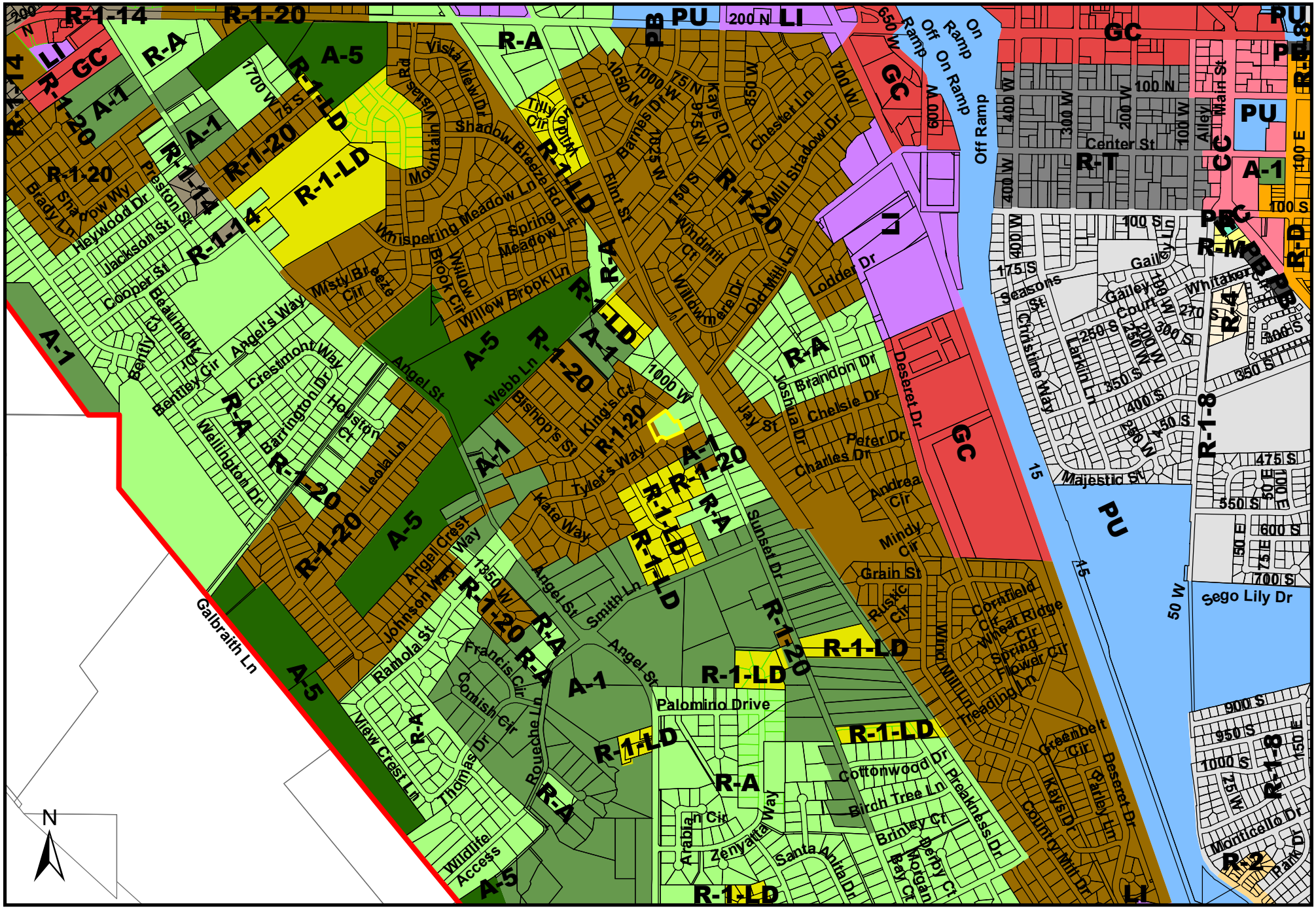
Should the Commission find it helpful, the recommendation could include a request that a development agreement be put in place to limit the number and or size of lots that would be allowed with the rezone as a means of ensuring a subdivision such as the proposal is what actually occurs. Since the request does not include the PRUD overlay zone, the frontage itself limits what could be done on the property.

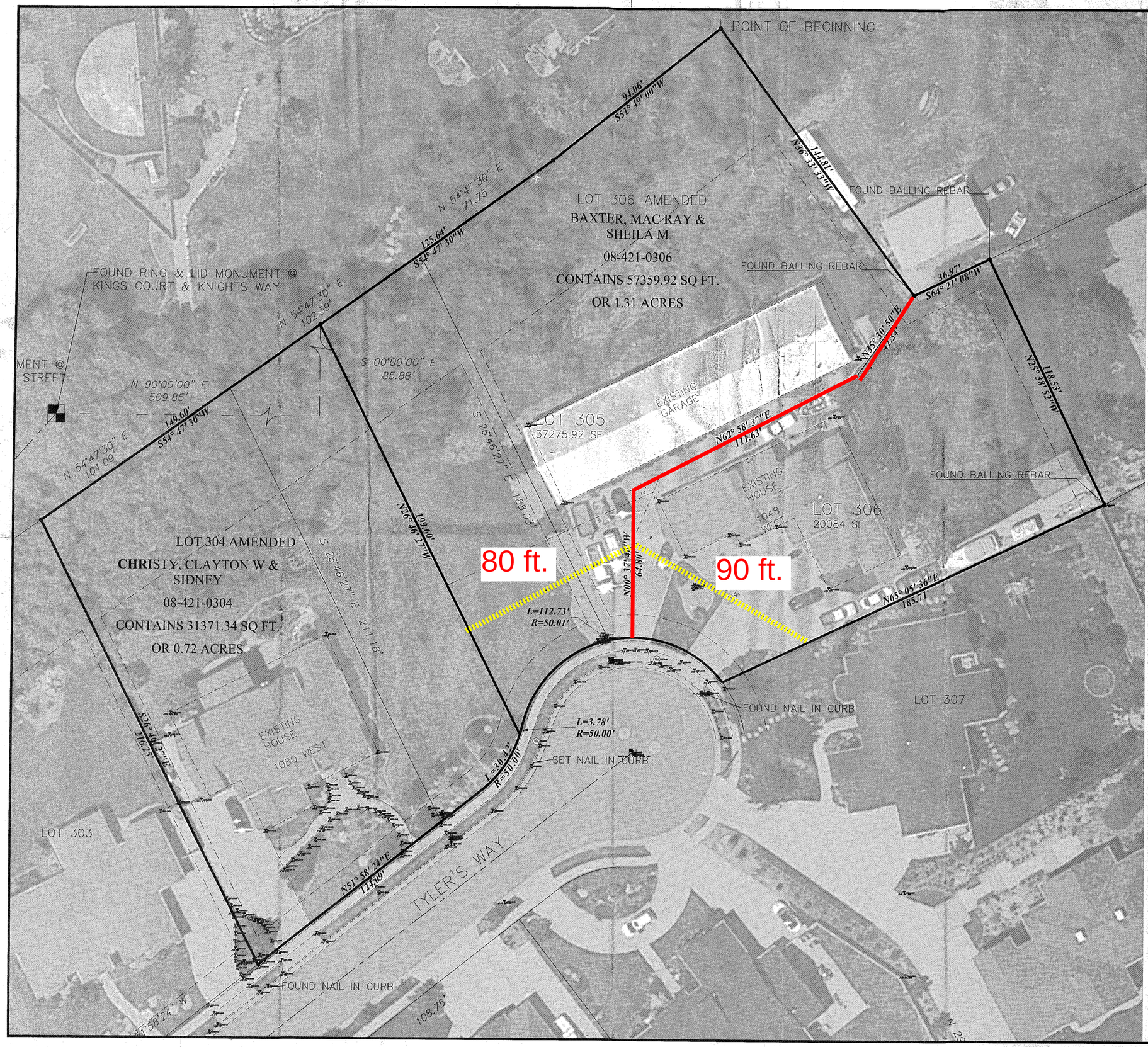
Attachment 1: Area Map
Attachment 2: Zoning Map
Attachment 3: Concept Plat

Rezone of 1048 Tylers Way from R-A to R-1-10



1048 Tylers Way - Rezone from R-A to R-1-10





SCALE: 1" = 20'

SYMBOL LEGEND

- C-1 ASPHALT & BASE PER DETAIL A, SHEET C900
- C-2 24" CONCRETE HIGH-BACK CATCH CURB & GUTTER PER DETAIL B, SHEET C900
- C-3 24" CONCRETE HIGH-BACK RELEASE CURB & GUTTER PER DETAIL C, SHEET C900
- C-4 CONCRETE SIDEWALK PER DETAIL D, SHEET C900
- C-5 DUMPSTER PAD AND APRON PER DETAIL J, SHEET C900
- A-1 ADA SIDEWALK RAMP AND PARKING AREA PER DETAIL G, SHEET C900
- A-2 ADA VAN ACCESSIBLE PARKING SIGN PER DETAIL H, SHEET C900
- A-3 ADA ACCESSIBLE PARKING SIGN PER DETAIL H, SHEET C900
- P-1 CONCRETE SIDEWALK REPLACEMENT PER [CITY] STANDARDS
- P-2 CONCRETE DRIVE APPROACH PER [CITY] STANDARDS
- P-3 CONCRETE CURB & GUTTER REPLACEMENT PER [CITY] STANDARDS
- P-4 ASPHALT REPLACEMENT PER [CITY] STANDARDS

ALL ITEMS WITHIN THE PUBLIC RIGHT-OF WAY TO CONFORM TO THE RIGHT-OF-WAY OWNER'S STANDARDS & SPECIFICATIONS.

ACCESSIBLE AREA CONSTRAINTS

ALL ACCESSIBLE AREAS ARE TO MAINTAIN THE FOLLOWING MAXIMUM SLOPES AND TOLERANCES:

ACCESSIBLE PARKING:
MAXIMUM SLOPE OF 1:48 (2%) THROUGHOUT.

ACCESSIBLE ROUTE:
MINIMUM WIDTH OF 48". MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ACCESS ROUTE TURNAROUNDS:
A CLEAR 60" TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

LEVEL LANDING / EXTERIOR DOOR LANDING:
MINIMUM SIZE OF 60"X60". MAXIMUM SLOPE OF 1:48 (2%) IN ANY DIRECTION.

