

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, April 25, 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 April 11, 2019.
2. Conditional use permit for a major home occupation "B," Massage Therapy at 1030 E Bedford Dr. for Elizabeth Minera.
3. Conditional use permit for a LED/ Multi Tenant Sign at 2025 W. 200 N. for Wee Care Pediatrics.
4. Public Hearing for the rezone of .91 acres of property at 372 W. Burton Lane from R-A to the R-1-20 zoning district for Reed Nelson.
5. Call to the public.
6. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
7. 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, April 19, 2019.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation Massage Therapy April 25, 2019

Applicant/Owner	Elizabeth Minera
Location:	1030 E Bedford Drive
Zone:	R-1-8 (Single Family Dwellings)

Description:

The applicant is requesting a conditional use permit for Major Home Occupation "B" at the above listed address. Elizabeth Minera is currently anticipating doing a Massage Therapy business from her home. Ms. Minera explained that she will be holding individual appointments from 4 PM. To 7 PM. Monday through Friday and Saturday mornings. She anticipates having two to three appointments a day. She has a dedicated room inside the entrance of her home where she will be working. There is ample frontage and driveway for customer parking.

Recommendation:

Staff recommends approval of the proposed Conditional Use Permit for Elizabeth Minera with no additional conditions.

Attachment 1: Area Map

1030 East Bedford Drive





Planning Commission Staff Report

Conditional Use Permit for an Electronic Message Center Sign. April 25, 2019

Applicant/Owner: Freedom LED Signs / Braxton Schenk
Location: 2025 W. 200 N.
Zone: GC (General Commercial)

Description:

Wee Care Pediatrics and Kaysville Pediatric Dental are fairly new to the community and have been using a Wall Sign for identification. They now are seeking a conditional use permit for a sign with an Electronic Message Center Component. The proposed sign is considered an On - Premise Ground Sign. The property for the proposed sign has 290 feet of frontage along 200 North Street, allowing up to 120sq .ft. of signage. The proposed sign has 84 square feet. The proposed sign has a 10' 5" x 8' cabinet with a 3'x7' LED. The cabinet will have lighted plex faces with vinyl logos for the dentist office and Wee Care, brick and siding to match the building per city code which is allowed under 17-33-9 Signs Permitted by Zone under the following restrictions:

Applicable Sign Ordinance (17-33)
On-Premise Ground Sign:

Size: 1.5 sq. ft. per foot of frontage, up to 200 sq. feet.

Based on the proximity to principal arterial streets, a max height of 8 feet is allowed. The proposed sign is 8 ft. tall

Other: ... Illumination may be built into or attached to signs. More than one sign on one parcel shall be separated by 100 ft. The base and structure of all on- premise ground signs beyond 300 ft. of I-15 shall be the same method of construction, style and design of the materials used in the construction of the building(s). The sign element shall be an integral part of the architecture and design of the site. The colors shall be subdued and unobtrusive. Signs with exposed metal supports or metal masking shall not be permitted.

Electronic Message Center (EMC):

Size: Allowable EMC size shall not exceed 50% of total allowed sign size and not more than 75% of any sign cabinet.

Other: EMC signs shall not cause glare or rapid blinking, nor be intensely lighted so as to create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. EMC signs shall be capable of being programmed to automatically dim according to ambient light conditions. Conditional use in zones

where permitted. Allowed only as part of monument and ground signs. As part of the conditional use review the Planning Commission may consider hours of operation, sign height, sign size, and/or setbacks from property lines.

The EMC component of the sign is less than 50% of total allowed sign size and less than 75% of the total sign cabinet.

As proposed the sign height, size, and percentage of EMC all appear to meet minimum requirements of the ordinance. The site plan indicates that the sign would sit perpendicular to 200 North Street 12 feet behind the sidewalk. The sign ordinance requires that the leading edge of all signs be set back at least 18" from any property line.

Conditional Use Considerations:

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 with no conditions.

Reasoning:

As proposed, the sign meets the minimum requirements of the Kaysville City Ordinance and is positioned such that it will not create a visual obstruction for traffic.

