

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, November 14, 2019 at 7:00 p.m. in the **Kaysville Fire Station Building at 175 South Main St Kaysville, UT.**

The agenda shall be as follows:

1. Opening and approval of the minutes from the meeting October 24, 2019.
2. Public Hearing for the rezone of 19.5 acres of property at 820 Mare Circle from A-5 (Heavy Agriculture) to the R-M (Multiple Family Dwelling) zoning district for Paul Feser on behalf of Jeff and Suzanne Hansen.
3. Conditional use permit for Two-Family dwelling townhomes at 750 East 250 South for Pete Smith with Advanced Solutions Group.
4. Public Hearing and preliminary plat approval for the Island View Townhomes at 750 East 250 South for Pete Smith with Advanced Solutions Group.
5. Preliminary plat approval for the Kourosh Subdivision at 946 East 300 North for Kourosh Haroni (Tabled Item).
6. Public Hearing for the creation of the R-1-6 zoning district. An ordinance amending Chapter 17-12, Single Family Residential District, of Title 17, Planning and Zoning, to create a new R-1-6 (Single Family 6,000 SQ. FT.) Zoning District.
7. Final plat approval for The Cottages at Harvey Estates Phase 1 at approximately 1955 West 200 North for Ovation Homes.
8. Call to the public.
9. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
10. 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, November 8, 2019.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Public Hearing and request to rezone 19.5 acres of property at 820 Mare Circle from A-5 to the R-M zoning district.

November 14, 2019

Applicant/Owner: Paul Feser (Applicant) on behalf of Jeff and Suzanne Hansen (Owners)

Description:

The subject property is the current site of the Sunset Equestrian Center. This center was built as a required facility as part of the Sunset Equestrian Estates Subdivision. While the development agreement required the construction of this facility, it is not part of the required open space for the Sunset Equestrian Estates Subdivision. In considering potential impacts to the property due to pending road construction of the West Davis Corridor and an Angel Street extension, the property owner is interested in the ability to consider an alternate use of the property in the future.

The requested R-M zoning district would allow for a change in use on the property where densities of up to approximately 15 units per acre are permitted. A basic R-M zone allows for a variety of housing types. The concept project shows single family attached homes (townhomes) and common open spaces. To pursue a similar project, the PRUD overlay would be required and would be considered with the preliminary plat.

The concept plan has been provided to give an understanding of what could take place on the property, without a development agreement to ensure the development happens in such a fashion, anything which is permitted by the requested zone would be permissible in a scenario where the R-M zoning district is approved.

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.

CHAPTER 17-8 A-5 (Heavy Agriculture) District

17-8-1 Purpose

To designate farming areas where agricultural pursuits and the rural environment should be protected and enhanced with conversion to other appropriate uses.

17-8-2 Site Plan Review

Conditional uses in an A-5 Zone District shall be subject to a site plan review as specified in [KCC 18-4](#).

17-8-3 Permitted Uses

1. Accessory building or use customarily incidental to any permitted or conditional use subject to the provisions of [KCC 17-31-2](#).
2. Agriculture, agricultural experiment station.
3. Corral, stable, or building for keeping animals or fowl, as set forth in [KCC 17-24](#).
4. Dairy farm, milk processing and retail sale, provided at least fifty percent (50%) of milk sold is produced and processed on the premises.
5. Farm animals and fowl kept for family food production and the keeping of horses for private use, together with their dependent young, as set forth in [KCC 17-24](#).

6. Farms devoted to the hatching, raising (including fattening as an incidental to raising) of chickens, turkeys, or other fowl, rabbits or fish.
7. Fruit or vegetable stand, storage and packaging for produce grown on the premises only.
8. Greenhouse and nursery limited to sale of materials produced on premises and with no retail shop operation.
9. Publicly owned treatment works.
10. Two household pets.
11. Parking lot accessory to uses allowed in this Zone District.
12. Private swimming pool subject to the provisions of [KCC 17-31-9](#).
13. Single-family dwelling.
14. Temporary buildings or use incidental to construction work but not to include temporary dwellings. Such building shall be removed upon completion or abandonment of the construction work.
15. The keeping and raising of not more than ten (10) hogs, more than sixteen (16) weeks old, provided that no person shall feed any such hog any market refuse, house refuse, garbage or offal other than that produced on the premises.
16. The raising and grazing of horses, cattle, sheep or goats as part of a farming operation including the supplementary or full feeding of such animals, provided that such raising and grazing when conducted in conjunction with any livestock feed yard or livestock sales shall:
 1. Not exceed a density of twenty-five (25) head per acre of used land.
 2. Be not closer than three hundred feet (300') to any dwelling, public or semi-public building on an adjoining parcel of land.
17. Farms devoted to the raising, breeding, keeping and training of horses.
18. 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.
19. Minor home occupations subject to the provisions of [KCC 17-26](#).
20. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).

17-8-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
2. Agricultural home occupations subject to the provisions of [KCC 17-26](#).
3. Golf courses subject to the provisions of [KCC 17-31-8](#).
4. Greenhouse and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.
5. 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.
6. Public utility substation or storage facilities developed by a public agency.
7. Animal hospital or clinic, dog breeding, dog kennels, dog training school, provided any building or enclosure for animals shall be located not less than one hundred feet (100') from a public street and not less than fifty feet (50') from any dwelling or adjacent property.
8. Accessory building larger than three thousand (3,000) square feet in area, subject to the provisions of [KCC 17-31-2](#).

17-8-5 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 (10) feet in height.

17-8-6 Area, Lot Width, And Yard Requirements

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

1. The lot area shall not be less than two hundred and ten thousand (210,000) square feet.
2. The lot width shall not be less than two hundred feet (200'), measured at a distance eighty feet (80') back from the front lot line.
3. The front yard for any building shall be at least thirty feet (30').
4. The side yard for any dwelling shall be not less than ten feet (10') and the total width of the two (2) required side yards shall not be less than twenty feet (20').
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 thirty feet (30').
8. Where approved by the Planning Commission, the street right-of-way may be increased twenty feet (20') and the area contained in the additional right-of-way abutting lots deducted from the lot size requirement. The additional right-of-way shall be used as parkways (area between right-of-way or private property line and curb line) abutting lots.

Chapter 16 R-M Multiple Family Residential District

17-16-1 Purpose

To provide for areas in appropriate locations where neighborhoods of varying degrees of density may be established, maintained, and protected. The regulations of this district are designed to promote and encourage an intensively developed residential environment suitable primarily for adult living. To this end, the regulations permit, in accordance with stated regulations, dwellings ranging from single-family to multiple and necessary public services and activities subject to proper controls.

17-16-2 Site Plan Review

All permitted and conditional uses in an R-M Zone District, except for single-family and two-family (duplex) dwellings, temporary buildings and temporary offices, and the keeping of farm animals, shall be subject to a site plan review as specified in [KCC 18-4](#). On a case-by-case basis, the Planning Commission may also require temporary buildings and temporary offices to obtain site plan approval.

17-16-3 Permitted Uses

1. Single-family dwellings.
2. Multiple dwellings.
3. 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.
4. Minor home occupations subject to the provisions of [KCC 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 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](#).

17-16-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type; not including storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Residential child care subject to the provisions of [KCC 17-26](#).
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.

4. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).
5. Twin homes subject to the provisions of [KCC 17-28](#).
6. Public utility substations subject to the provisions of [KCC 17-31-15](#).
7. Farm animals subject to the provisions of [KCC 17-24](#).
8. Business, professional, and government offices.
9. Swimming clubs subject to the provisions of [KCC 17-3-10](#).

17-16-5 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, and no accessory building less than six feet (6') in height.

17-16-6 Required Conditions

1. Multiple dwellings shall provide usable functional open space, excluding planting strips, for outdoor leisure of at least: 800 square feet per unit per one (1) and two (2) family dwellings; 600 square feet per unit per three (3) and four (4) family dwellings, and 400 square feet per unit per each additional dwelling unit.
2. Multiple dwellings shall provide enclosed outside storage space of at least twenty (20) square feet for each dwelling unit.

17-16-7 Area, Lot Width, And Yard Requirements [Edit](#)

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 for a one or two-family dwelling, ten thousand (10,000) square feet for a three-family dwelling, twelve thousand (12,000) square feet for a four-family dwelling, fourteen thousand (14,000) square feet for a five-family dwelling, sixteen thousand, eight hundred (16,800) square feet for a six-family dwelling, and not less than two thousand, eight hundred (2,800) square feet per dwelling unit.
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'). For each additional dwelling unit above two (2) units in a building, each side yard shall be increased by two (2) additional feet.
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') for both main and accessory buildings.
7. The minimum rear yard for any main building shall be fifteen feet (15').

