

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

October 10, 2019

Planning Commission Members Attended: Chairperson Wilf Sommerkorn, Vice Chairperson Joshua Sundloff, Tamara Tran, Toby Barrus, Steve Lyon.

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

Others Present: Kaysville City Councilman Larry Page, Emily Walsh, Terri Mills, Jim Wypijewski, Jerry Hintze, Elizabeth Heath, Brian Bare, Ernest Otero, Jacque Otero, Johnathan Day, Michael Halls,

OPENING

The Planning Commission meeting was held on Thursday, October 10, 2019 at 7:00 p.m. in the Kaysville City Parks and Recreation building. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present.

The minutes of the September 26, 2019 meeting were presented for approval. Lyle Gibson stated that staff had received an email from a resident with proposed extra dialogue they would like to be added. As result Chairperson Wilf Sommerkorn said they will vote on the minutes at the end of the meeting giving the Planning Commissioners a chance to look over the email.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B” TREE REMOVAL SERVICES AT 1901 BONNEVILLE LANE FOR CHRISTY HAMPTON.

Lyle Gibson stated that this item was removed from the agenda by the applicant due them no longer seeking purchase of the home.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B” DAYCARE SERVICES AT 562 EAST 1475 SOUTH FOR TERRI MILLS.

Dan Jessop explained that Mrs. Mills has been providing child care services from her home for over 30 years but was unaware of the licensing requirements. She will be providing child care for 6 to 9 children. After receiving approval from the Planning Commission, Mrs. Mills will go through the licensing process with the State of Utah Daycare licensing.

Staff recommends approval of this proposed residential child care business without the need for additional conditions.

Chairperson Wilf Sommerkorn invited Mrs. Mills to the stand. Vice Chairperson Joshua Sundloff said he had concerns why Mrs. Mills has been providing daycare for so many years without proper licensing. He asked her why she had not pursued the proper licensing beforehand. Mrs. Mills stated that she did not know she needed to be licensed.

Chairperson Wilf Sommerkorn allowed members from the audience to comment on the purposed conditional use permit.

Johnathan Day said he called Kaysville City to complain about children being neglected. He said there are children being left outside for hours that pound on the door to be let inside. He also said the noise of crying children is a huge issue as well. He would like to make sure that Mrs. Mills goes through the daycare licensing process and get some extra training.

Jacque Otero said she has video of children screaming on the back deck of Mrs. Mills home begging to come inside. She said Mrs. Mills will lock children out of the house for extended periods of time. She has no grudge against the applicant however, she would like to see her get licensed and receive more training. She feels that Mrs. Mills should not be operating a daycare. She will contact the proper authorities about the video showing neglect.

Ernest Otero understands that there is a need for daycare in Kaysville City however, Mrs. Mills was never licensed and he is upset that the city never knew about her doing business illegally. He would like better monitoring by the city to protect children.

Lyle Gibson told the Planning Commission that we as a city do not catch everyone running businesses illegally so we rely on neighbors to let us know about these businesses.

Chairperson Wilf Sommerkorn said they are sympathetic to these complaints however, these issues are for the State or police to handle. They are not a land use issue. The Planning Commission has no power to handle these cases.

Tamara Tran asked if Mrs. Mills has her Utah State Daycare license. Mrs. Mills said that she is currently working on receiving it.

Vice Chairperson Joshua Sundloff said it is not our task as the Planning Commission to regulate daycares. If the concerns that have been discussed by the neighbors are true it is very disconcerting, however it is not something that the city can take care of. They do not have the power to enforce the mechanisms from the State. All we look at is the land use and how it affects the neighborhood. These complaints need to be brought forward to the police and the appropriate State agencies.

Joshua Sundloff made a motion to grant a conditional use permit for a major home occupation "B" for Daycare services at 562 East 1475 South for Terri Mills with the condition that the number of children be limited to 9. Tamara Tran seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR KOUROSH SUBDIVISION AT 946 EAST 300 NORTH FOR KOUROSH HARONI.

Lyle Gibson explained that the property located at 946 East 300 North is currently zoned R-1-8. The existing lot is 18,609 square feet in size. The applicant Kourosh Haroni is anticipating creating a new lot that is 8,616 square feet with 151 feet of frontage. This will leave the existing

home on a 9,903 square foot lot. The new proposed lot will face 200 North at approximately 939 East. Both the existing and new proposed lot meet the frontage and square footage requirements for the existing R-1-8 zoning district. The new lot facing 200 North is deep enough to provide a building pad that meets the minimum dwelling size requirements of 17-31-16, Dwellings. Mr. Haroni will provide either a hammerhead or circular driveway for safe access to the 200 North Street.