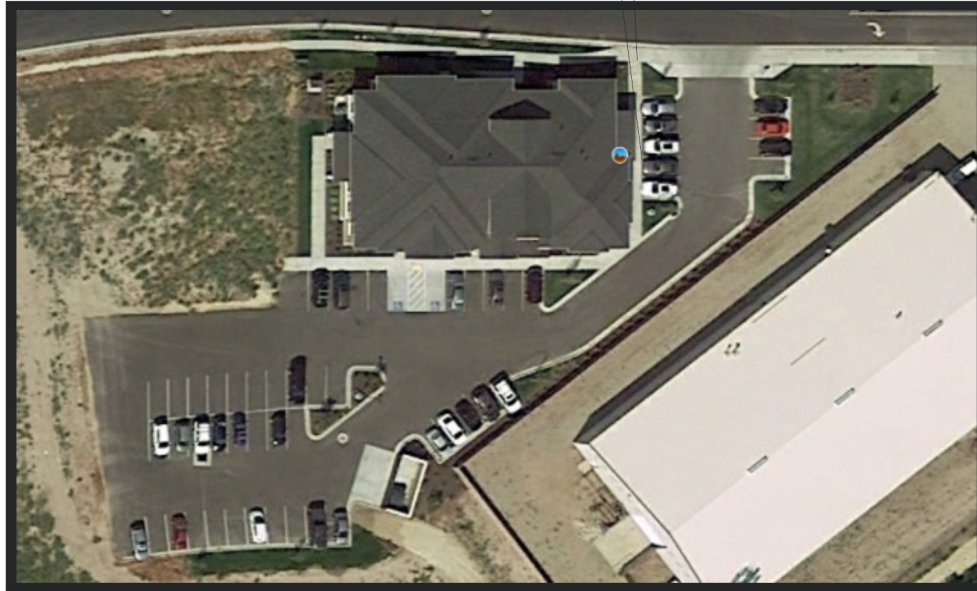
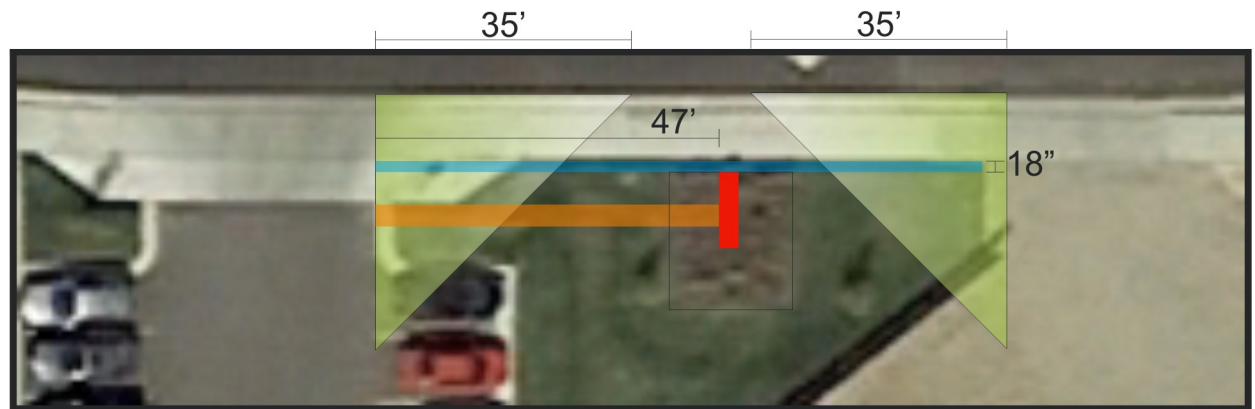
Attachments: Location Map
 Site Photo
 Site Plan
 Sign Detail

2025 West 200 North





35' Sight Triangles (Green), 18" Set back from Side walk (Blue), 47' from lot entrance (Orange), Sign (Red)

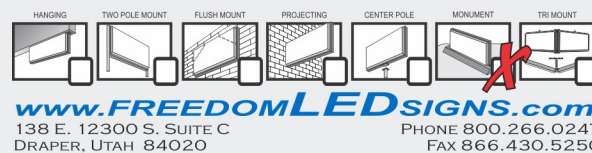


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FREEDOM LED SIGNS INC IN WRITING.

CLIENT **Wee Care Pediatrics**
JOB NAME **Kaysville Branch monument sign**
PHONE **801-773-8644**
ADDRESS **2025 W 200 N #2**
CITY, STATE, ZIP **Kaysville, UT, 84037**
SALESPERSON **Braxton Schenk**
EMAIL
ARTIST **Jared Waite**

License # 8138224-5501



X
CUSTOMER APPROVAL

Date:

DUE TO LIMITATIONS ON THE PRINTING PROCESS, COLOR MAY VARY ON PRODUCT.