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.

Angel Street and SR-67 (West Davis Corridor) are classified as Major Streets per Kaysville City's Major Street Plan in Section 8-3-2.

Recommendation:

Rezone:

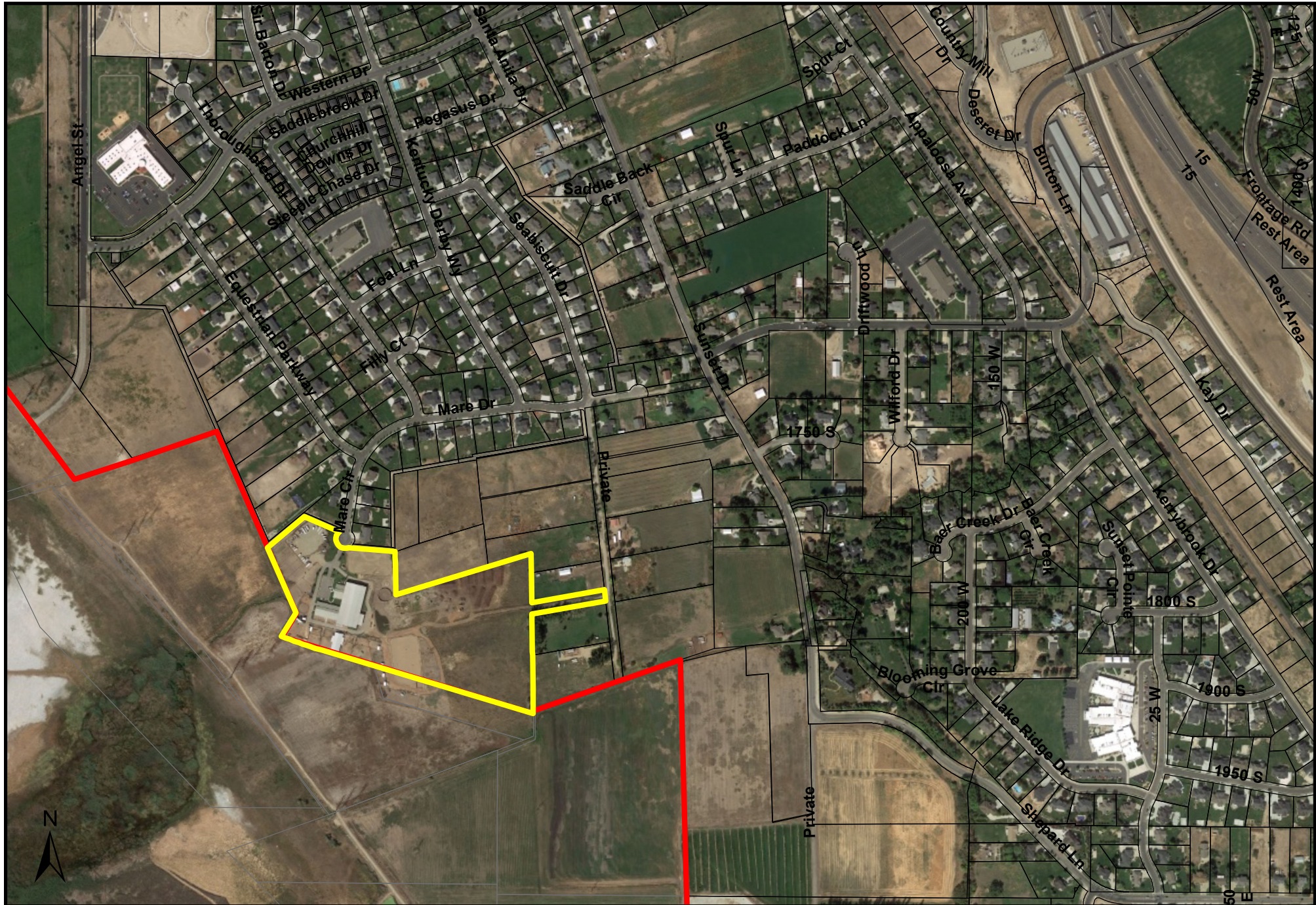
After holding a Public Hearing, the Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan, how well the proposal works at this specific location. The Planning Commission may make recommendations to approve, approve with modifications, or deny the request. The Planning Commission may also table a decision pending additional information. Staff recommends that should this rezone or a project of this type be desirable at this location that any rezone be accompanied by a development agreement.

Attachment 1: Area Map

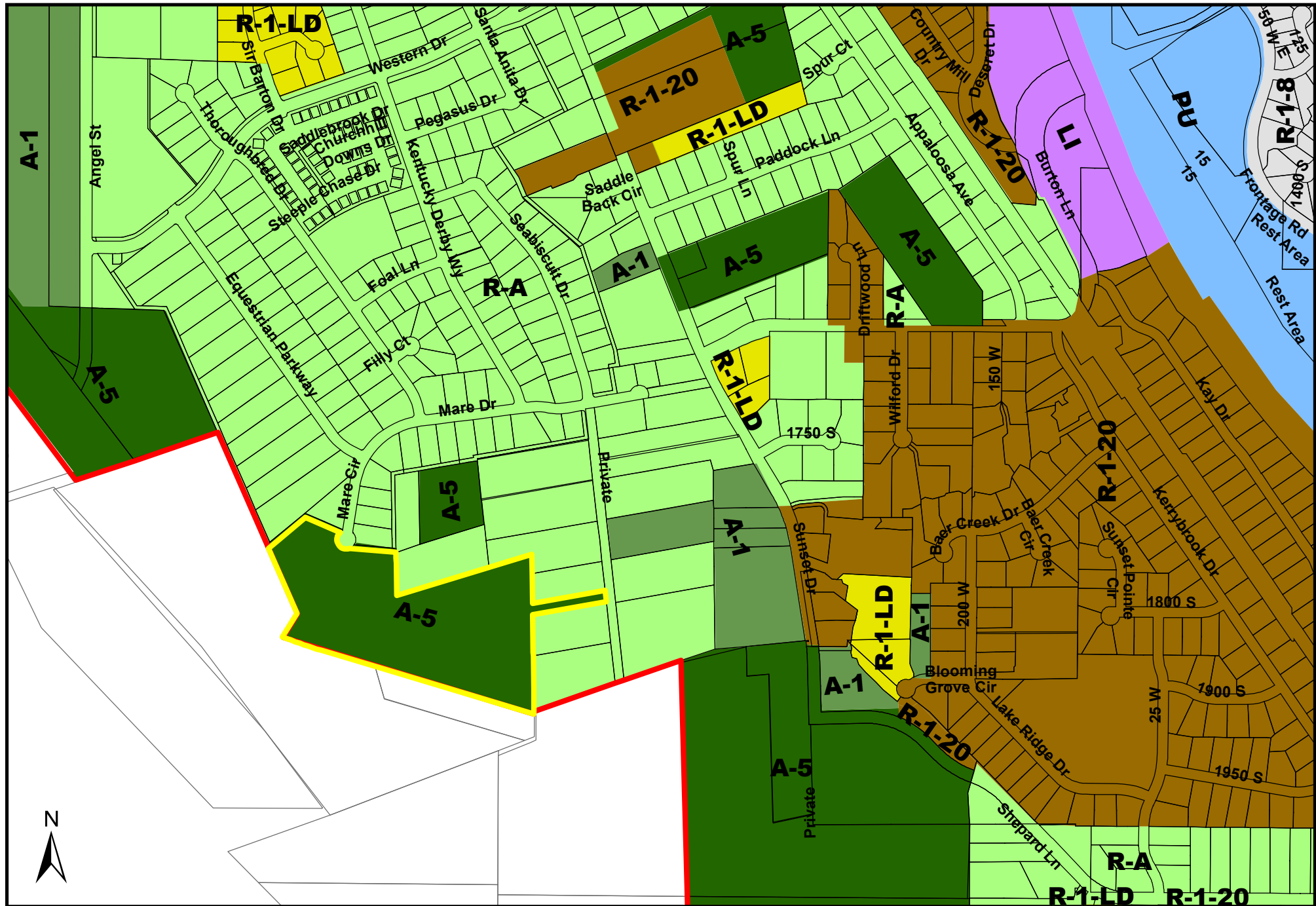
Attachment 2: Zoning Map

Attachment 3: Development Agreement and Attachments

Sunset Equestrian Center - 820 Mare Circle - Rezone from A-5 to R-M



Sunset Equestrian Center - 820 Mare Circle - Rezone from A-5 to R-M



**DEVELOPMENT AGREEMENT
FOR A SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT**

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 CLEARWATER INVESTMENT GROUP LLC (hereinafter the “Developer;”) (“Developer” includes successors and/or assigns of CLEARWATER INVESTMENT GROUP LLC), as follows:

RECITALS

WHEREAS, Developer is desirous of redeveloping certain real property (the Development) located in the City of Kaysville, County of Davis, State of Utah and more particularly described on the Property Location Map attached hereto as Exhibit A and the Area Description of Section 1 A.; and

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

WHEREAS, the City is willing to grant the R-M (Residential Multi-Family) rezone of the property and to authorize the pursuit of the Development proposed by Developer in conformance with this Agreement, City Ordinances, and applicable Utah law. The PRUD (Planned Residential Unit Development) Overlay Zone which would allow the proposed arrangement will be considered at the time of consideration of the subdivision in accordance with Kaysville City Code;

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 Development shall occur (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 parcel #08-484-0001 located at 820 Mare Circle.