ACCESSIBLE EGRESS TO PUBLIC WAY:
MAXIMUM SLOPE OF 1:20 (5%) ALONG THE ROUTE, MAXIMUM CROSS-SLOPE OF 1:48 (2%).

ADA ACCESS RAMPS:
MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 2%. THE TRANSITION BETWEEN ASPHALT AND CONCRETE IS NOT TO EXCEED 1/2" VERTICAL (1/4" IF BEVELED).

181 North 200 West, Suite #4
Bountiful, UT 84010
Phone 801.298.2236
www.Entellus.com
Entellus

PRELIMINARY NOT FOR CONSTRUCTION

GREG LARSEN

1048 WEST TYLER'S WAY
PARCEL 08-421-0306 LOT 306
LOCATED IN THE [QUADRANT] 1/4 OF SECTION [SECTION], T.[TOWNSHIP]., R.[RANGE]., S.L.B.&M.
KAYSVILLE CITY, DAVIS COUNTY, UTAH

DRAWN: [BY]	[DATE]
APPROVED: SJA	[DATE]
PROJECT MANAGER: [PM]	

SUBD AMEND SUBD

PLAT1.dwg

C400

SITE PLAN

Planning Commission
Staff Report

Request to rezone 3 acres of property 1576 West 200 North from R-A to the R-2 zoning district to include the PRUD overlay zone.

February 28, 2019

Applicant/Owner: Hugh Parke on behalf of Robert Green

Update:

The Planning Commission has held a public hearing on this item on 12/13/18, and again on 1/10/19. From these meetings the Planning Commission has asked that the developer work with the surrounding neighbors in an effort to come back with a development that is more palatable. The developers set up a meeting with and invited many from the surrounding neighborhoods on 1/30/19 and discussed multiple concepts and issues. At this meeting among other items, some 20 residents discussed concerns with traffic, pipelines, fencing, and compatibility issues. The applicant has proposed a modified development with an accompanying agreement reducing the number of units from the originally proposed 37 to 29 units. The property owned by the Neuner family would be removed from the rezone and would not have any new homes, but would be utilized by way of easement rights as open space for the proposed development. Under such a scenario, the 3 acre piece that would be subdivided for the building of homes must meet the open space requirement for the proposed number and size of homes, the easement open space to the north would be in addition to the required space on the Green property.

Staff has worked with the developer and negotiated a development agreement that is included with this report to ensure that anything pursued beyond the rezone is essentially as portrayed in the agreement.

The Planning Commission requested at its last meeting that some data be given regarding traffic impact and trip generation. While not a full traffic study, as was directed, staff has researched data to demonstrate the impact of this development primarily on 200 North Street. According to the Institute of Transportation Engineers Trip Generation Manual, a townhome type development would be expected to generate an average of 7 roughly 7 daily trips per dwelling with a peak hour generation of approximately 0.7 trips per unit. This equates to an average of 203 new daily vehicle trips and 20 new trips during peak hours. 200 North Street is a 2 lane facility with a center turn lane. According to the Highway Capacity Manual from the Transporation Research Board such a facilty (street) can service up to 18,300 vehicles per day at an acceptable level of service. The most recent numbers Kaysville City has from traffic counts on this section of 200 north street indicated 10,230 average daily trips. The proposed development would increase this by approximately 2% keeping the amount of traffic on 200 North street well within its designed capacity.

The proposed number of units on the 3 acre property is within the allowed density of the R-2 PRUD zoning requested.

There is an indication that there are solutions the previously raised concerns with sewer capacity, and the potential for fencing the eastern property boundary. Among most the technical items. These items must be verified as part of the subdivision process should the rezone be approved.

As a rezone request, this is a legislative decision and the Planning Commission will be seeking to make a recommendation to the City Council where the final decision will be made.

R-2 ZONING DISTRICT - CHAPTER 17-14:

17-14-1 Purpose

To provide for areas in appropriate locations where quiet medium density neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, many of whom will have children. To this end, the regulations permit the establishment of one and two-family dwellings, and also permit, with proper controls, those public and quasi-public activities such as schools, libraries, churches, parks and playgrounds, which serve the needs of families. The regulations are intended to prohibit the establishment or operation of any activity which would be adverse to such a residential environment.

17-14-2 Site Plan Review

Conditional uses in an R-2 Zone District, except for temporary buildings and temporary offices and the keeping of farm animals, shall be subject to a site plan review as specified in KCC Chapter 18-4. On a case-by-case basis, the Commission may also require temporary buildings and temporary offices to obtain site plan approval.

17-14-3 Permitted Uses

1. Single-family dwellings.
2. Two-family dwellings.
3. Agriculture.
4. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
5. Minor home occupations subject to the provisions of KCC Chapter 17-26.
6. Two household pets per dwelling unit.
7. Private swimming pools subject to the provisions of KCC 17-31-9.
8. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of KCC 17-31-2.

17-14-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to KCC Chapter 17-30.

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of KCC Chapter 17-26.
3. Residential child care subject to the provisions of KCC Chapter 17-26.
4. Temporary buildings for uses incidental to construction work subject to the provisions of KCC 17-30-7, which buildings must be removed upon the completion or abandonment of the construction.
5. Temporary tract offices and development signs subject to the provisions of KCC 17-30-7 and KCC Chapter 17-33.
6. Twin homes subject to the provisions of KCC Chapter 17-28.
7. Farm animals subject to the provisions of KCC Chapter 17-24.
8. Swimming clubs subject to the provisions of KCC 17-31-10.
9. Public utility substations subject to the provisions of KCC 17-31-15.

17-14-5 Height Regulations

1. No building shall exceed thirty feet (30') in height, except as provided in KCC 17-25-2.
2. No accessory building shall exceed fifteen feet (15') in height, except as provided in KCC 17-25-2 and KCC 17-31-2.
3. No main building shall be less than ten feet (10') in height, or no accessory building less than six feet (6') in height.

17-14-6 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet.

2. The minimum width of any lot for a main building shall be seventy feet (70') at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings.
7. The minimum rear yard for any main building shall be fifteen feet (15').

17-34-1 Purpose

The purpose of the Planned Residential Unit Development is to encourage a better living environment through greater flexibility of design that is not possible solely through the application of the standard zoning requirements; to encourage diversification in the relationship of residential uses and structures to their sites; to permit a more flexible development of such sites; to preserve meaningful open space, conservation areas, and sensitive lands such as wetlands, steep slopes, and unique vegetation; to preserve character, and assure greater compatibility of new construction with the existing neighborhood; to encourage good neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans so as to give imagination and variety in the physical pattern of the development. New construction in already developed areas should. to the greatest extent possible, maintain the established mass, scale, height, width, and form of the surrounding buildings.

17-34-2 Planned Residential Unit Development Defined

Planned Residential Unit Developments are either common open space subdivisions, private street subdivisions, flag lot subdivisions, or a combination.

17-34-3 Planned Residential Unit Development Overlay Zone

The Planned Residential Unit Development overlay zone may be allowed in the agricultural and residential districts after review and approval of the subdivision and development agreement as applicable. Application for a Planned Residential Unit Development does not guarantee the applicant nor the property owner the right to exercise the provisions of this Chapter.

17-34-4 Zone Flexibility

The Planned Residential Unit Development overlay zone shall be used in combination with existing conventional zones. The Planning Commission and City Council may, in the process of approving conceptual, preliminary, or final Planned Residential Unit Development plans, approve variations from applicable development standards in the underlying zone.

17-34-5 Additional Criteria

1. In considering the application for Planned Residential Unit Development overlay zone, the following shall be evaluated:
    1. A comprehensive and harmonious arrangement of buildings, circulation ways, parking and development amenities.
    2. The relationship to existing and proposed land uses and circulation plans of the community, and avoidance of any disrupting element in the neighborhood.
    3. Housing Types.
    4. Impacts of the roads, lanes or driveways on adjacent properties.
    5. Impacts on the privacy of adjacent properties.
2. These may be mitigated by imposing conditions such as:
    1. Fencing.
    2. Landscaping for screening and/or aesthetics.

3. Building placement, height and mass.
4. Building design, such as number of stories, exterior building materials and placement of windows on corner lots and second levels.
5. Reduction in density.
6. Grading.

The City's General Plan states, among other things:

Identity and Character:
Kaysville should be primarily a residential community with a vision to promote business, industry and public use.

Growth and Development
A. Growth should mostly occur through development within the City. Development should improve public safety and sense of community. An adequate revenue base should be developed to fund City operations and infrastructure.
1. Refurbish or replace deteriorating structures so that land is used to its long-term potential.
2. Reserve land and promote development that is high quality, diversified and adaptable to changing conditions.
3. Encourage businesses and industries to locate and invest within the City.
4. Regulate the more intensive uses that create traffic and public service problems and costs

Housing
A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.
1. West of I-15, allow zero to two units per acre with some higher density housing along the major streets.
B. The majority of the housing should be one unit per structure (single unit). About ten percent (10%) of the housing should be more than one unit per structure (multiple unit). Multiple unit housing should consist mostly of duplexes (two unit structures) and some three to six unit structures dispersed throughout the City.
C. Housing development should have a minimum of through vehicular traffic and a maximum of open space.
D. Housing developments should essentially pay for themselves.

200 North is classified as a Major Street per Kaysville City's Major Street Plan in Section 8-3-2.

The Planning Commission has already held the required public hearing for this request, but may at its discretion allow for some public comment.

Recommendation:

Rezone:
The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan, and how well the proposal works at this specific location. The Planning Commission may make recommendations to approve, approve with modifications, or deny the request. The Planning Commission may also table a decision pending additional information.

The recommendation from the planning commission may include any changes it desires to see to the proposed development agreement.