· Scope of Work ·

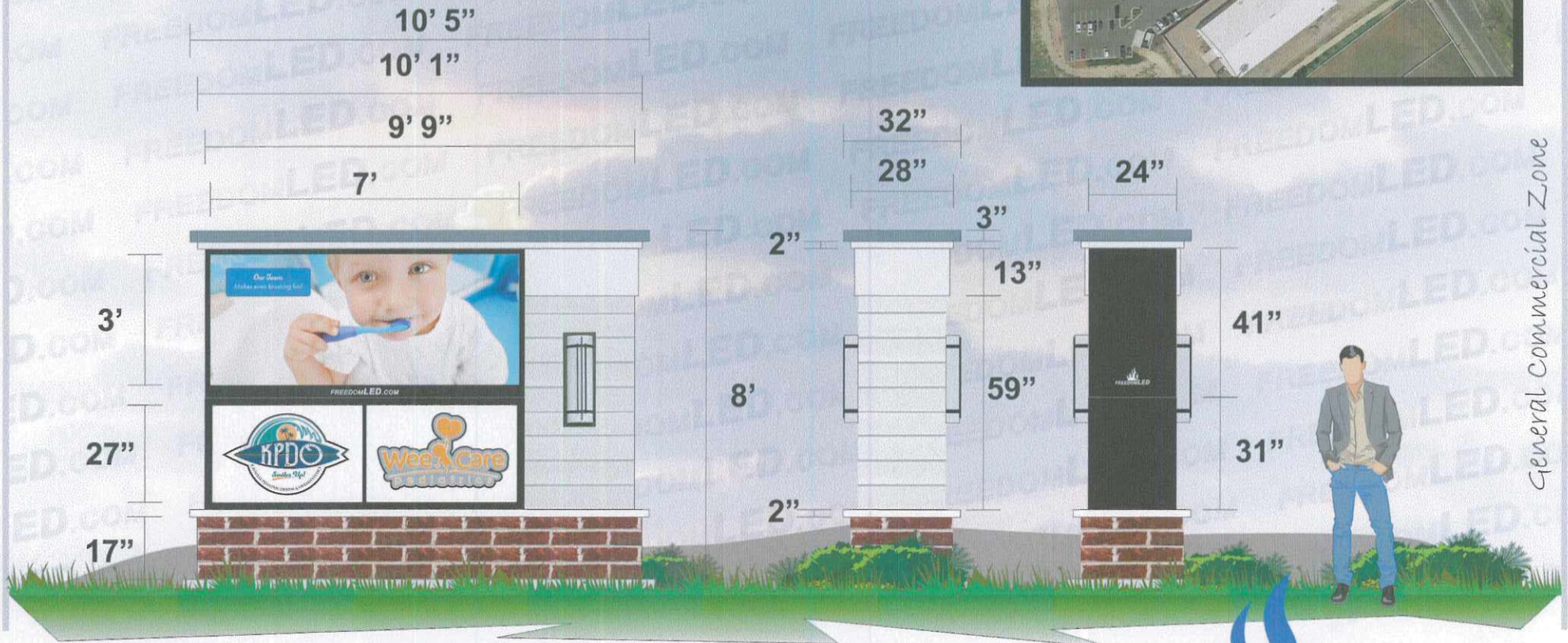
Monument Sign

3' x 7' LED

Bottom Cabinet to be illuminated with LED lighting

Plex faces with vinyl logos for tenants

Brick and siding to match (Kaysville) building.



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FREEDOM LED SIGNS INC IN WRITING.

CLIENT **Wee Care Pediatrics**
 JOB NAME **Kaysville Branch monument sign**
 PHONE **801-773-8664**
 ADDRESS **2025 W 200 N #2**
 CITY, STATE, ZIP **Kaysville, UT, 84037**
 SALESPERSON **Braxton Schenk**
 EMAIL
 ARTIST **Jared Waite**

License # 8182224-5501



www.FREEDOMLEDsigns.com
 138 E. 12300 S. SUITE C
 DRAPER, UTAH 84020
 PHONE 800.266.0247
 FAX 866.430.5250

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 CUSTOMER APPROVAL

Date:

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FREEDOMLED



Planning Commission Staff Report

Public Hearing for the Rezone of 0.91 acres of property at 372 West Burton Lane from R-A (Residential Agriculture) to the R-1-20 (Single Family Residential) zoning district. April 25, 2019

Applicant/Owner: D. Reed Nelson

Description:

The applicants property is located on the north side of Burton Lane west of I-15. The property which is just shy of an acre. The applicant has request a change from the R-A to the R-1-20 zone in order to allow for a potential lot split.