B. Project Description. The desired use of the subject Property proposed by Developer is residential development.

2. **DEVELOPMENT STANDARDS AND GUIDELINES**

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

(1) Compliance With Approved Plans. Developer shall develop the site in accordance with the provisions of the R-M zoning district being requested and the Common Open Space Subdivision requirements of the PRUD (Planned Residential Unit Development) Overlay Zone found in Title 17 of the Kaysville City Ordinances.

(2) Open Space. A minimum of 25% open space shall be provided within the development or open space sufficient to meet the provisions of the PRUD Overlay Zone, whichever is greater.

(3) Number of Units. No more than 274 units in any configuration shall be built.

(4) Buffer Zone. Property abutting existing single family dwellings as of the date of this agreement, more specifically any development within 130 feet of parcel 08-432-0814 and 08-482-0815 shall be single family detached development on lots at least ½ acre in size or open space for the Development.

(5) Dedication of Right-of-Way. Developer shall dedicate that property which is identified in ‘Exhibit B’ on the western portion of the Development to Kaysville City and the

Utah Department of Transportation as is applicable for what is labeled as the ‘Davis Corridor R.O.W.’ and ‘Angel St.’ R.O.W. This property shall be dedicated to the applicable entity no later than May of 2020, notwithstanding the need to complete the remaining terms of this Agreement.

(6) Timing. Development shall not commence until access to the site is available from Angel Street adjacent to the property.

(7) Access. There shall be provided a minimum of 2 access points (roads) into the property along what is labeled as ‘Angel Street’ in Exhibit B along the frontage of the subject property. While the proposal includes internal private streets, access into the Development from a public right-of-way including gated entrances, there shall not be allowed the use of any gates to ensure ease of emergency access into the Development.

(8) Walkways. So long as a trail/path system is provided as demonstrated in Exhibit B, no additional sidewalk shall be required along private street improvements within the subdivision, should the proposed path system be removed, sidewalk shall be required on both sides of the private street improvements.

(9) Parking. All units within the Development shall include a minimum of 2 covered parking stalls attached to the unit and an additional ½ stall of parking per unit shall be provided within the Development which is generally accessible for guests and additional parking needs.

B. Findings of Compatibility. In adopting the Development Standards identified in Section 2.A, the City hereby expressly finds that the Development, in conformance with the Development Standards and this Agreement, promotes the creation of desirable residences in an appropriate location. The City further finds that the Development, 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 pursue the

Development is vested.

3. ON-SITE PROJECT IMPROVEMENTS

Developer shall construct and install all site improvements, including utilities, required for the Development, 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 as applicable, 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 the following improvements with the construction of the on-site improvements:

550 West Improvements. Developer shall act as a pioneer developer and make improvements to 550 West Street including extension of utility lines and roadway improvements from curb to curb between Mare Drive and Angel Street. The City recognizes that said improvements are desirable and beneficial to the Development but are beyond the Developers' fair share of improvements required, therefore all properties which develop along 550 West Street within the next 10 years shall reimburse Developer a proportionate share of the costs of all such improvements equal to the percentage of frontage along 550 West Street

5. REPRESENTATIONS OF DEVELOPER

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

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.

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.

Jeff Hansen (Manager) of CLEARWATER
INVESTMENT GROUP LLC

ATTEST:

By: _____

TITLE

TITLE

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 PLAIZIER, 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)

NOTARY PUBLIC

STATE OF UTAH)
)
 : ss.
COUNTY OF DAVIS)



SIDE ELEVATION



FRONT ELEVATION



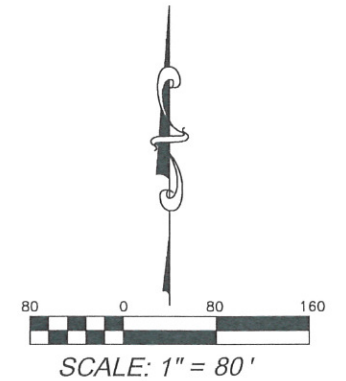
SITE DATA TABLE

PARCEL AREA: 19.56 AC.
DEDICATED AREA: -1.17 AC.
GAINED AREA: +1.56 AC.
NET AREA: 19.95 AC.

ZONING REQUESTED:
R-M MULTIPLE FAMILY RESIDENTIAL
SINGLE FAMILY: 2-LOTS
1.5 LOTS/AC
TOWNHOME PUD: 274 UNITS
14.7 UNITS/AC

PUD SITE PLAN
TOTAL AREA: 18.67 AC. 100%
BUILDING: 6.86 AC. 36.7%
ROADWAY/PARKING: 4.66 AC 25.0%
OPEN SPACE: 7.15 AC 38.3%

PUD PARKING
2/UNIT = 2*274 548
SURFACE STALLS 205
TOTAL PARKING 753
STALLS PER UNIT 2.7



DATE: 10/31/2019
SCALE: AS SHOWN
DRAWN BY: STB
CHECKED BY: PSF
PROJECT NO.: se1901

Developed by:
CLEARWATER INVESTMENT GROUP
1321 EAST VALLEJO WAY
BOONVILLE, UT 84010
TEL 801-913-2150
ENGINEERED BY:
S.E. SCIENCE, LLC
P.O. BOX 2412
SALT LAKE CITY, UT 84110
TEL 801-433-2498

SUNSET STATION GATED COMMUNITY
820 MARE CIRCLE, KAYSVILLE, UT
CONCEPTUAL LAYOUT
CONCEPTUAL SITE PLAN

SHEET
C100



DRAWING TITLE
RECORD AND SITE SURVEY

CLIENT CONTACT

Jeff Hansen
Sunset Equestrian Center & Clearwater
Investment Group, LLC 1324 East
Millbrook Way, Bountiful, UT 84010

SUNSET EQUESTRIAN ESTATES 820
MARE CIR. LOCATED WITHIN, DAVIS
COUNTY, UTAH. A PART OF THE S.E.
1/4 SEC. 9, & S.W. 1/4 SEC 10, T. 3 N., R.
1. W. S.L.B.&M.

PROPERTY DESCRIPTION

Parcel # 08-484-0001
All of Parcel A, Kayville Sunset Equestrian Estates Plat 8 Second Amendment.

Containing 19.586 +/- Acres

SURVEYORS NARRATIVE

This survey was performed at the request of Paul Feser for the purpose to locate and mainly focus along the Western portion of the subject property. These existing improvements surfaces landscape and landscape in relation to the boundaries of said subject parcel. Further more for the probability of eminent domain and proper future planning.

The basis of bearing was derived from the found section corners and utilized on this survey as N071622'W as shown on The Kayville Sunset Equestrian Estates Plat 8 Second Amendment recorded March 15 2011, and area surveys of record.

NOTE:

1. Surveyor has made no investigation or independent search for encumbrances of record encumbrances restrictive covenants ownership title evidence, or any other facts, conflicts, or discrepancies which may be disclosed by the details of a current title insurance policy.
2. See city and county planning, and zoning maps for information regarding setback, side yard, and rear yard instances as well as other building, use restrictions, and requirements.
3. Utility pipes, wires etc. may not be shown on this map, contractors builders and excavators shall verify the location of all existing utilities prior to construction, and/or excavation. Contact blue stakes and refer to utility maps for additional information.
4. Subdivision plat notes, pertaining to this lot and other restrictions obligations, covenants etc. that may effect the design and use of this lot, see subdivision.