Attachment 1: Development Agreement and exhibits

DEVELOPMENT AGREEMENT
FOR A TOWN HOME PROJECT

THIS AGREEMENT is made and entered into this ____ day of _____, 2019 by and between Kaysville City, a municipal corporation organized and existing under the laws of the State of Utah (hereinafter the "City"), and _____(hereinafter the "Developer;") ("Developer" includes successors and/or assigns of _____, as follows:

RECITALS

WHEREAS, Developer is desirous of developing a single family attached subdivision (the "Subdivision") on certain real property located in the City of Kaysville, County of Davis, State of Utah and more particularly described on the approved site plan, construction drawings and buildings plans. The conceptual site plan is attached hereto as Exhibit B (the "Site Plan"); and

WHEREAS, the purpose of this Agreement is to define the development standards, conditions and improvements, schedule for development of the Subdivision and other terms and conditions pursuant to which the Subdivision proposed by Developer is to be developed within the City; and

WHERAS, the City is willing to rezone the Property to the R-2 (single and two family zoning district) to include the PRUD (Planned Residential Unit Development) overlay zone as indicated in Exhibit D for the purpose of authorizing the development of the Subdivision proposed by Developer in conformance with this Agreement, City Ordinances, and applicable Utah law;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. **GENERAL DESCRIPTION.**

A. Area Description. The property upon which the Subdivision shall be developed (the "Property") is located as shown on the Property Location Map, a copy of which is attached as Exhibit A hereto and incorporated by reference herein. The property is further described as parcels #_11-421-0021 and Easterly Approx .5 acre of 11-406-0014_Through easement rights.

B. Project Description. The project proposed by Developer is a residential common open space subdivision. The Subdivision shall include single family attached units each to be platted on its own lot with a common area owned and maintained by a home owners association.

2. DEVELOPMENT STANDARDS AND GUIDELINES

A. Adoption of Development Standards. The City hereby adopts, as the development standards and guidelines for the Subdivision (the "Development Standards"), the following in addition to all other applicable City Ordinances, standards and guidelines:

(1) Compliance With Approved Plans. Developer shall comply with all requirements identified in the approved site plan included as Exhibit B, and the development of the Subdivision shall conform in all material respect with the approved site plan.

(2) Allowed uses. Developer shall be permitted to construct single family attached dwellings and supporting infrastructure including private streets, landscaping, and amenity improvements as shown on Exhibit B.

(3) Number of Units. Developer shall be limited to develop no more than 29 dwellings as indicated in Exhibit B.

(4) Architecture. Developer shall construct homes in the Subdivision in substantial compliance and conformance with the Architecture as set forth in Exhibit C. Exhibit C contains a likeness of the design that the developer will use. It is not considered final or preliminary plans. It is an example of the colors and designs anticipated that the developer will

use. Colors will be traditional and fitting with the hometown feel of Kaysville city. All materials will be brick, stucco, or cement fiber board.

(5) Lighting. Exterior lighting on the building and throughout the site shall enhance safe circulation of pedestrians and vehicles while reflecting light away from any adjoining properties or uses. Acceptable lighting fixtures should shield the light source to reduce glare, light trespass into neighboring properties, and light pollution.

(6) Fencing. Fencing will be installed on the perimeter of the town home project on the property line except for on the South side along 200 N Street. Fencing is already in place on the property to the West of the project and will remain and be the fencing at that location. Fencing to be vinyl. Approvals must be obtained from Tesoro (who has a 16.5' easement along the Easterly property line and has certain restrictions that can affect fencing) and/or UTA. At this time the developer and the city have reached out to each entity and they are willing to consider a fence on the Easterly property line, however they will not formally approve said fencing until they have reviewed it through their required processes. If permission is not obtained to place the fence on the property line alternative solutions must be agreed upon by the city and the developer.

(7) On street parking. No on street parking will be allowed in the town home project outside designated areas for parking. This will be enforced by the HOA through ticketing and fines as outlined in the HOA rules and regulations that will be set up for this project.

(8) Pipeline. Disclosure of the Tesoro pipeline and location of the easement will be placed on the final plat.

(9) Garbage can storage. All garbage cans will need to be stored inside the garage of each residence.

(10) Duties of the HOA. Among the duties of the HOA that will be formed are as follows (this is not a comprehensive list). The HOA will be professionally managed by a company decided upon by the HOA. All collection of fees and payment of bill will be by the management company. This company should have a website to help manage and make convenient communication between the owners and management company. The management company will have power to enforce no on street parking through ticketing. Enforcement of keeping garbage cans out of sight and maintaining the common areas on good condition.

(11) Open Space. The Northerly approximate .5 acre where the extended common area is to be located will be included in the project by easement rights recorded with the Davis County Recorders office for a perpetual easement over tax ID #11-406-0014. The HOA will enter into a private agreement with the current property owner to obtain an easement for the installation and maintenance of the is approximate .5 acre as common area for the project. This area will be fenced. Building 6 (Exhibit B) will be able to be placed up to the property line allowing the rear yard setback to be part of the common area that is created by the easement.

(12) Required Yards. No building may be located closer than 15 feet from the property line abutting 200 North Street, 8 feet from the western property line, 25 feet from the eastern property line, and buildings may be as close as 0' from the northern property line so long as it abuts common area referred to in section 2. A (11) of this agreement. No portion of any building may be located closer than 10 feet to any private street improvement, all driveways within the development must be at least 20 feet in length.

(13) Building Height. All buildings within the development shall be limited to 2 stories above existing grade and must be within the 30 foot height limit set by Kaysville City Ordinances.

(14) Access. Access into and out of the property shall be located and across from and aligned with Mountain Vistas Road

B. Findings of Compatibility. In adopting the Development Standards identified in Section 2, the City hereby expressly finds that the development of the Subdivision, in conformance with the Development Standards and this Agreement, promotes the creation of a desirable residential neighborhood in an appropriate location. The City further finds that the development of the Subdivision, in conformance with the Development Standards and this Agreement, will not violate the general purpose, goals and objectives of the City Ordinances and any plans adopted by the Planning Commission and City Council of the City.

Subject to the Developer's performance and compliance with the terms of this Agreement and City Ordinances in effect on the date of this Agreement, Developer's rights to develop the Subdivision in accordance with the approved site plan will be vested pending the approval of Preliminary and Final Subdivision Plans subject to the requirements and provisions of Kaysville

City Code Title 19 and approval from all affected utility providers verifying the ability to serve the proposed Subdivision.

3. ON-SITE PROJECT IMPROVEMENTS

Developer shall construct and install all site improvements, including utilities, required for the Subdivision, at Developer's sole cost and expense, in compliance with approvals, and all applicable ordinances, regulations, standards and status of the City, the secondary water provider, The Central Davis Sewer District, other providers and the State of Utah.

4. OFF-SITE PROJECT IMPROVEMENTS

In accordance with applicable standards and subject to the design approval of the City Engineer, Developer shall construct and install street improvements, utilities, and drainage improvements, on 200 North as necessary, with construction of the on-site improvements.

5. REPRESENTATIONS OF DEVELOPER

A. Authority. Developer hereby represents that is has authority to proceed with the Subdivision.

B. Ability. Developer represents that it has the ability to timely proceed with the development and construction of the Subdivision. Developer agrees to begin construction of the Subdivision as soon as practicable and complete development in accordance with the Development Procedures outlined in Kaysville City Code Title 19, Subdivisions.

6. ASSIGNMENT

Developer may assign this Agreement to any other third party provided that the City consents to such assignment, which consent shall not be unreasonably withheld, upon a showing to the satisfaction of the City that such third party has the financial ability to perform

Developer's obligations hereunder.

7. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. **ATTORNEY'S FEES**

In the event that this Agreement or any provision hereof shall be enforced by an attorney retained by a party hereto, whether by suit or otherwise, the fees and costs of such attorney shall be paid by the party who breaches or defaults hereunder, including fees and costs incurred upon appeal or in bankruptcy court.

9. SEVERABILITY

If any term or provision of this Agreement shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Agreement.

10. CAPTIONS

The section and paragraph headings contained in this Agreement are for the purposes of reference only and shall not limit, expand or otherwise affect the construction of any provisions hereof.

11. GOVERNING LAW

This Agreement and all matters relating hereto, shall be governed by, construed and interpreted in accordance with the laws of the State of Utah.

12. ENTIRE AGREEMENT

This Agreement, together with the exhibits attached hereto, constitutes the entire understanding and agreement by and among the parties hereto, and supersedes all prior agreements, representations or understandings by and among them, whether written or oral, pertaining to the subject matter hereof.

13. CONSTRUCTION

As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require.

14. AUTHORIZATION OF EXECUTION

A. City. The execution of this Agreement by the City has been authorized by the City Council of Kaysville City at a regularly scheduled meeting of that body, pursuant to the notice.

B. Developer. The execution of this Agreement has been duly authorized by the Developer.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

DEVELOPER

ATTEST:

By:_____
DEVELOPER
TITLE

_____
Secretary

KAYSVILLE CITY

ATTEST:

By:

_____

Katie Witt
Mayor

_____

Annemarie Plaizier
City Recorder

On the _____ day of _____, 2019, personally appeared before me KATIE WITT, and ANNEMARIE PLAIZIER, who being by me duly sworn did say, each for himself and herself that she, the said KATIE WITT, is the Mayor of Kaysville City, Davis County, State of Utah and that she, the said ANNEMARIE PLAIZIER, is the City Recorder of Kaysville City, and that the within and foregoing instrument was signed on behalf of the said Kaysville City by authority of the City Council of Kaysville City and said KATIE WITT and ANNEMARIE PLAZIER, each duly acknowledged to me that the said Kaysville City executed the same and that the seal affixed is the seal of the said Kaysville City.

_____

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

On the _____ day of _____, 2019, personally appeared before me, DEVELOPER, the signer of the foregoing Development Agreement for DEVELOPER, who duly acknowledged to me that he executed the same for and on behalf of DEVELOPER.