The R-A zoning district requires lots to be a true half an acre in size (21,780 sq. ft.) or larger. Properties in this zoning district do not require a conditional use permit for farm animals. The minimum frontage of a standard lot is 100 feet.

The requested R-1-20 zone allows for lots of 20,000 sq. ft. in size or larger with only 90 feet of frontage required on a standard lot.

The most likely development of a 2nd lot on this property would be by way of a Flag Lot. This would require further verification through a subdivision process to ensure needed lot size, frontage, and setbacks. It also requires the PRUD overlay zone which would give the city discretion in approving such a subdivision.

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:

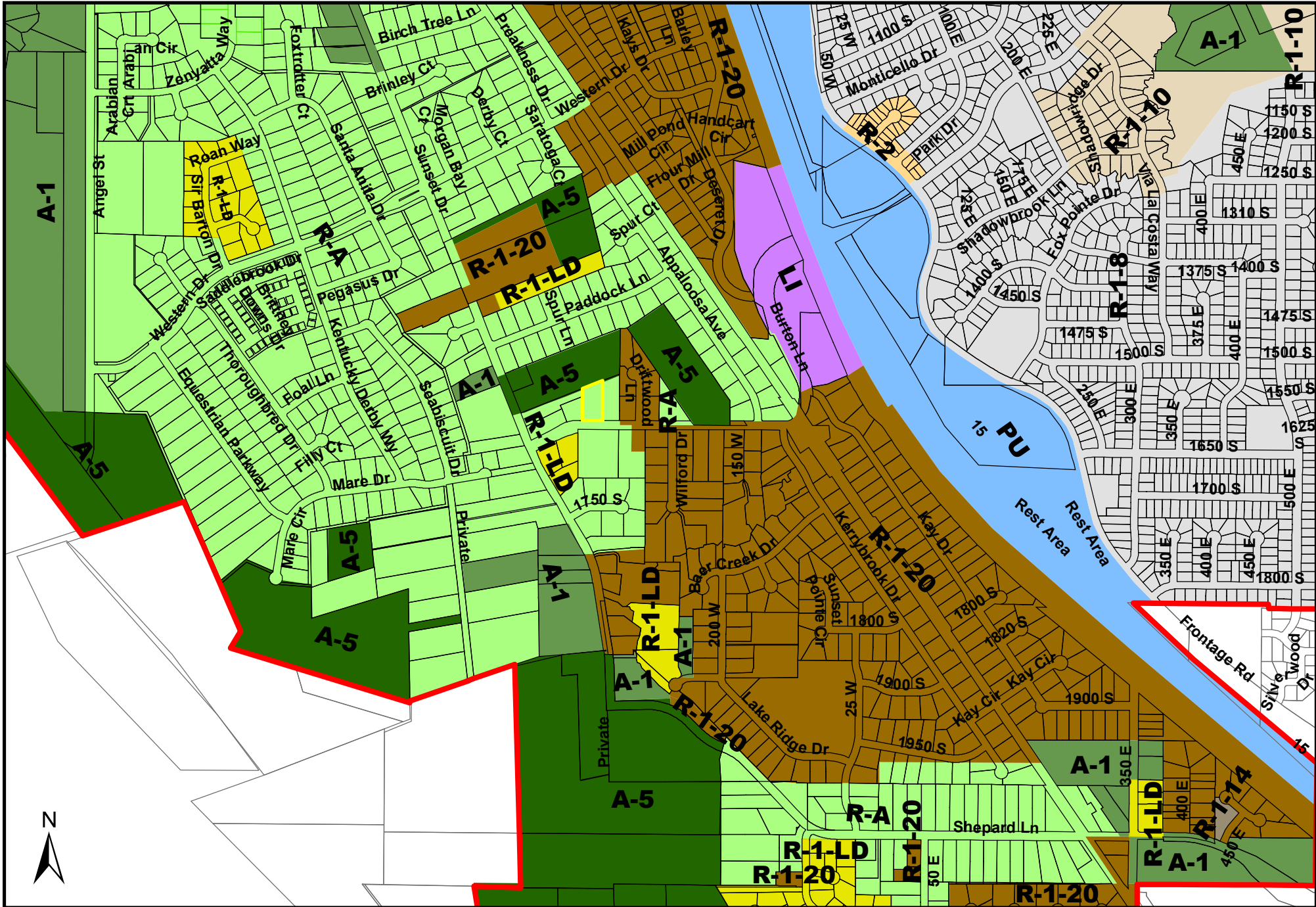
The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan and how well the proposal works at this specific location.