SURVEYORS CERTIFICATE

I, R. Shane Johanson, Do hereby certify that I am a Professional Land Surveyor, holding certificate No. 7075114, as prescribed under the laws of the State of Utah, and that I have made a survey of the described tract of land as shown on this plat and that this survey retraces lot lines and may have adjusted said lot lines to coincide with found evidence and other interpolations based from ground measurements and found records. Furthermore I recognize that other unwritten rights of ownership or lines of possession may exist, I do not imply to certify any of those rights, unless agreed upon by the appropriate parties.

REVISIONS:

REV #	DESCRIPTION	DATE

JOHANSON SURVEYING
PROFESSIONAL LAND SURVEYORS
SURVEY • DESIGN • SEPTIC • PLANNING

P.O. BOX 18941
SALT LAKE CITY, UTAH 84118
Shane Johanson P.L.S. 801-485-2541

COPYRIGHT

This drawing is and at all times remains the exclusive property of Johanson Surveying shall not be used with out complete authorization and written support.



PROJECT NO
S-19-154
DATE
10-11-2019
DRAWN BY: SHANE R. JOHANSON P.L.S.
OVERSEEN BY: SHANE R. JOHANSON P.L.S.
SHEET NUMBER
SHEET-001



Planning Commission Staff Report

Island View Townhomes Preliminary Plat and Conditional Use Permit for 3 Twin Homes, 6 total units and lots.

October 24, 2019

Applicant/Owner: Advanced Solutions Group
Location: 750 East 250 South
Zone: R-2

Description:

The Plat consists of 1.27 Acres or 55,190 square feet at approximately 700 East. The subdivision fronts 250 South Street and has been proposed to be split into 6 twin home lots. A standard lot in the R-2 zoning district requires at least 8,000 square feet with either a single family or two-family dwelling allowed per lot.

Instead of building duplex units, the developer desires to build twin homes which allows for individual ownership of each unit. Twin homes are allowed in the [R-2 zoning district](#) by conditional use subject to the provisions of [Kaysville City Code 17-28](#). This proposal meets those conditions which allows for the lot size and frontage requirement of the underlying zone to be cut in half in order to create lot line between units. Each lot contains more than the required 4,000 square feet of area based on the zoning and exceeds the 35 foot frontage requirement.

The subdivision will complete improvements along 250 South Street connecting the stubbed roadways and creating a through street. Improvements will be standard right of way improvements.

Recommendation:

Staff recommends that the planning forward a recommendation of approval for the preliminary plat based on its findings of compliance with applicable code and ordinances.

Staff also recommends approval for the conditional use permit to allow for twin-home construction without the need for additional conditions.

Attachment 1: Area Map
Attachment 2: Preliminary Plat / Site Plan
Attachment 3: Floor Plans and Building Rendering.

831 East 250 South - Island View Townhomes Subdivision



<https://www.google.com/maps/@41.030956,-111.9202109,98m/data=!3m1!1e3>





- KEY NOTES**
- 1 INSTALL 3/4" PVC CULINARY WATER SERVICE LINE W/ 5/8" METER
 - 2 INSTALL 4" PVC SAN SWR SERVICE LINE @ 2.0% MINIMUM SLOPE

LEGEND

- SECTION CORNER
- EXISTING MONUMENT
- EXISTING REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- WATER METER
- WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- SANITARY SEWER MANHOLE
- STORM DRAIN CLEAN OUT BOX
- STORM DRAIN CATCH BASIN
- STORM DRAIN COMBO BOX
- ELECTRICAL MANHOLE
- ELECTRICAL BOX
- UTILITY POLE
- EXISTING LIGHT
- PROPOSED LIGHT
- GAS METER
- GAS MANHOLE
- GAS VALVE
- TELEPHONE MANHOLE
- TELEPHONE BOX
- SIGN

- EXISTING EDGE OF ASPHALT
- PROPOSED EDGE OF ASPHALT
- sd EXISTING STORM DRAIN LINE
- SD PROPOSED STORM DRAIN LINE
- ss EXISTING SANITARY SEWER
- SS PROPOSED SANITARY SEWER LINE
- ld EXISTING LAND DRAIN LINE
- LD PROPOSED LAND DRAIN LINE
- w EXISTING CULINARY WATER LINE
- W PROPOSED CULINARY WATER LINE
- chp EXISTING OVERHEAD POWER LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- BUILDABLE AREA WITHIN SETBACKS
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING BUILDING
- PROPOSED BUILDING
- DRAINAGE PATH



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: 435.866.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
CLIENT
CLIENT'S ADDRESS
CLIENT CITY STATE ZIP
CONTACT:
CLIENT CONTACT
PHONE: 801-000-0000

ISLAND VIEW TOWNHOMES

250 SOUTH 700 EAST
KAYSVILLE, UTAH

PRELIMINARY PLAT

PROJECT NUMBER
9414

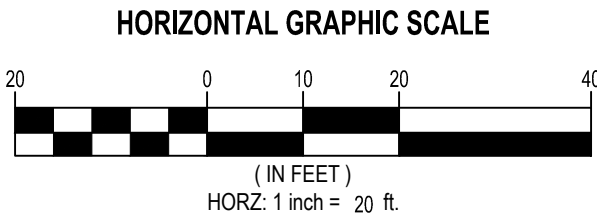
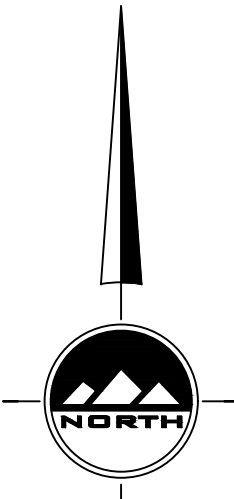
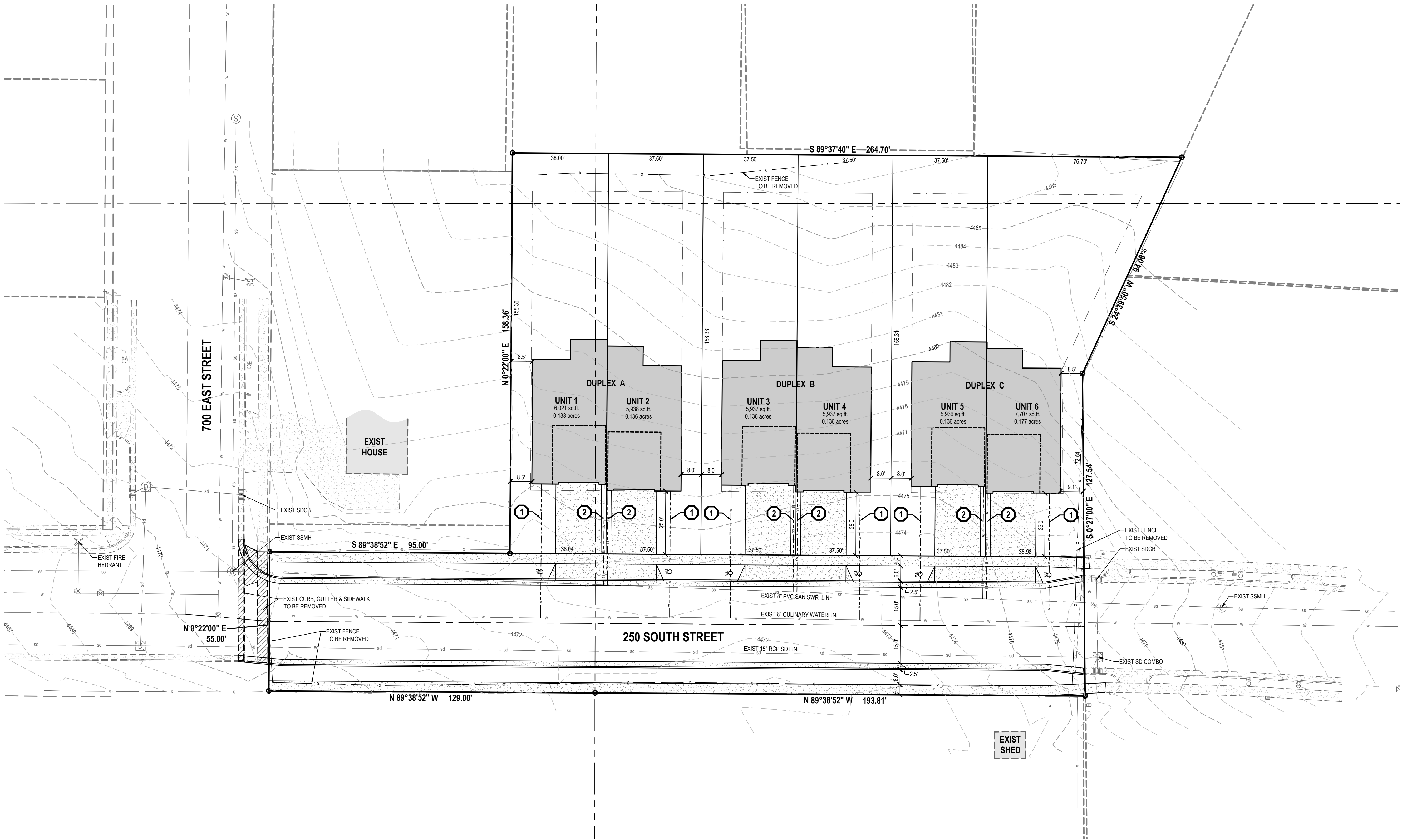
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C.PRESTON