All street improvements are in place and no dedication is needed for the 200 North right-of-way. Staff is recommending approval of the proposed preliminary plat for the Kourosh Subdivision.

Chairperson Wilf Sommerkorn invited Mr. Haroni to the stand. Mr. Haroni was not present at the meeting.

Chairperson Wilf Sommerkorn opened the public hearing.

Scott Johnson stood and asked the Planning Commission if the new home meet the city's requirements since it shows a 20 foot setback instead of the required 25 foot setback. Lyle Gibson said that what is shown on the drawing is inaccurate. It does need to be 25 feet. Mr. Johnson also asked the Planning Commission if there was enough room for a hammer head driveway. He would like to know what type of home Mr. Haroni is planning on building.

Jerry Hintze voiced his concern over the placement of the proposed house and future development for the widening of 200 North.

Astid Cramer said that the proposed house would be too close to the easement. How will the homes occupant be able to enter and exit the home with increased traffic on 200 North.

Chairperson Wilf Sommerkorn closed the public hearing.

Vice Chairperson Joshua Sundloff said he agrees that 200 North should be widened to the full width of its capacity. This could affect the proposed home.

Tamara Tran and Steve Lyon both said that they would like to see more detail about where Mr. Haroni purposes to build the house.

Steve Lyon said he would like to look at the egress and aggress and where 200 North interjects on that property with a new structure.

Vice Chairperson Joshua Sundloff said he can't approve this because the map doesn't show 25 feet and it needs to be 25 feet.

Tamara Tran asked where they would put the driveway.

Chairperson Wilf Sommerkon seconded that question. With the traffic getting worse on 200 North it will be hard to get in and out of the home.

Tamara Tran made a motion to table the preliminary plat for the Kourosh subdivision at 946 East 300 North for Kourosh Haroni with the condition that the applicant appear to answer questions concerning the structures placement and driveway access. Steve Lyon seconded the motion and it passed unanimously.

PLANNING COMMISSION BYLAWS DISCUSSION.

Lyle Gibson said we are looking at changing some of the items in the new bylaws. Steve Lyon said he read through the proposed changes and agrees with the new changes.

Tamara Tran said she also agrees with the changes and liked the proposed option to allow people to join electronically to create a quorum.

Vice Chairperson Joshua Sundloff made a motion to adopt the bylaws as purposed with no other conditions. Tamara Tran seconded the motion and it was unanimously approved.

KAYSVILLE CITY GENERAL PLAN AMENDMENT DISCUSSION.

Lyle Gibson explained that the draft before the Planning Commission is staff's idea of changes to make to comply with SB34. The key elements of the new general plan is language changes.

Staff added elements relating to land use and housing density west of I-15 going from two to four units per acre. Adding additional density along major streets with 10 units per acre providing the possibility for more townhouses to be built. Allowing more mixed use zones with commercial and residential working together.

The Planning Commission can change numbers and language in the plan. Input is needed by the next meeting to pass a recommendation to the City Council.

Tobby Barrus said he would like to see the density stay the same on both the west and east side, especially if 200 North becomes a major road.

Chairperson Wilf Sommerkorn said an increase in density does not always mean affordable housing. Townhouses can be just as expensive as homes.

Tamra Tran asked if the plan addressed square footage. Is there anywhere that encourages smaller homes? Lyle Gibson said they could address that in the general plan if they choose to add it.

Chairperson Wilf Sommerkorn told the Planning Commission to come prepared next meeting to discuss and add further ideas to the general plan.

APPROVAL OF MEETING MINUTES

Steve Lyon made a motion to approve the meeting minutes from September 26, 2019. Tamara Tran seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Elizabeth Heath, the newly appointed head of Kaysville City's Historic Preservation committee stood to introduce herself and other members of the committee. She said that they were excited to start working with the commission and residents to preserve Kaysville's history.

She asked the Planning Commission if there was any way to save the old school house building on the Harvey Estates property. Lyle Gibson said he has talked with the developer and they are seeing what can be done.

She invited the Planning Commission and public to the committee's first event, the cemetery tour being held on October 19, 2019.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, October 24, 2019.

ADJOURNMENT

Chairperson Wilf Sommerkorn made a motion to adjourn the meeting. Steven Lyon seconded the motion and it passed unanimously. The meeting adjourned at 9:06 p.m.