- Attachment 1: Area Map
- Attachment 2: Zoning Map
- Attachment 3: Property Details

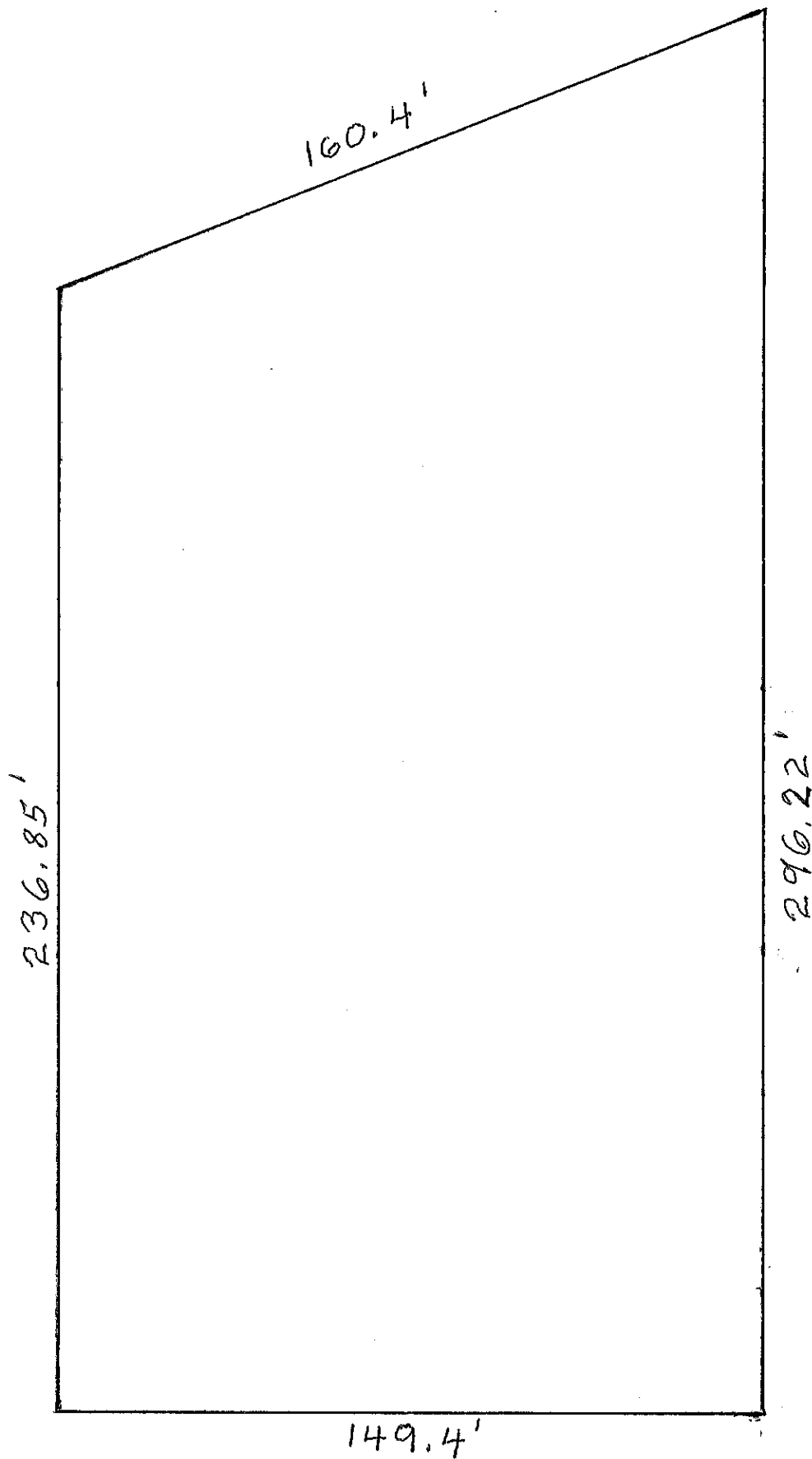
372 West Burton Lane



372 West Burton Lane: R-A to R-1-20



D. Reed & Beverly Nelson
372 W. Burton Ln.



Prefix 08-029

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KAYSVILLE CITY PLANNING COMMISSION