PROJECT MANAGER
C.PRESTON

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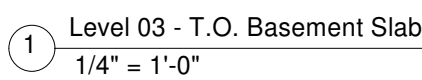
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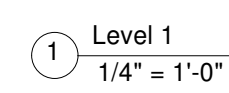
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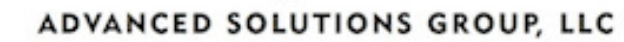
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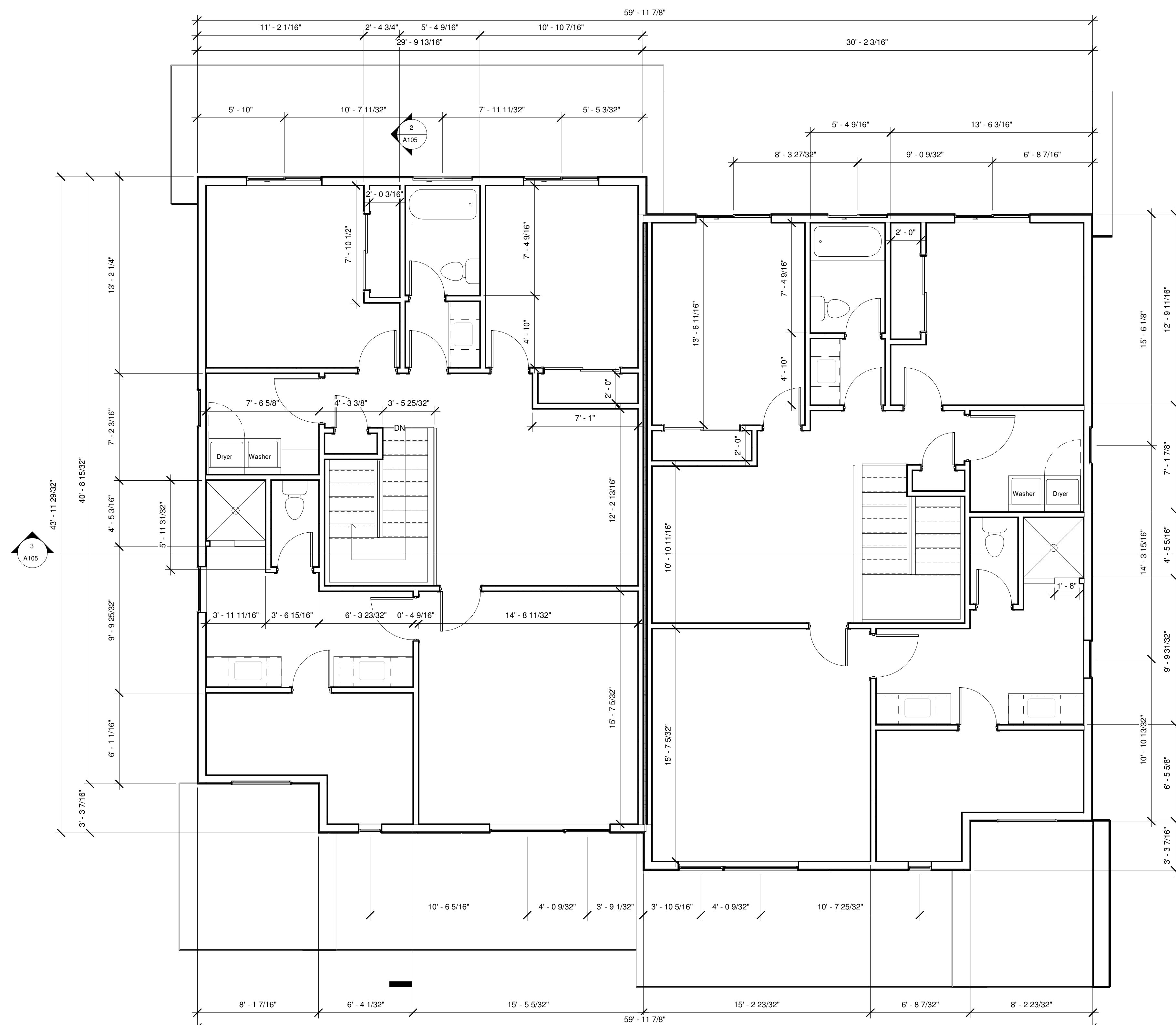
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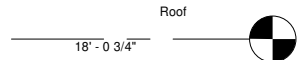
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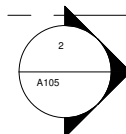
Lowell 1 Ceiling