_____

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

Exhibit A - Property Location Map

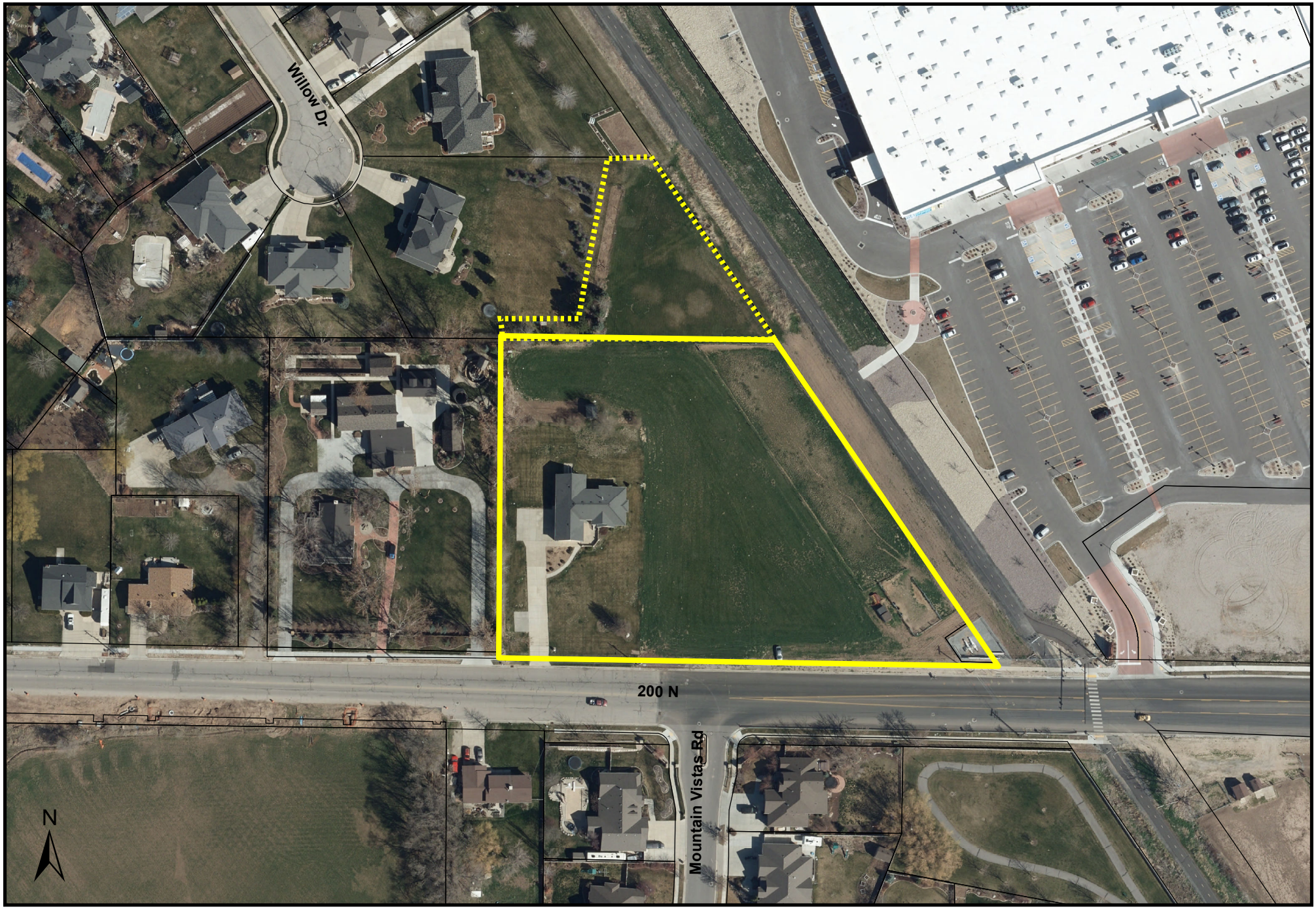
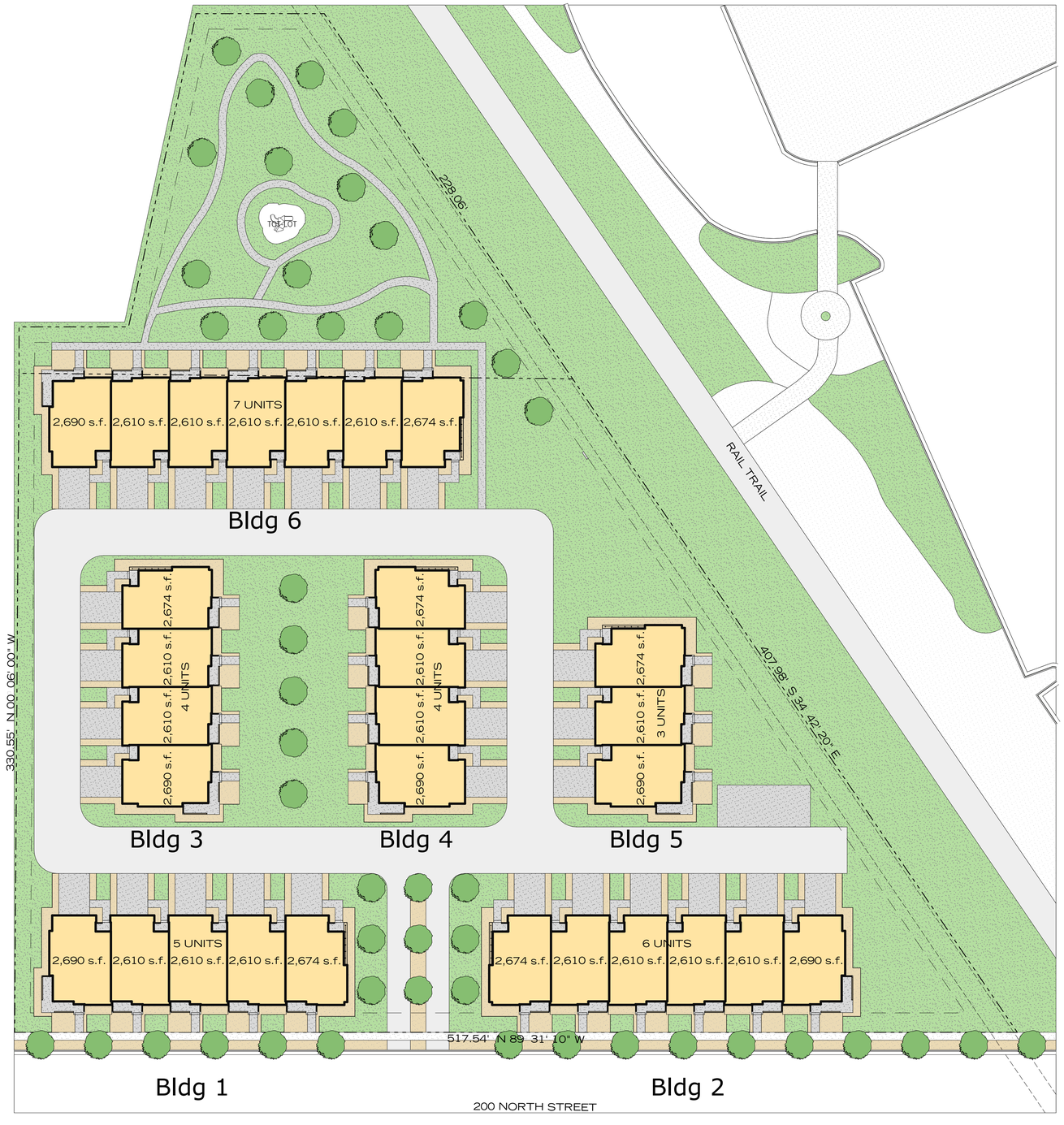


Exhibit B

BOTT PANTONE ARCHITECTS
620 24TH STREET
OGDEN, UT 84401
BP-ARCHITECTS.NET
P 801.394.3033
F 801.394.9064



SITE PLAN LEGEND:

- : Area of building construction
- : Landscaping.
- : Existing landscaping to remain - protect from damage.
- : Asphalt paving.
- : Existing asphalt paving to remain - protect from damage.
- : Concrete paving.
- : Existing concrete paving to remain - protect from damage.

ARCHITECTURAL SITE PLAN
OPTION 05

NORTH

NO.	DATE	DESCRIPTION

1" = 30', 1' = 1'-0"
02.08.19 **CONCEPTUAL DESIGN**
Project Number: **1884**

NOT FOR CONSTRUCTION

GREEN PARK TOWNHOME DEVELOPMENT
1576 WEST
KAYSVILLE, UTAH

A2

BOTT PANTONE ARCHITECTS
620 24TH STREET
OGDEN, UT 84401
BPARCHITECTS.NET
P 801.394.3023
F 801.394.9064

NO	DATE	DESCRIPTION

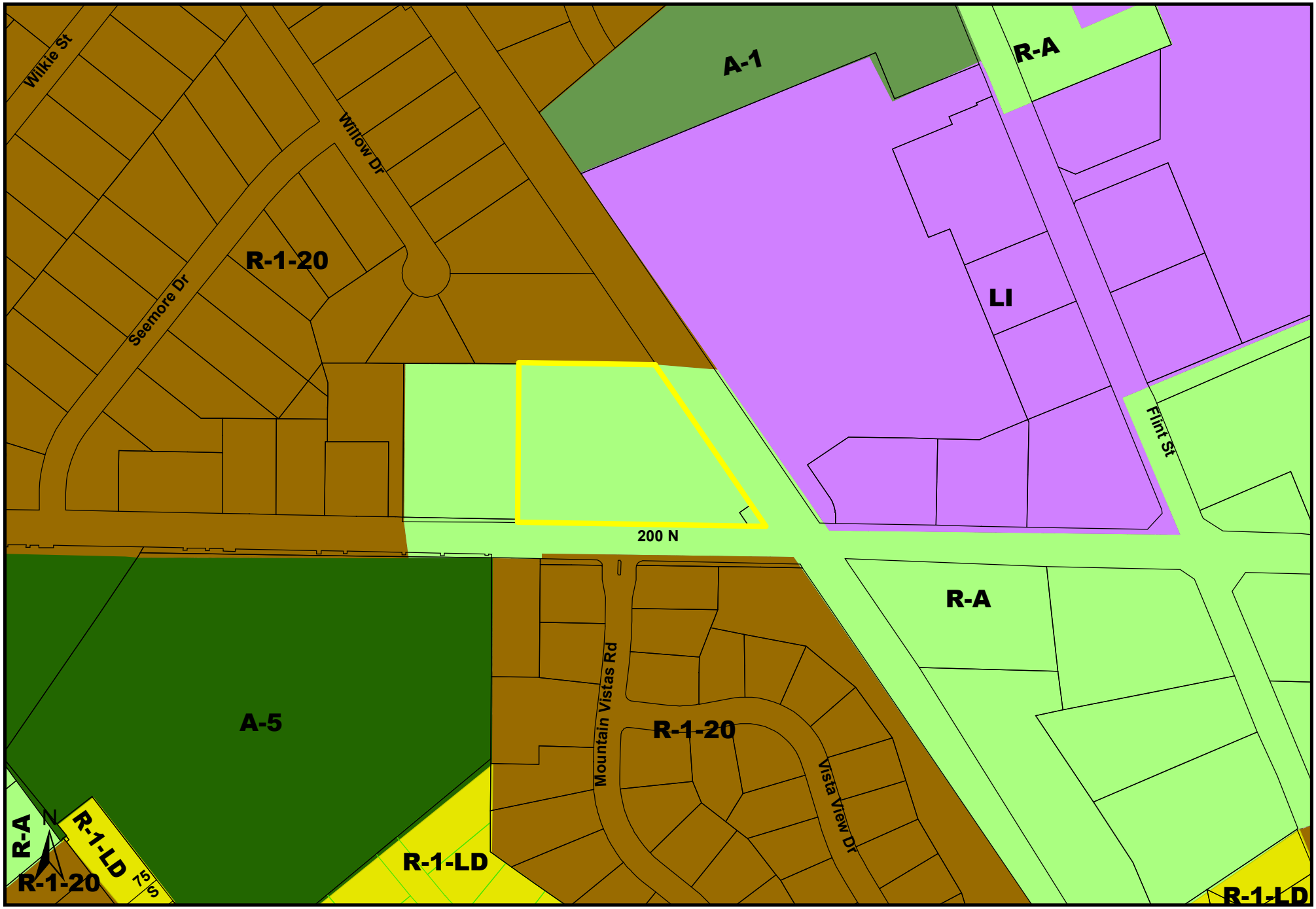
09.28.18 **CONCEPTUAL DESIGN**
Project Number: 1884