April 11, 2019

Planning Commission Members Attended: Chairperson Matthew Anderson, Thomas Wood, Wilf Sommerkorn, Joshua Sundloff

Excused: Betty Parker, Gary Bullock

Staff Present: Zoning Administrator Lyle Gibson, Dan Jessop, Secretary Heather Nielsen,

Others Present: City Councilman Larry Page, Kelly Mann, Craig Rour, Sandi Rees, Hugh Park, Scott Hardwood, Donald E Woodward, Nancy Woodward, Jordan Tanner, Kimberly Tanner, Kevin Porter-Ogden Clinic, Brad Peacock, Ken Whipple, Ashley Cooper, Benson Black, Lynda Black, Vicky Wood, Richard Wood, Randy Clem, Jim Hyde, Catherine Smith, Dee Hyde, Matt Steed, Nicole Steed, Daren Hess, Blake Walker, Janet Smith, Craig Smith, Chad Hawkins, Amy Jarman, Amy Farr, Amy Karren, Clint Stella

OPENING

The Planning Commission meeting was held on Thursday, April 11, 2019 at 7:00 p.m. in the Municipal Center. Chairperson Matthew Anderson opened the meeting by welcoming those present.

The minutes of the March 28, 2019 meeting were presented for approval. Thomas Wood made a motion to approve the minutes. Wilf Sommerkorn seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, WOODWORKING SHOP AT 469 N. CARRIAGE LANE—BLAKE WALKER.

Dan Jessop explained that the applicant is requesting a conditional use permit for a Major Home Occupation “B” at the above listed address. Mr. Blake Walker is currently anticipating doing woodworking. His clients are mainly a local retail store off site of the residential location. His manufactured product deliveries will be made from use of a 14 foot trailer and personal vehicle. His incoming raw material deliveries will be made every 6 to 8 weeks as needed by a Home Depot delivery service.

Mr. Walker has explained to staff all sawing, sanding, and dust will be contained in a detached 24x30 shop existing on property. He explained there will be no fumes from lacquer or paints exposed outdoors. Blake also indicated all storage of materials and product will be stored in a previous detailed shop.

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

Chairperson Matthew Anderson asked the applicant to approach the stand. He asked about material deliveries to the home. Mr. Walker said that the only deliveries come from Home Depot

and he receives them at the back of the shop. Mr. Walker told the Planning Commission that he talked to neighbors about noise from the shop. All neighbors said that they cannot hear or are not bothered by any noise from the shop.

Tamara Tran asked the applicant if he would have any employees. The applicant said no.

Tamara Tran made a motion to grant a conditional use permit for a major home occupation “B”, Woodworking Shop at 469 N. Carriage Lane for Blake Walker. Thomas Wood seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, ROOFING CONTRACTOR AT 1558 BARRINGTON DR. KELLY MANN.

Dan Jessop explained that the applicant is requesting a conditional use permit for a Major Home Occupation “B” at the above listed address. Kelly Mann is currently anticipating doing a Roofing business from home. Mr. Mann explained that no employees will come to the listed address. He has a 20 foot trailer that will be stored on the property and will be parked behind a privacy fence. Mr. Mann also explained that no roofing materials will be delivered to the home address; they will only be delivered to the job site. The home occupation will not display any signs on the premises.

Staff recommends approval of the proposed Conditional Use Permit for Mr. Kelly Mann with no additional conditions.

Thomas Wood asked the applicant if he would store any product on the trailer by his home. Mr. Mann said he only stores the trailer there on weekends or when there is a lag between jobs.

Joshua Sundloff made a motion to grant a conditional use permit for a major home occupation “B”, Roofing Contractor at 1558 Barrington Dr. for Kelly Mann. Wilf Sommerkorn seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 4.7 ACRES OF PROPERTY AT APPROXIMATELY 1325 W. 200 N. FROM R-A (RESIDENTIAL AGRICULTURE) TO THE GC (GENERAL COMMERCIAL) ZONING DISTRICT.

Lyle Gibson explained that a zone change is being requested at the subject address in order to accommodate a proposed medical clinic. The property, which borders the Rail Trail to the west, a church to the east, and residents to the east and south, is currently zoned to accommodate two units per acre type development.

The requested GC zoning district is primarily for office and retail sales and services which are permitted uses in the zone. The full provisions of the GC zoning district are included in the staff report.