Level 1 

T.O. Frnd. Wall

Level 00 - T.O.
Basement Slab

1 South
1/4" = 1'-0"



42

Level 1 Ceiling

el 1

T.O. Frd. Wall

Q. Footing

D. Footing

② North
 $1/4" = 1'-0"$

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Checked by	Checker
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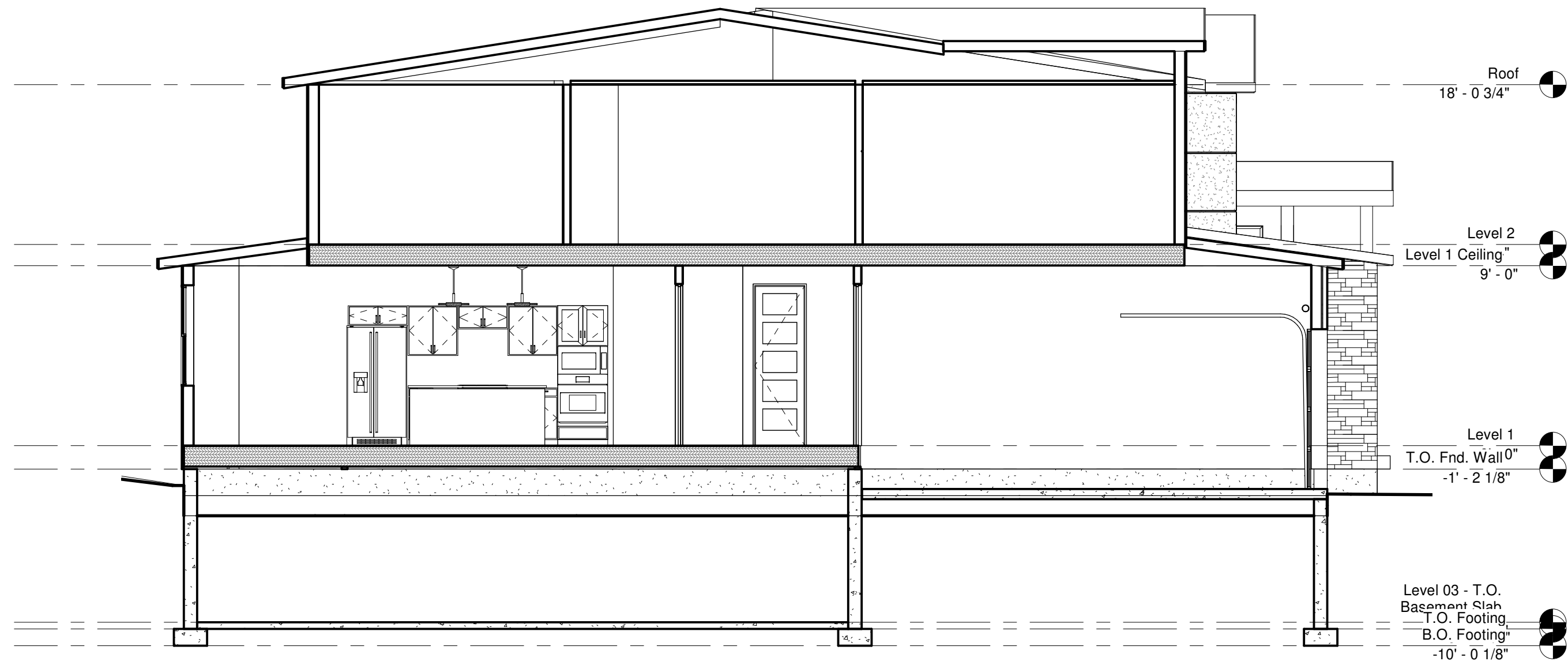
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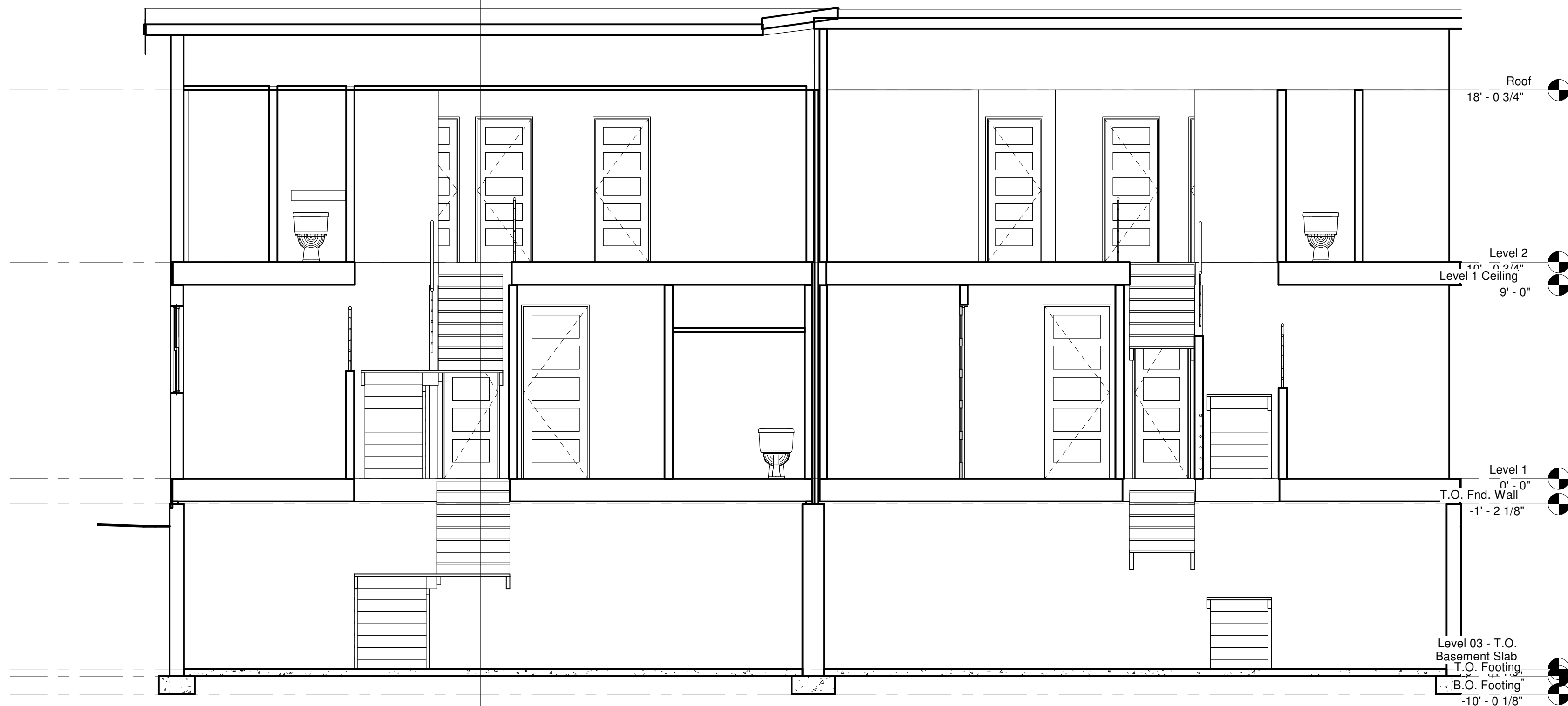
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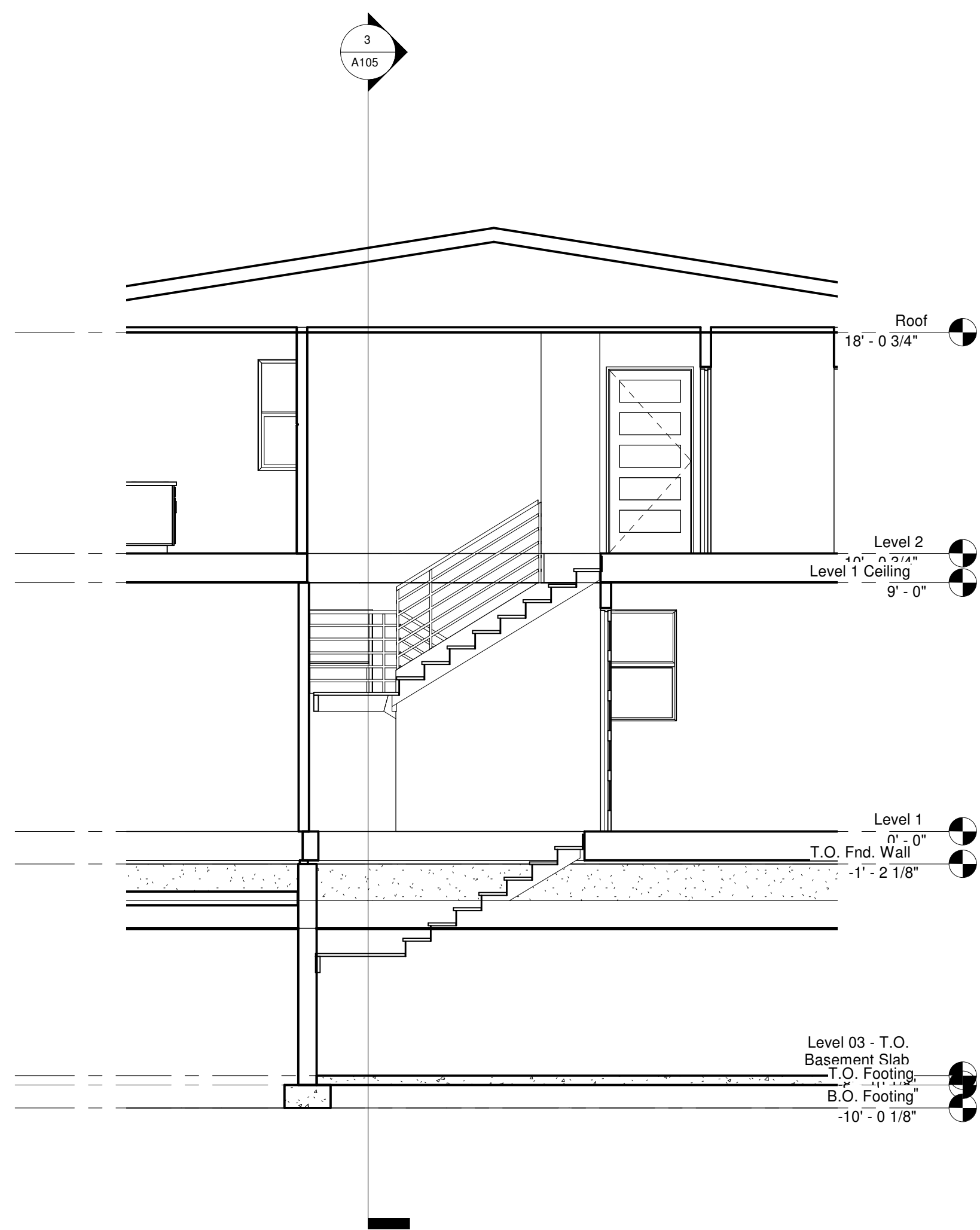
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1 Section 1
3/16" = 1'-0"



3 Section 3
1/4" = 1'-0"



2 Section 2
1/4" = 1'-0"



Planning Commission Staff Report

Preliminary Plat for Kourosh Subdivision. November 14, 2019

Applicant/Owner: Kourosh Haroni
Location: 946 East 300 North
Zone: R-1-8

Description:

The property is located at 946 East 300 North and is zoned R-1-8. Currently the lot is 18609 square feet. The applicant Kourosh Haroni is anticipating creating a new lot of 8616 square feet with a frontage of 151 feet. This will leave the existing home on a 9903 square feet lot. The new lot proposed will be facing 200 North at approximately 939 East. Both existing and new proposed lot will meet frontage and square footage requirement for existing R-1-8 zoning. Kourosh is providing a hammerhead, or circular driveway for safe access to 200 North Street. He has also addressed the 25 ft. front set back allowing for a legal width for a house.