NOT FOR CONSTRUCTION

GREEN PARK TOWNHOME DEVELOPMENT
1576 WEST
KAYSVILLE, UTAH

A19

Exhibit D - Rezone of 3 acres of property at 1576 West 200 North from R-A to R-2 PRUD



Planning Commission
Staff Report

Orchard Ridge Estates Phase 1 Subdivision
Final Plat
February 28, 2019

Applicant/Owner:	Compass Holdings Development
Location:	Approximately 1400 North Highway 89
Zoning:	R-1-10, R-1-14, R-1-20 & PRUD Overlay

Description:

Last spring, the City Council approved an annexation agreement that outlined the conditions upon which the City would annex this property and approved a preliminary plat for the Orchard Ridge Estates Subdivision.

The Annexation agreement allows for a maximum of 95 homes meeting R-1-8 zoning requirements and allowing for the use of a PRUD overlay zone. The approved preliminary plat contains 92 lots, including two existing homes, with lots as small as 6,000 square feet. The preliminary plat includes common open space and some private streets and did not include any attached housing units.

Applicable to phase 1, the following items were approved with the preliminary plat:

Sidewalk on only one side of the public streets and no sidewalk on the private streets.

The side yards are permitted at 8 feet on one side and 5 feet on the other side.

The front yards are allowed at 20 feet.

The private road uses may utilize a hammer head turn around.

Phase 1 includes 26 lots on the western and lower portion of the Orchard Ridge Estates development. The plat is consistent with what has been approved by city council for the preliminary plat. While the right of way and layout of the subdivision has not changed, in contrast to what was approved at preliminary plat, the developer is proposing the installation of sidewalk on both sides of the public street. This came about based on utility requirements and the amount of cut and fill that would be necessary on site.

As a common open space subdivision, this phase requires 25,077 sq. ft. of Open Space. 32,915 sq. ft. of open space has been provided in parcels A, B, C, and E. The developer and the city have been in coordination with UDOT regarding the Highway 89 and frontage road project which is accounted for with Parcel D.

Recommendation:

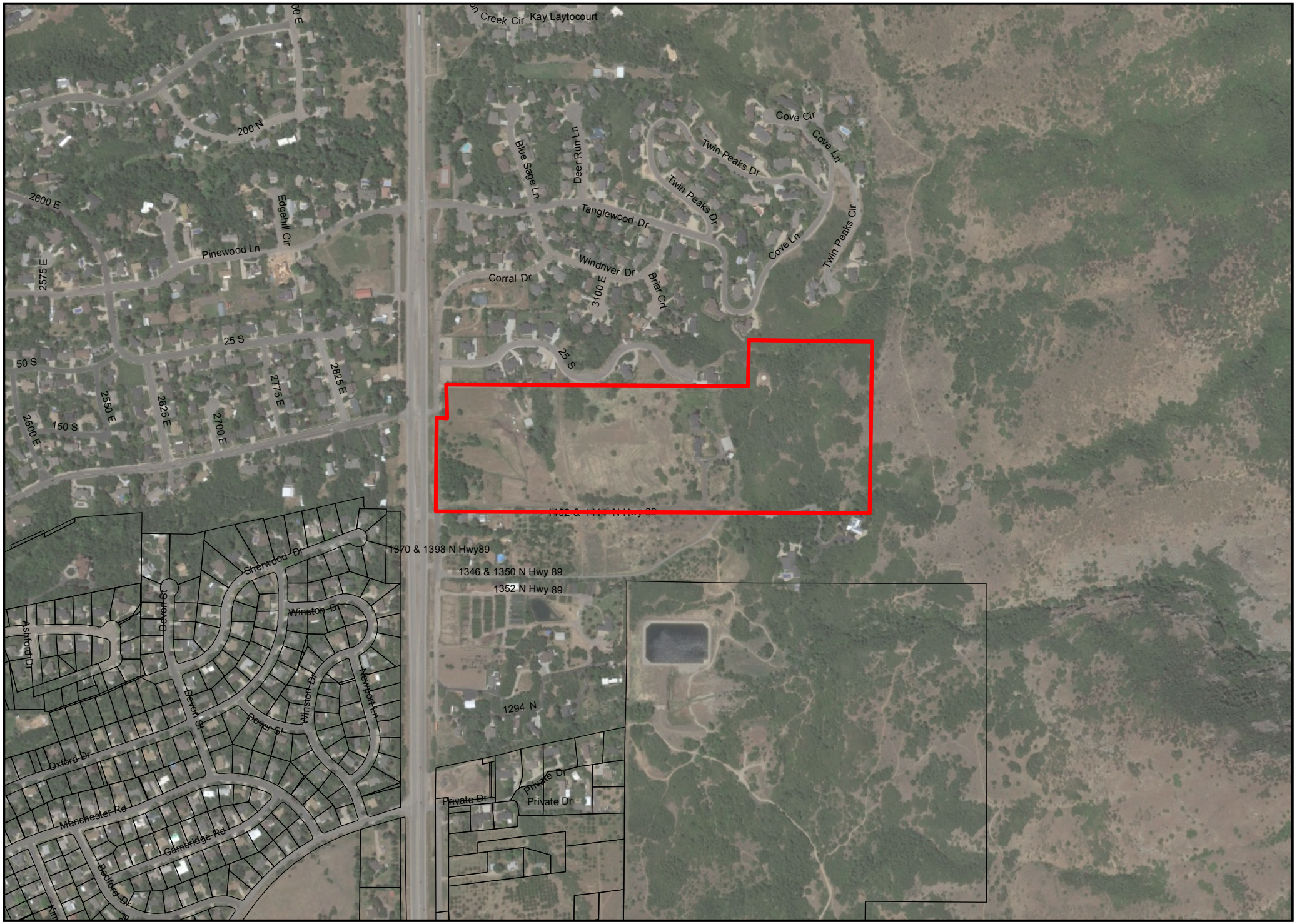
Staff is recommending that the Planning Commission approve the final plat for Phase 1 of the Orchard Ridge Estates Subdivision.

Reasoning:

After review of the plat and construction drawings for Phase 1 of the Orchard Ridge Estates Subdivision, staff has found that the proposed final plat is consistent with the annexation agreement, preliminary plat, and applicable standards and ordinances.

Attachment 1: Area Map
Attachment 2: Preliminary Plat
Attachment 3: Ph 1 Final Plat

Orchard Ridge Estates Subdivision



CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

811 Know what's below. Call before you dig.

BENCHMARK

BENCHMARK IS THE NORTH QUARTER CORNER SECTION 27, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN (FOUND)

ELEVATION = 4432.25

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. INSTALL 2.5' CURB AND GUTTER
2. INSTALL 4.0' SIDEWALK

ENSIGN
THE STANDARD IN ENGINEERING

LAYTON
1485 W. Hill Field Rd., Ste. 204
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
COMPASS HOLDINGS DEVELOPMENT
854 N 250 E
KAYSVILLE, UT 84037

CONTACT:
CHALEH TRUJILLO AND MATT YEATES
PHONE: 801-628-5121

ORCHARD RIDGE ESTATES

125 SOUTH CORRAL DRIVE
KAYSVILLE, UTAH

PROFESSIONAL ENGINEER
No. 5049039
9-6-18
STATE OF UTAH
CAMERON HESS PRESTON

PRELIMINARY SITE PLAN

PROJECT NUMBER L2343	PRINT DATE 9/12/18
DRAWN BY J.MOSS	CHECKED BY C.PRESTON
PROJECT MANAGER C.PRESTON	

LEGAL DESCRIPTION

Beginning at the Northeast Corner of Bromsfield Subdivision, said point being on the south line of Layton City, the south line of Twin Peaks Cove No. 3 Subdivision, and the section line at a point South 89°50'45" East 1960.90 feet along the section line from the Northwest Corner of Section 25, Township 4 North, Range 1 West, Salt Lake Base and Meridian, and running;

Thence South 89°50'45" East 672.84 feet along the south line to the Southeast Corner of Layton City, the south line to the Southeast Corner of Twin Peaks Cove No. 3 Subdivision, and along the quarter section line to the North Quarter Corner of said Section 25;

Thence South 0°15'44" West 929.80 feet along the quarter section line;

Thence North 89°50'40" West 1692.78 feet to the east line of the east Frontage Road of U.S. Highway 89 (Mountain Road);

Thence North 0°35'40" West 23.26 feet along the east line of the East Frontage Road of State Highway No. 89, (Mountain Road);

Thence South 89°50'15" West 70.00 feet along the north line of the East Frontage Road of State Highway No. 89, (Mountain Road) to the east line of State Highway No. 89, (Mountain Road);

Thence North 0°35'45" West 472.00 feet along the east line of State Highway No. 89, (Mountain Road) to the south line of the East Frontage Road of State Highway No. 89, (Mountain Road);

Thence North 89°50'15" East 60.00 feet along the south line to the Southeast Corner of the East Frontage Road of State Highway No. 89, (Mountain Road);

Thence North 0°35'45" West 184.66 feet along the east line of the East Frontage Road of State Highway No. 89, (Mountain Road) to the Southwest Corner of Bromsfield Subdivision;

Thence South 89°50'45" East 1638.71 feet along the south line to the Southeast Corner of Bromsfield Subdivision;

Thence North 0°11'10" East 250.00 feet along the east line of Bromsfield Subdivision to the point of beginning.