The applicant has provided a site plan indicating how they currently anticipate the site would be used, as well as some images of other Ogden Clinic buildings.

In terms of uses, following is a list of specialties that are expected in this location. This is preliminary and somewhat fluid based on need:

- Family Medicine
- Sports Medicine
- Dermatology
- Medical Weight Loss
- GI
- Lab
- Radiology
- Urgent Care (Monday – Friday from 8 AM to 8 PM, Saturday 8 AM to 3PM, Potentially Sunday)

As a rezone action the Planning Commission has broad discretion as to whether or not to pass along a favorable recommendation to the City Council.

Joshua Sundloff asked if a recent traffic study has been done at the intersection of 200 N. and Flint Street. Lyle Gibson responded that there was a traffic study and traffic counts done 3 years ago however, nothing really intense. Joshua Sundloff remarked that it would be interesting to see how much traffic those roads are currently handling.

Chairman Matthew Anderson opened the public hearing.

Jim Hyden voiced his concern about the proposed development. He feels that Kaysville City does not have the proper infrastructure on 200 N. to handle the traffic in and out of the clinic. He is also concerned about the clinics night lighting.

Craig Reese is concerned about water and flooding near the southern end of the property because of the properties slope. He also stated his concern about traffic with people crossing the rail trail.

Ashley Cooper is concerned about the height of the purposed building. She would like to see the building built no taller than the adjacent church building. She is also concerned about the hazardous medical waste and how it will be disposed of.

Nicole Steed would like to see a more detailed plan for the property. What will happen with the open space near the back of the property? Will Ogden Clinic sale that open piece or develop it into something else? She would also like to see the plans for fencing and greenspace. She hopes Ogden Clinic will respect the neighborhood and work with everyone to create a good environment.

Linda Black read a prepared statement expressing her feelings in keeping West Kaysville zoned to Residential Single Family Dwellings only. She asked the Planning Commission to stop approving commercial properties in residential areas. She stated that there are several areas in Kaysville where commercial buildings can be placed. The area around the Sportsplex is one such area. She asked the commission to maintain consistency and control when deciding viable projects that are being presented.

Catherine Smith read a letter she prepared. She talked about her concern of rezoning this area to commercial along with the traffic, noise, light pollution, height of structure and security.

Chad Hawkins voiced his concerns about 200 N. turning into another Antelope Drive. He reiterated the issue of major traffic on this road. He would also like to see the Ogden Clinic be built no higher than the adjacent church.

Jeff Lidesky expressed how the neighbors are here again protesting the cramming of commercial businesses and parking into a little sliver of property. He also reiterated that the traffic in this area is excessively high and cannot handle this commercial property.

Randy Clem read a statement he prepared stating that he is not opposed to change but does not want commercial properties encroaching on residential areas. He has horses and is concerned about fencing. He wants to make sure that the fencing Ogden Clinic will put in will be high enough so that customers will not gain access to his horses.

Dee Hyde also reiterated the issue with traffic on 200 N. He says people drive too fast down this street.

Scott Harpwood is a real estate developer who does not think this is the place for this development; however, if it goes through, he wants to make sure there is a strong development agreement in place. He wants to make sure that the development agreement addresses the height of the building, landscaping and lighting.

Flint Barber is a local real-estate agent who supports this development. He stated that this type of commercial property generates the least amount of traffic. Eventually something is going to be built on this property and the Ogden Clinic is the best choice instead of something bigger.

Benson Black asked the Planning Commission members to go stand at the corner and watch the traffic on these streets. He stated that a traffic study makes sense and should be performed.

Robert Green is the trustee for the property and told the Planning Commission that the Ogden Clinic is the best natural fit for the area. They cannot build high-end homes on the property due to sewer issues so this proposition is the next best option.

Kevin Porter is the CEO of Ogden Clinic. He believes that there is a need for Ogden Clinic here in Kaysville City. They want to be a good neighbor and want people to love and attend the clinic. They are willing to hold a neighborhood meeting to talk with neighbors about the development plan and any other issues they have.

Chairperson Matthew Anderson closed the public hearing.

The Planning Commission discussed issues regarding traffic on 200 N. Tamara Tran asked if a traffic study could be done.

Wilf Sommerkorn stated that they needed more guidance on the development plan as well. Chairperson Matthew Anderson mentioned that the development agreement could be tied to the rezone approval. They can include issues such as height, landscaping and lighting.