Recommendation:

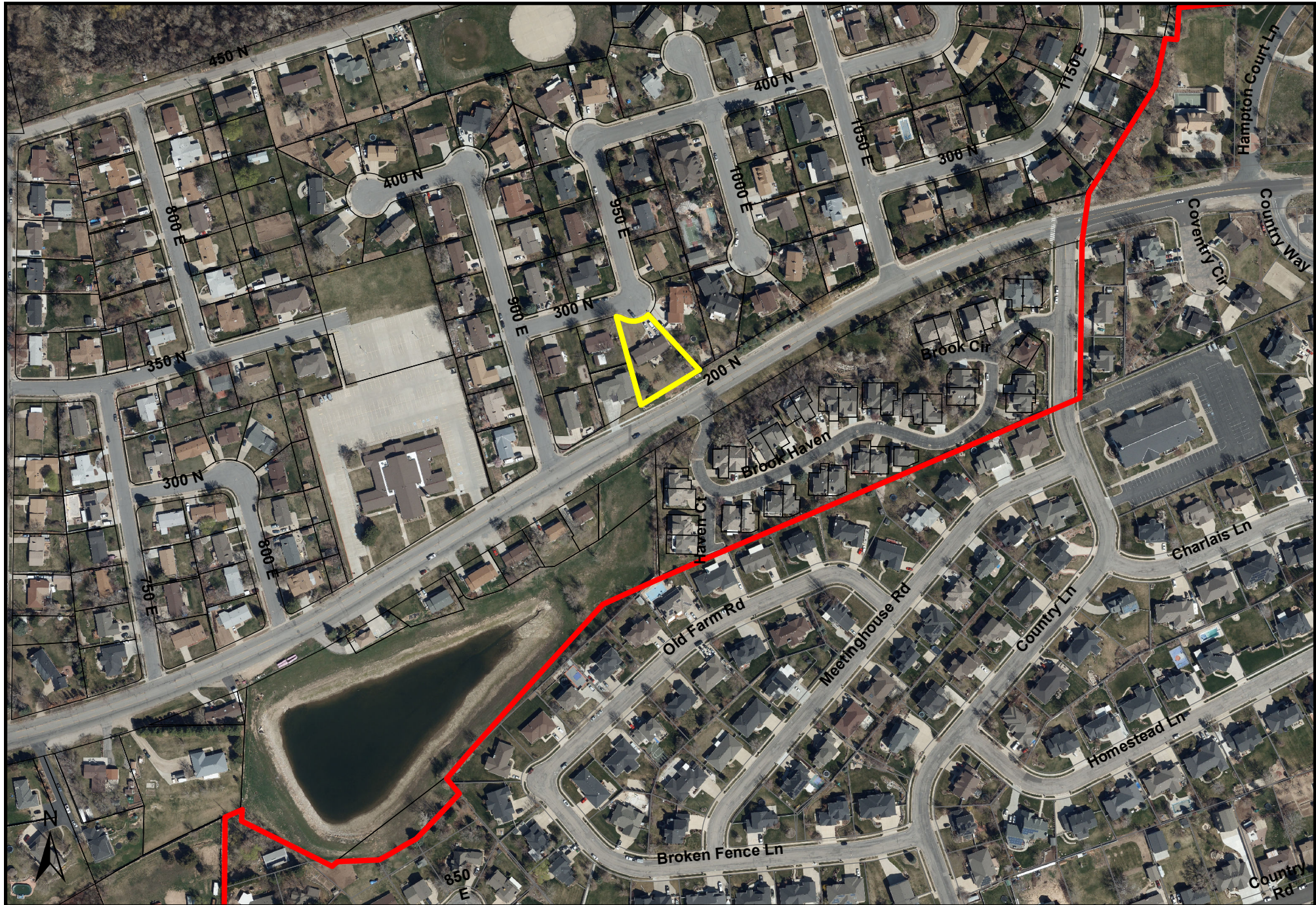
Staff is recommending approval of the proposed preliminary plat for the Kourosh Subdivision.

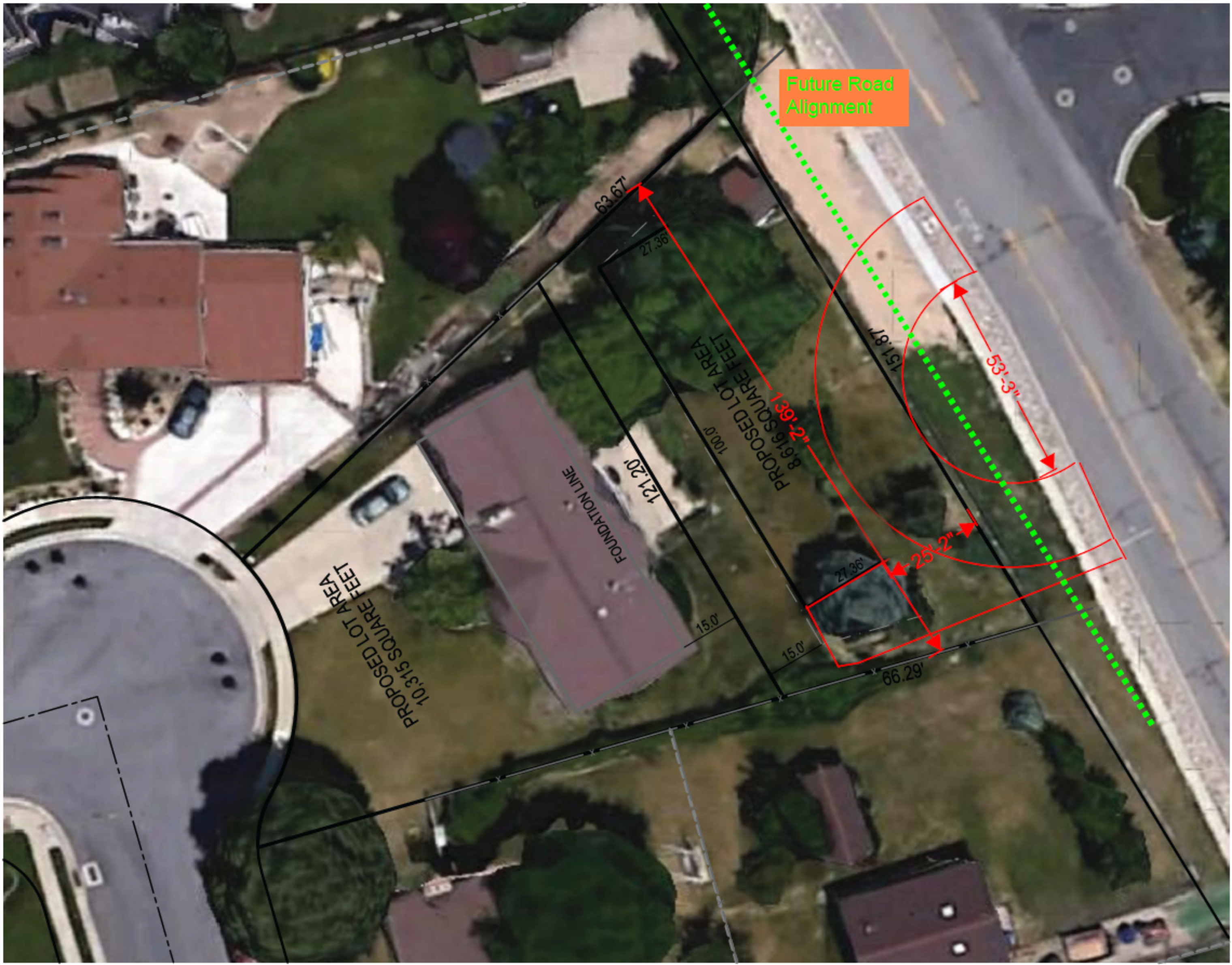
Reasoning:

The plat is consistent with zoning requirements and meets applicable ordinances and standards.

Attachments: Area Map, Preliminary Plat and Final Plat.