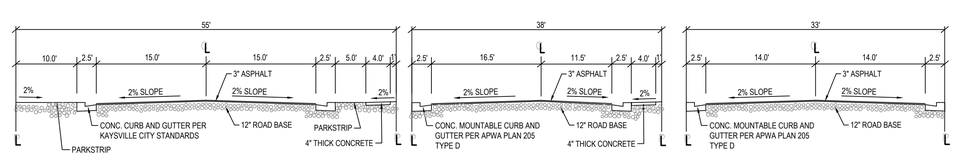
Contains 1,763,959 square feet, 40.495 acres.

NORTH

HORIZONTAL GRAPHIC SCALE

80 0 40 80 160

(IN FEET)
HORZ: 1 inch = 80 ft.



TYPICAL 55 FOOT ROAD CROSS SECTION

TYPICAL 38 FOOT ROAD CROSS SECTION

TYPICAL 33 FOOT ROAD CROSS SECTION

NOTES

1. LOTS 1-76 ARE ZONED R-1-10.
   A. FRONT YARD SETBACK IS 20'
   B. SIDE YARD SETBACK IS 8' AND 5' WITH 10' MINIMUM BETWEEN STRUCTURES
   C. REAR SETBACK IS 15'
2. LOTS 77-80 AND 91-92 ARE ZONED R-1-14.
   A. FRONT YARD SETBACK IS 20'
   B. SIDE YARD SETBACK IS 8'
   C. REAR SETBACK IS 15'
3. LOTS 81-90 ARE ZONED R-1-20.
   A. FRONT YARD SETBACK IS 20'
   B. SIDE YARD SETBACK IS 8'
   C. REAR SETBACK IS 15'

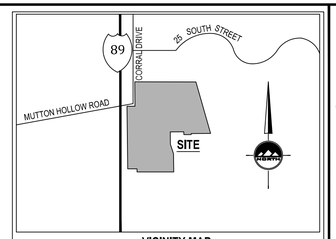
OVERALL DEVELOPMENT LAND USE TABLE	
OVERALL AREA	1,763,959 sq.ft.
TOTAL LOTS	92
DENSITY	2.27 UNITS/ACRE

PHASE 1,2,3 LAND USE TABLE	
OVERALL AREA	922,772 sq.ft.
TOTAL LOTS	76
OPEN SPACE PROVIDED	117,496 sq.ft.
OPEN SPACE REQUIRED	92,348 sq.ft.

PHASE 4 LAND USE TABLE	
OVERALL AREA	841,187 sq.ft.
TOTAL LOTS	16

ORCHARD RIDGE ESTATES - PHASE 1

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 25
TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH



VICINITY MAP
NOT TO SCALE

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH)S.S.
County of Davis

On the _____ day of _____ A.D., 20_____ , _____,
_____ personally appeared
before me, the undersigned Notary public, in and for said County of _____ in said State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication,_____ in number, freely and voluntarily for the purposes therein mentioned.

MY COMMISSION EXPIRES:_____.

_____ RESIDING IN_____ COUNTY.
NOTARY PUBLIC

NOTE:
UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.& D.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.& D.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.& D.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.& D.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.& D.E.

SURVEYOR'S CERTIFICATE

I, **KEITH R. RUSSELL** do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. **164386** as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as **ORCHARD RIDGE ESTATES - PHASE 1** and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area re-quirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

A parcel of land, situate in the Northwest Quarter of Section 25, Township 4 North, Range 1 West, Salt Lake Base and Meridian, said parcel also located in Kaysville, Utah, more particularly described as follows:

Beginning at the Southwest Corner of Bromsfield Subdivision, said point being on the common boundary line of Kaysville City and Layton City, at a point South 89°50'45" East 322.05 feet along the section line, and South 00°09'15" West 250.00 feet from the Northwest Corner of Section 25, Township 4 North, Range 1 West, Salt Lake Base and Meridian, and running;

thence South 89°50'45" East 461.15 feet along the south line of Bromsfield Subdivision, and along the common boundary line of Kaysville City and Layton City;

thence South 15°54'02" East 403.60 feet;

thence South 89°24'15" West 146.64 feet;

thence South 00°35'45" East 7.62 feet;

thence South 89°24'15" West 55.00 feet;

thence North 00°35'45" West 21.80 feet;

thence South 89°24'15" West 102.00 feet;

thence South 00°35'45" East 93.38 feet;

thence South 18°32'43" East 74.63 feet;

thence South 00°35'45" East 138.09 feet;

thence North 89°50'45" West 277.02 feet to a point on the east line of the East Frontage Road of U.S. Highway 89 (Mountain Road), at a point 155.00 feet perpendicularly distant easterly from the centerline of said State Highway No. 89, recorded as entry number 330572, in Book 412 at Page 675 of official records;

Thence North 0°35'45" West (North 0°26' West per deed) 25.80 feet along the east line of the East Frontage Road of State Highway No. 89, (Mountain Road);

Thence South 89°50'15" West (West per deed) 70.00 feet along the north line of the East Frontage Road of State Highway No. 89, (Mountain Road) to the easterly limited-access line of State Highway No. 89, (Mountain Road), being at a point 85.00 feet perpendicularly distant easterly from the centerline of said State Highway No. 89;

Thence North 0°35'45" West North 0°26' West per deed) 472.00 feet along said easterly limited-access line of State Highway No. 89, (Mountain Road) to the south line of Corral Drive, (the East Frontage Road of State Highway No. 89, Mountain Road), recorded as entry number 330572, in Book 412 at Page 675 of official records;

Thence North 89°50'15" East (East per Deed) 60.00 feet along the south line, to the Southeast Corner of Corral Drive, (the East Frontage Road of State Highway No. 89, Mountain Road), being at a point 145.00 feet perpendicularly distant easterly from the centerline of said State Highway No. 89;

Thence North 0°35'45" West 182.11 feet (North 0°26' West 182.00 feet per deed) along the east line of Corral Drive, (the East Frontage Road of State Highway No. 89, Mountain Road) to the point of beginning.

Contains: 308,230 square feet, 7.076 acres, 26 Lots, 5 Parcels.

2/15/2019
Date:

Michael B. Herbst
License no. 5046930

PROFESSIONAL LAND SURVEYOR
Electronic Seal
No. 5046930
MICHAEL B. HERBST
2/15/2019
STATE OF UTAH

OWNER'S DEDICATION

Known all men by these presents that I / we, the under- signed owner (s) of the above described tract of land, having caused same to be subdivided, hereafter known as the

ORCHARD RIDGE ESTATES - PHASE 1

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.
In witness whereof I / we have hereunto set our hand (s) this_____day of_____A.D., 20_____.

_____ .
CAPITAL REEF MANAGEMENT L.L.C
By: BRAD FROST, IT'S: MANAGING MEMBER

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH)S.S.
County of Davis

On the _____ day of _____ A.D., 20_____ , BRAD FROST , personally appeared before me, the undersigned Notary Public, in and for said County of DAVIS in the State of Utah, who after being duly sworn, acknowledged to me that He is the MANAGING MEMBER ,
of CAPITAL REEF MANAGEMENT L.L.C. a Limited Liability Company and that He signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Limited Liability Company executed the same.

MY COMMISSION EXPIRES:_____.

_____ RESIDING IN_____ COUNTY.
NOTARY PUBLIC

DEVELOPER
COMPASS HOLDINGS DEVELOPMENT
854 N 250 E
KAYSVILLE, UT 84037
801-628-5121

GENERAL NOTES:

1. PROPERTY IS ZONED R-1-8 PRUD.
   - A. FRONT YARD SETBACK IS 20'
   - B. REAR YARD SETBACK IS 15'
   - C. SIDE YARD SETBACK IS 5'
   - D. CORNER LOT SIDE YARD SETBACK IS 20' ARTERIAL STREET MINIMUM SIDE YARD AND (STREET) 20'.
2. ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU & DE) ARE 10' FRONT, 5' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.
3. ALL PRIVATE STREETS ARE PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU&DE) AND SEWER EASEMENT IN FAVOR OF CENTRAL DAVIS SEWER DISTRICT. ALL PRIVATE STREETS ARE PRIVATE UTILITY EASEMENT AND ACCESS EASEMENT IN FAVOR OF LOTS 101-116.
4. PARCELS A AND C ARE OPEN SPACE AND TO BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION
5. BASEMENTS ARE ALLOWED ON LOTS 117 AND 118.

SURVEY RECORDING DATA

DATE:
-
DRAWING No.
-

ORCHARD RIDGE ESTATES - PHASE 1

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 25
TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD AND
RECORDED THIS ____ DAY OF ____ 20____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS
PAGE

DAVIS COUNTY RECORDER

BY _____
DEPUTY RECORDER

ENSIGN

LAYTON
1485 W. Hillfield Rd. Ste 204
Layton UT 84041
Phone: 801.547.1100
Fax: 801.593.6315

WWW.ENSIGNENG.COM

SALT LAKE CITY
Phone: 801.255.0529
TOOELE
Phone: 435.843.3590
CEDAR CITY
Phone: 435.865.1453
RICHFIELD
Phone: 435.896.2983

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20_____,
BY THE KAYSVILLE CITY ATTORNEY.