Joshua Sundloff would like to see an extensive traffic study performed. That way the Planning Commission can make a more informed decision about this rezone. Chairperson Matthew Anderson also agreed to a traffic study.

Wilf Sommerkorn made a motion to table the rezone of 4.7 acres of property at approximately 1325 W. 200 N. from R-A (Residential Agriculture) to the GC (General Commercial) zoning district with the following conditions:

- Developer needs to meet with neighbors and review the development plan.
- Traffic Study needs to be performed

Thomas Wood seconded the motion and it was unanimously approved to be tabled.

PUBLIC HEARING FOR AN ORDINANCE AMENDING CHAPTER 17-26, HOME OCCUPATIONS, OF TITLE 17, PLANNING AND ZONING OF THE REVISED ORDINANCES OF KAYSVILLE CITY.

Lyle Gibson explain that the proposed ordinance makes changes that allow for certain home businesses to receive a business license without the need to come before the Planning Commission for a conditional use permit. Currently these business types are listed as Major Home Occupation B types, which require the oversight of the Planning Commission for approval.

The proposed ordinance has created a new category for select businesses that still requires licensing, continues to provide notice to neighbors, but no longer mandates review and approval by the planning commission in a public meeting. The businesses identified under a new category proposed as Home Occupation C are businesses that have been regularly before the planning commission where conditions are not being imposed.

The proposed ordinance amendments also clarify limitations on preschool class sizes, and make changes to the youth enterprise ordinance to avoid compliance issues with common youth enterprise practices.

The Planning Commission should make a recommendation to the City Council concerning the proposed ordinance. The Commission may recommend approval with or without changes, denial, or table a decision pending additional information.

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 forward a positive recommendation to the City Council for the ordinance amending Chapter 17-26, Home Occupations, of Title 17, Planning and Zoning, of the Revised Ordinances of Kaysville City. Thomas Wood seconded the motion and it passed

unanimously.

PUBLIC HEARING FOR AN ORDINANCE AMENDING CHAPTER 9-4, WATER, AND CHAPTER 9-6, PRESSURE IRRIGATION, OF TITLE 9, PUBLIC WORKS, AND CHAPTER 18-3, PRESSURE IRRIGATION WATER, OF TITLE 18, BUILDING REGULATIONS AND CHAPTER 19-9 SUBDIVISION IMPROVEMENTS REQUIRED, OF TITLE 19 SUBDIVISIONS, OF THE REVISED ORDINANCES OF KAYSVILLE CITY.

Lyle Gibson explained as Kaysville City has been reviewing development east of US 89, Weber Basin Water District has asked that connections to secondary water not be mandatory. This is something they have been advocating with multiple cities in the region. A requirement to supply an additional water source in addition to the culinary system is of concern to the district as far as impacts to the overall function and maintenance of their system.

Also proposed, is a change to the subdivision improvement requirements that would require new subdivisions to install conduit for communication systems.

The Planning Commission should make a recommendation to the City Council concerning the proposed ordinance. The Commission may recommend approval with or without changes, denial, or table a decision pending additional information.

Chairperson Matthew Anderson opened the Public Hearing. Daren Hess from Weber Basin Water spoke about the secondary water pipe that begins at Weber Canyon and runs to North Salt Lake. This is an open channel water flow and the pipe was not placed in an area that makes it easy to pump water up the mountain for developments. Weber Basin Water does not want developments east of US89 taking secondary water from this open flow pipeline. He is supportive of approving this amendment.

Lyle Gibson said he also talked with Kaysville City's Irrigation workers and there is no opposition from them passing this amendment.

Chairperson Matthew Anderson closed the Public Hearing.

Thomas Wood made a motion to forward a positive recommendation to the City Council for the ordinance amending Chapter 9-4, Water, and Chapter 9-6, Pressure Irrigation, of Title 9, Public Works, and Chapter 18-3, Pressure Irrigation Water, of Title 18, Building Regulations and Chapter 19-9 Subdivision Improvements Required, of Title 19 Subdivisions, of the Revised Ordinances of Kaysville City. Tamara Tran seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

City Councilman Larry Page congratulated the Planning Commission for passing the conduits requirement. He said, having the infrastructure will save Kaysville City residents millions of dollars down the road for.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, April 25,

2019 at 7:00 p.m.

ADJOURNMENT

Chairperson Matthew Anderson made a motion to adjourn the meeting. Wilf Sommerkorn seconded the motion and it passed unanimously. The meeting adjourned at 9:25 p.m.