KAYSVILLE CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20_____,
BY THE CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, KAYSVILLE CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20_____,
BY THE KAYSVILLE CITY ENGINEER

KAYSVILLE CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20_____,
BY THE KAYSVILLE CITY COUNCIL

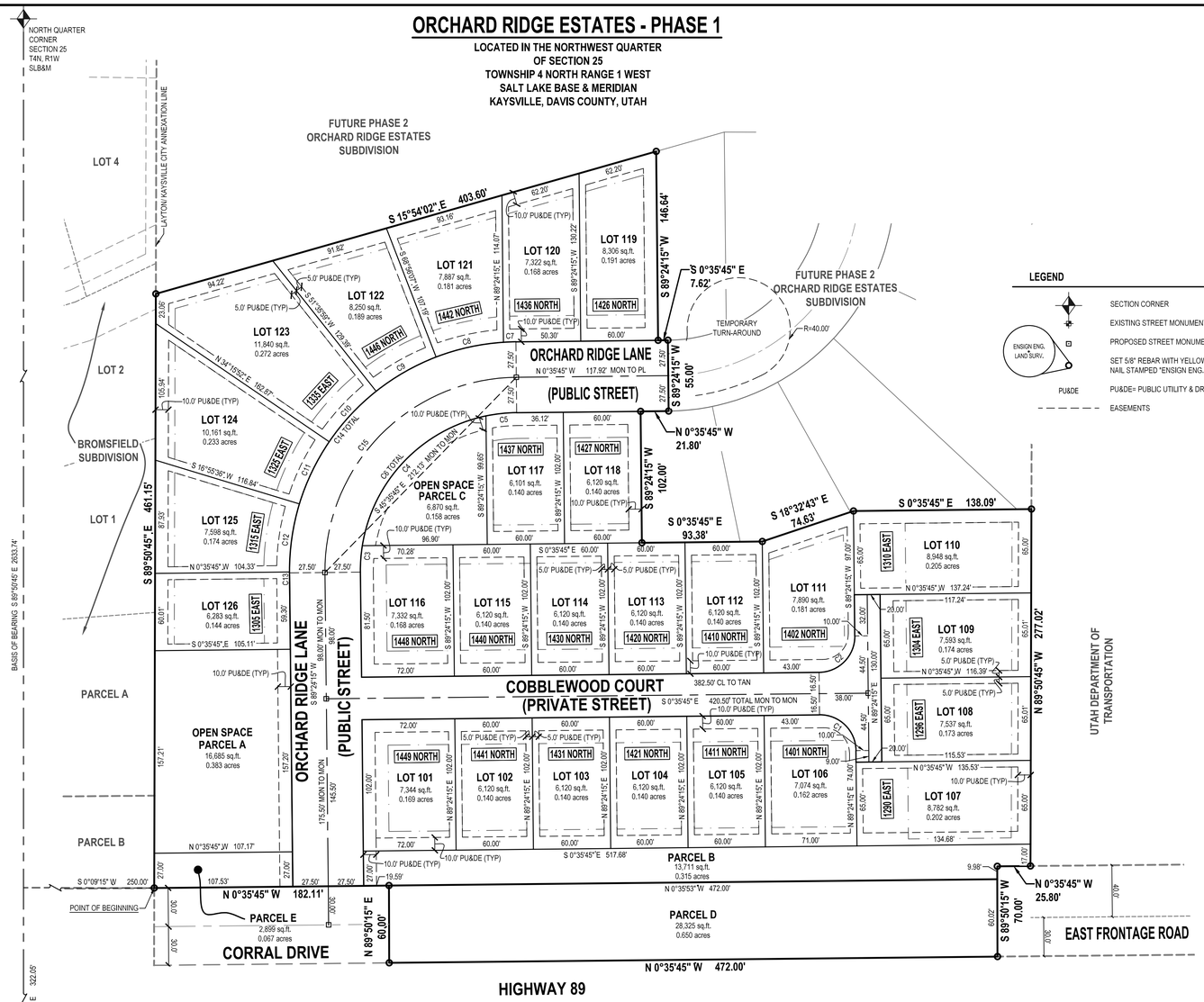
CITY RECORDER CITY MAYOR

SHEET 1 OF 2

PROJECT NUMBER : L2343
MANAGER : K.RUSSELL
DRAWN BY : J.MOSS
CHECKED BY : M.HERBST
DATE : 2/14/19

ORCHARD RIDGE ESTATES - PHASE 1

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 25
TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH



LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV." (ENSIGN ENG. LAND SURV.)
- PU&DE — PU&DE= PUBLIC UTILITY & DRAINAGE EASEMENT
- EASEMENTS

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	28.00'	43.98'	90°00'00"	N44°24'15"E	39.60'
C2	28.00'	43.98'	90°00'00"	S45°35'45"E	39.60'
C3	122.50'	20.60'	9°38'01"	N85°46'45"W	20.57'
C4	122.50'	147.80'	69°07'38"	N46°23'55"W	138.99'
C5	122.50'	24.02'	11°14'21"	N6°12'56"W	23.99'
C6	122.50'	192.42'	90°00'00"	N45°35'45"W	173.24'
C7	177.50'	9.71'	3°08'00"	N2°09'45"W	9.71'
C8	177.50'	53.70'	17°20'08"	N12°23'49"W	53.50'
C9	177.50'	53.70'	17°20'08"	N29°43'57"W	53.50'
C10	177.50'	53.70'	17°20'08"	N47°04'04"W	53.50'
C11	177.50'	53.71'	17°20'15"	N64°24'16"W	53.51'
C12	177.50'	53.59'	17°17'53"	N81°43'20"W	53.39'
C13	177.50'	0.71'	0°13'28"	S89°30'59"W	0.70'
C14	177.50'	278.82'	90°00'00"	N45°35'45"W	251.02'
C15	150.00'	235.62'	90°00'00"	N45°35'45"W	212.13'

HORIZONTAL GRAPHIC SCALE

50 0 25 50 100

(IN FEET)
HORZ: 1 inch = 50 ft.

DEVELOPER
COMPASS HOLDINGS DEVELOPMENT
854 N 250 E
KAYSVILLE, UT 84037
801-628-5121

PROFESSIONAL LAND SURVEYOR
Electronic Seal
No. 5046930
MICHAEL B. HERBST
1/28/2019
STATE OF UTAH

ORCHARD RIDGE ESTATES - PHASE 1

LOCATED IN THE NORTHWEST QUARTER
OF SECTION 25
TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
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SHEET 2 OF 2

PROJECT NUMBER : L2343
MANAGER : K.RUSSELL
DRAWN BY : J.MOSS
CHECKED BY : M.HERBST
DATE : 2/15/19

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____ 20____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS
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DAVIS COUNTY RECORDER

BY _____
DEPUTY RECORDER

KAYSVILLE CITY PLANNING COMMISSION

January 24, 2019

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

Excused: Thomas Wood

Staff Present: Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Council Member Larry Page, Bethany Andrus, Kelley Richardson, Mike Richardson, Jeff Dopp, Michelle Dopp, Nate Brower, John Russon, Dan Ames

OPENING

The Planning Commission meeting was held on Thursday, January 24, 2019 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the December 13, 2018 meeting were presented for approval.

Wilf Sommerkorn made a motion to approve the minutes of the December 13, 2018 meeting. Gary Bullock seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", TUTORING AT 375 EAST 200 SOUTH – KRISTINA CHRISTENSEN

Lyle Gibson explained that Kristina Christensen would like to be able to offer tutoring from her home at 375 East 200 South and is therefore asking for a conditional use permit. Students would come for short sessions before and after school, Monday through Friday. She plans to meet with students for thirty minutes, with a few minutes between sessions. Based on the nature of her instruction, she would only have as many as two students at any one time.

Betty Parker asked about how much time there would be between each session.

Lyle Gibson responded that there would be about five or ten minutes in between classes. Ms. Christensen lives on a private lane street, but there is guest parking available to park in. Often siblings or friends will come to tutoring sessions together, or will walk. If there is concern about parking at her home it could be requested that they park or be dropped off at the end of the private lane.

Josh Sundloff made a motion to grant a conditional use permit for a major home occupation "B", tutoring at 375 East 200 South for Kristina Christensen with the condition that the number of students be limited to no more than two students during any session. Tamara Tran seconded the

motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", PRESCHOOL AT 532 NORTH RICHARDS RAMBLE ROAD – BETHANY ANDRUS

Lyle Gibson explained that Bethany Andrus is requesting a conditional use permit for a major home occupation "B" to run a preschool from her home at 532 North Richards Ramble Road. Ms. Andrus plans to teach a morning class from 9:00 to 11:00 a.m. and an afternoon class from 12:00 to 2:00 p.m., Monday through Friday. She is hoping to pursue a building permit to finish a space in her home where the classes would be held. They have a long driveway with room for several cars to park. There is also an open space area across the street where more cars could park along the curb if needed.

Bethany Andrus said that she started a free preschool recently to see what kind of interest there was. So far she has had no problems with parking as most of her students are neighborhood kids that walk to her home. Many of them are siblings as well. She doesn't anticipate ever needing to have more than twelve students at a time.

Gary Bullock asked if the yard is fenced.

Bethan Andrus responded that they are not required to have fencing for a preschool, and because the kids will not be at her home for very long she doesn't plan to take them outside during the time they are at her home.

Gary Bullock made a motion to grant a conditional use permit for a major home occupation "B", preschool at 532 North Richards Ramble Road for Bethany Andrus with the condition that groups be limited to no more than twelve students at a time. Tamara Tran seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", YOUTH PERFORMING ARTS PROGRAM AT 337 WEST PADDOCK LANE – KELLEY RICHARDSON

Lyle Gibson explained that Kelley Richardson is requesting a conditional use permit for a major home occupation "B" in order to run a youth performing arts program from her home at 337 West Paddock Lane. Groups would come to practice ballet, dance, and choreography for one to two hours at a time. Ms. Richardson is planning to host three different age groups. Lessons would be Tuesdays and Thursdays. Mrs. Richardson works for Centerpoint Legacy Theatre where she will be holding recitals and performances. She does not have any specific plans for parties or activities, but would like to be able to host an activity for her students at her home on occasion. Staff is recommending approval of Mrs. Richardson's request with the condition that groups be limited to no more than ten students at a time, with an exception to allow the applicant to host larger activities no more than two times per year.

Kelley Richardson stated that she had spoken with her HOA and have received their approval with the following stipulations: that there be no more than five students per day, three days a

week, with drop off and pick up totaling no more than ten trips per day. Mrs. Richardson said that she had not started doing business from her home because she was waiting until she received approval from both her HOA and the City.

Josh Sundloff asked if there would be a break between classes.

Kelley Richardson responded that starting out she would only have one group a day. There would never be overlapping classes. The HOA feels it important that traffic be restricted and Mrs. Richardson said that she is willing to do whatever needed so as to not create problems.

Chairperson Matthew Anderson asked if there was public comment.

Nate Brower said that he lives next to the Richardson's to the west and many of the surrounding neighbors are concerned about a potential increase in traffic created by this business. They have all spoken as neighbors with the HOA to discuss concerns and to try to find a way to accommodate the Richardson's request. The stipulations mentioned by Mrs. Richardson were created after much discussion and the neighbors feel that they will help to protect their neighborhood.

Betty Parker commented that while the city does not enforce or take into consideration a subdivision's HOA covenants, it's good to know that the HOA supports this request.

Wilf Sommerkorn added that even if this item isn't approved with as many restrictions as what the HOA has outlined, the Richardson's would still be held to their subdivision's covenants.

Gary Bullock said that it seems the greatest concern here is for the amount of traffic this might generate. There does not seem to be concern with pedestrian traffic that could be created.

Tamara Tran made a motion to grant a conditional use permit for a major home occupation "B", youth performing arts program at 337 West Paddock Lane for Kelley Richardson with the condition that there be no more than ten vehicular trips for drop off and pick up during the time frame that classes are held each day.

Lyle Gibson asked if visitor's cars would be included in the vehicular trip count, and who would regulate which cars are for students and which are visitors?

Josh Sundloff commented that it's easier to regulate the number of students than the number of cars are coming to and from the house.

Wilf Sommerkorn said that concerns seems to lie with the impact of vehicles coming to and from the Richardson's home than the amount of students there could be.

Josh Sundloff said that the number of students should be restricted based on the assumption that each student would be driving separately.

The motion died for lack of second.

Kelley Richardson commented that she intends to only have a few students come to her home at a time, and not more than three times a week.

Tamara Tran made a motion to grant a conditional use permit for a major home occupation "B", youth performing arts program at 337 West Paddock Lane for Kelley Richardson with the condition that there be no more than five students per day, three days a week, with drop off and pick up totaling no more than ten trips per day, and with an exception to allow the applicant to host larger activities no more than two times per year. Gary Bullock seconded the motion.

Wilf Sommerkorn commented that he feels that the Commission should allow Mrs. Richardson to have more students. Then if down the road Mrs. Richardson might be able to work something out with her HOA for more students, she would not have to come back to the city to get her conditional use permit approved again.

Voting was as follows:

Matthew Anderson	yea
Wilf Sommerkorn	nay
Betty Parker	nay
Josh Sundloff	nay
Tamara Tran	nay
Gary Bullock	nay

The motion died with a vote of one to five.

Wilf Sommerkorn made a motion to grant a conditional use permit for a major home occupation "B", youth performing arts program at 337 West Paddock Lane for Kelley Richardson with the condition that groups be limited to no more than ten students at a time, with an exception to allow the applicant to host larger activities no more than two times a year. Betty Parker seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Jeff Dopp commented that on the approval Kelley Richardson's item the street frontage here was not considered. There is not a lot of space for cars to park along Paddock Lane and does not feel that it will be able to accommodate the number of cars potentially dropping off ten kids at a time. The sessions will be held after school which are busier traffic times. It seems that the Planning Commission is trying to make the HOA and neighbors be responsible enforcing the stipulations that was placed on Mrs. Richardson.

Wilf Sommerkorn responded that the City isn't bound by a subdivision's HOA covenants, and if there is a problem created by Mrs. Richardson's business than the neighbors can always come back to the city to review the conditional use permit.

REPORTS

Lyle Gibson announced that Secretary Annemarie Plaizier had recently received the position as City Recorder and her replacement will be starting next week.

Lyle Gibson said it had been previously suggested that certain conditional use permits for home occupations not be reviewed through the Planning Commission anymore. Staff has reviewed this request and would like to present a few ideas of how these home occupations might be able to be handled, including allowing certain types of businesses to be approved by Staff, or allow certain types to be considered as a permitted use.

The Planning Commission discussed home occupations currently required to receive a conditional use permit. It was discussed how restrictions could be set through an ordinance specifying specific types of businesses which would be considered as a conditional use, or possibly grouping conditional use permit approvals together in the Planning Commission agenda so they could be approved all at once. The Commission further discussed noticing for the surrounding property owners for these types of businesses. The Commission asked Staff to take their comments mentioned and bring back Staff's proposal on how to handle these situations.

Lyle Gibson reported that Staff had been working with a consultant regarding the creation of a mixed use development zone. As part of this they have also been considering when to start the process of reviewing the General Plan later this year. The State Legislature is also currently in session with many bills before them that would have an effect on our land use ordinances. Because of all of these reasons, Staff feels it would be best to wait for these things to be finalized before the creation of a mixed use development ordinance.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, February 14th, 2019 at 7:00 p.m.

ADJOURNMENT

Gary Bullock made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:12 p.m.

KAYSVILLE CITY PLANNING COMMISSION

February 14, 2019

Members Attending: Chairperson Matthew Anderson, Wilf Sommerkorn, Joshua Sundloff, Tamara Tran, Thomas Wood

Excused: Betty Parker, Gary Bullock,

Staff Present: Zoning Administrator Lyle Gibson, Secretary Heather Nielsen

Others Present: Tyler Carlson, Montana Turnbow, Brian Bott, Reuben Bell, Dan Reeve

OPENING

The Planning Commission meeting was held on Thursday, February 14, 2019 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the January 10, 2019 meeting were presented for approval.

Thomas Wood made a motion to approve the minutes of the January 10, 2019 meeting. Joshua Sundloff seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", EYELASH EXTENSIONS AT 443 E. 100 S. – MONTANA TURNBOW

Lyle Gibson explained that Montana Turnbow would like to be able to offer eyelash extension services at 443 E. 100 S and is therefore asking for a conditional use permit. She would like to see three or four customers a day three days a week. Her working hours would be between 9:00am and 6:00pm. Her eyelash appointments typically last for two hours

Tamara Tran made a motion to grant a conditional use permit for a major home occupation "B", eyelash extension at 443 East 100 South for Montana Turnbow. Matthew Anderson seconded the motion and it passed unanimously

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", SWIM LESSONS AT 1665 W. LEOLA ST –REUBEN D. BELL

Lyle Gibson explained that Reuben D. Bell is requesting a conditional use permit for a major home occupation "B" to teach swim lessons at 1665 W. Leola St. Mr. Reuben has two daughters that would like to teach morning swim lessons four days a week for a total of four hours a day. The classes would be broken up into 30 min sessions and have anywhere from 4 to 6 students per session.

Matthew Anderson asked about the traffic and parking availability since parents usually stay

with their children during lessons.

Lyle Gibson responded that there was lots of frontage space for parking and dropping students off. He suggested limiting the number of students to deal with possible traffic.

Matthew Anderson recommended that they have no more than six students per session. He also stated that if complaints arise from the neighbors then Mr. Reuben Bell will need to come back to discuss the situation.

Wilf Sommerkorn made a motion to grant a conditional use permit for a major home occupation "B", to teach swim lessons at 1665 W. Leola St. Matthew Anderson seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR MODEL HOME, SIGNAGE AND FLAGS AT 1876 W. 75 S. —IVORY HOMES

Lyle Gibson explained that Ivory Homes is requesting conditional use permit 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 eventually be for sale 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' development sign and the American flag.

Thomas Wood asked the representative from Ivory Homes, Tyler Carlson, how many flags would be displayed? Tyler Carlson said four to six flags. Wilf Sommerkorn asked if they would be okay limiting the flags to no more than six?

Joshua Sundloff inquired about the height of the flags. Lyle Gibson answered any flag over 30 ft must be approved by the Planning Commission as a conditional use. He also pointed out that flags (other than a country or state) displayed on a flagpole are considered to be a sign instead of a flag. Therefore, Ivory Homes can't display flags other than a country or state at 12 ft. Ivory Homes can have flags serving as signs under 12 ft.

Tamara Tran asked Tyler Carlson if the flags are lit. Tyler Carlson responded that the American Flag would be the only flag to have a light.

Wilf Sommerkorn made a motion to grant a conditional use permit for a model home, signage and flag 1876 W. 75 S.—Ivory Homes. Tamara Tran seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A CHURCH MEETINGHOUSE LOCATED AT 2103 W. 200 N. FOR BRIAN BOTT ARCHITECTS

Lyle explained that the applicant is requesting a conditional use approval for a new church

building. The property was recently rezoned by the city council from the GC zone to the R-1-20 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.

Matthew Anderson asked if the parking lot can hold the maximum number of people that might attend "stake" services. Lyle Gibson responded that the parking provided exceeds the needed parking for the chapel, gym and overflow areas.

Matthew Anderson asked if something could be clarified for the future concerning the parking stall and seating ratio in terms of how it is calculated. He questioned if the buildings capacity number was taken from the number of pews or seats. He would like to see an ordinance created for this issue.

Brian Bott, the buildings architect, approached the stand and said this particular building would only be used for area wide conferences two times a year so parking should not be a problem on a regular basis.

Joshua Sundloff asked Brian Bott about the fencing plan for the property. Brian Bott said that they would most likely use a chain link fence with vision slats; however, they will work with neighbors to try and match anything pre-existing. Mr Bott said they could do a two-fence system, putting their fence in front of the existing fence if needed.

Thomas Wood voiced his concern about having the two-fence approach. He did not think that was a good idea. Joshua Sundloff agreed that he does not like the idea of having the two-fence rule and would prefer not to see that.

Tamara Tran made a motion to grant a conditional use permit for a new church building located at 2103 W. 200 N. Thomas Wood seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR THE WEST GATE SUBDIVISION AT 2300 WEST SCHICK LANE (200 N.) – PERRY HOMES

Lyle Gibson explained 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.

Chairperson Matthew Anderson opened the Public Hearing.

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

Matthew Anderson asked about the walking path and where it connects. Lyle said it connects to the Kays Creek Trail system and Layton area. Lyle Gibson said there might be an opportunity to connect the walking path into something like West Davis Corridor in the future. Right now, the walking path stops at the city border, but could connect after the corridor is put in.

Thomas Wood made a motion to recommend preliminary plat approval for the West Gate Subdivision located at 2100 W. Schick Lane (200 N.) for Perry Homes. Wilf Sommerkorn seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR CHARLY'S ACRES #2 FOURTH AMMENDED SUBDIVISION LOCATED AT 2100 W. 200 N.—TERRAVENTURE DEVELOPMENT

Lyle explained that Terraventure Development was approved by the City Council and now returns to the Planning Commission for 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.

Wilf Sommerkorn made a motion to recommend final plat approval for the Charly's Acres #2 Fourth Amended Subdivision located at 2100 W. 200 N for Terraventure Development.
Tamara Tran seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought under this item

REPORTS

The Planning Commission and staff discussed possible changes to the license ordinance regarding home occupations. After discussing multiple options, the Planning Commission directed staff to come back with a purposed ordinance for review.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, February

28, 2019 at 7:00 p.m.

ADJOURNMENT

Matthew Anderson made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:25 p.m.