946 East 300 North





Future Road
Alignment

63.67'

27.36'

PROPOSED LOT AREA
8,616 SQUARE FEET

100.0'

121.20'

FOUNDATION LINE

PROPOSED LOT AREA
10,315 SQUARE FEET

151.87'

53'-3"

25'-2"

27.36'

66.29'

15.0'

15.0'

Planning Commission Staff Report



Public hearing and consideration of an amendment to 17-12 to create the R-1-6 zoning district.

November 14, 2019

Description:

As part of the housing discussion that the Planning Commission has held over the past several months, the idea of creating a new zoning district as an option to consider allowing smaller single family lots has been discussed. In response to this the attached ordinance has been drafted to consider creating an R-1-6 zone.

Recommendation:

Rezone:

After holding a Public Hearing, the Planning Commission would consider making a recommendation to the city council to either approve, deny, or table the consideration of the proposed ordinance.

Attachment 1: R-1-6 ordinance draft.

**KAYSVILLE CITY
ORDINANCE 19-11-01**

CREATION OF THE R-1-6 ZONING DISTRICT

AN ORDINANCE AMENDING CHAPTER 17-12, SINGLE FAMILY RESIDENTIAL DISTRICT, OF TITLE 17, PLANNING AND ZONING, TO CREATE A NEW R-1-6 (SINGLE FAMILY 6,000 SQ. FT. LOT DISTRICT).

WHEREAS,

NOW THEREFORE, be it ordained by the Council of Kaysville City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “17-12-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-12-6 Area, Lot Width, And Yard Requirements

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

1. The lot area shall not be less than that indicated below for the sub-zone district in which the lot is situated:

R-1-20	20,000 square feet
R-1-14	14,000 square feet
R-1-LD	12,000 square feet
R-1-10	10,000 square feet
R-1-8	8,000 square feet
<u>R-1-6</u>	<u>6,000 square feet</u>

2. The minimum width of any lot for a main building, measured at a distance thirty feet (30') back from the front lot line, shall be that indicated below for the sub-zone district in which the lot is situated:

R-1-20	90 feet
R-1-14	90 feet
R-1-LD	90 feet
R-1-10	80 feet
R-1-8	60 feet
<u>R-1-6</u>	<u>55 feet</u>

3. The front yard for any building shall be at least that indicated below for the sub-zone district in which the lot is situated:

R-1-20	30 feet
R-1-14	30 feet
R-1-LD	30 feet
R-1-10	30 feet
R-1-8	25 feet
<u>R-1-6</u>	<u>25 feet</u>

4. The side yard for any dwelling in the R-1-20, R-1-14, R-1-LD, R-1-10, R-1-8 districts 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'). The side yard for any dwelling in the R-1-6 district shall be not less than five feet (5') and the total width of the two (2) required side yards shall be not less than ten feet (10').
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').
8. In the R-1-LD sub-zone district, the total number of residential units within the subdivision shall not exceed two (2) per acre within the subdivision. The number of units allowed is determined by multiplying the area in acres of all the land within the subdivision by two (2). The resulting whole number is the number of units allowed.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Barber	_____	_____	_____	_____
Council Member Garn	_____	_____	_____	_____
Council Member DeCaire	_____	_____	_____	_____
Council Member Page	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder
Kaysville City



Planning Commission Staff Report

The Cottages at Harvey Estates Phase 1 Final Plat Approval November 14, 2019

Applicant/Owner: Ovation Homes
Location: Approximately 1955 West 200 North
Zone: R-1-8 / PRUD

Description:

Ovation Homes has been working through the final design and details for the Cottages at Harvey Estates Subdivision. While the project remains similar to the approved preliminary plans, they are proposing a phased development in order to delay the timing of demolition of structures near 200 North.

Phase 1 will develop 21 of the 22 lots which have preliminary approval. The phasing will allow the development to begin construction from 1700 West Street and after building a few homes they will then be able to demolish the existing home along 200 North that will allow for the phase 2 component of the project connecting to 200 North Street. This is consistent with the terms outlined in the approved development agreement.

The applicants have provided plans and engineering that have been reviewed by city staff and applicable agencies. The engineering on all systems meets specifications and parameters. The developer and city are continuing to work on determining the best solution to the proposed stormwater system amongst multiple acceptable options.

Recommendation:

This phase is consistent with the preliminary plat and other applicable requirements and therefore, Staff suggests that the Planning Commission approve the final plat of phase 1 for The Cottages at Harvey Estates Phase 1 with the construction of improvements and recording of the plat being subject to the public works departments satisfaction of storm water arrangements.

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

Cottages at Harvey Estates Subdvision



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

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

BENCHMARK
BENCHMARK IS THE EAST QUARTER CORNER
OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1
WEST, SALT LAKE BASE AND MERIDIAN
FOUND BRASS CAP
ELEVATION = 4286.01

BOUNDARY DESCRIPTION

Beginning at the Northeast Corner of Pheasant Cove Subdivision, said point being South 89°54'00" West 1186.73 feet along the quarter section line and South 254.19 feet from the East Quarter Corner of Section 32, Township 4 North, Range 1 West Salt Lake Meridian, and running:
Thence South 52°00'00" West 776.39 feet along the north line to the Northwest Corner of Pheasant Cove Subdivision, being on the east line of Clifton Subdivision;
Thence North 39°08'37" West 288.23 feet along the east line of Clifton Subdivision and beyond to the extension of a fence line running northeasterly;
Thence North 52°43'00" East 445.71 feet to and along a fence line to a fence corner;
Thence North 36°13'01" West 20.24 feet along a fence line to a fence corner;
Thence North 52°40'28" East 64.46 feet along a fence line;
Thence North 22°20'55" West 124.40 feet;
Thence North 0°10'39" East 47.00 feet to the south line of 200 North Street;
Thence South 89°48'43" East 7.65 feet along to the south line of 200 North Street;
Thence North 0°11'17" East 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 8.00 feet along to the south line of 200 North Street;
Thence North 0°11'17" East 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 54.62 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 105.29 feet along to the south line of 200 North Street;
Thence South 0°11'17" West 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 8.00 feet along to the south line of 200 North Street;
Thence North 0°11'17" East 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 65.58 feet along to the south line of 200 North Street;
Thence South 16°15'39" East 10.77 feet;
Thence North 89°54'00" East 12.10 feet;
Thence South 38°50'51" East 291.29 feet to the point of beginning.

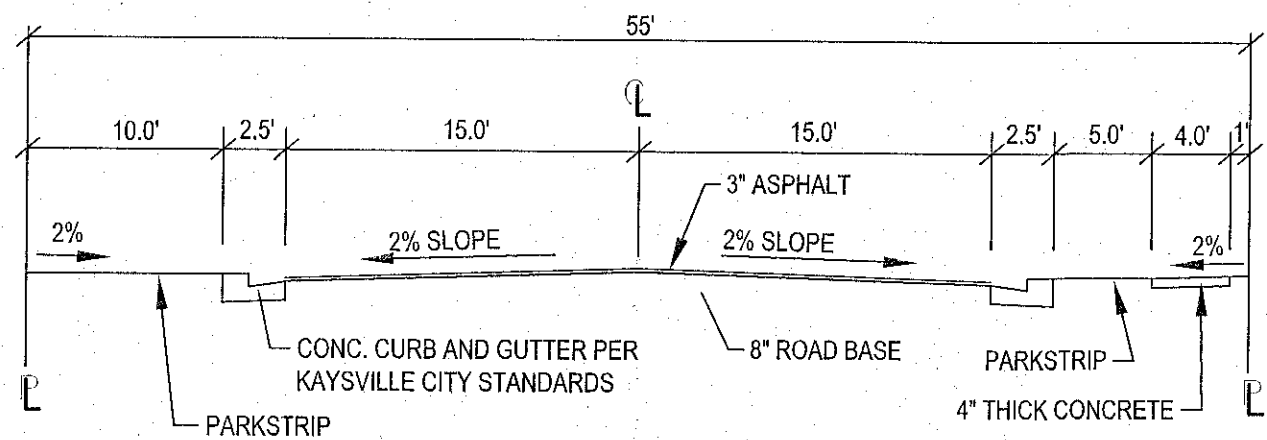
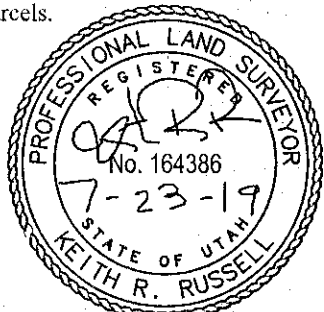
Contains 230,047 square feet, 5.740 acres, 22 lots, 3 Open Space Parcels.

7-23-19

Date

Keith R. Russell

License no. 164386

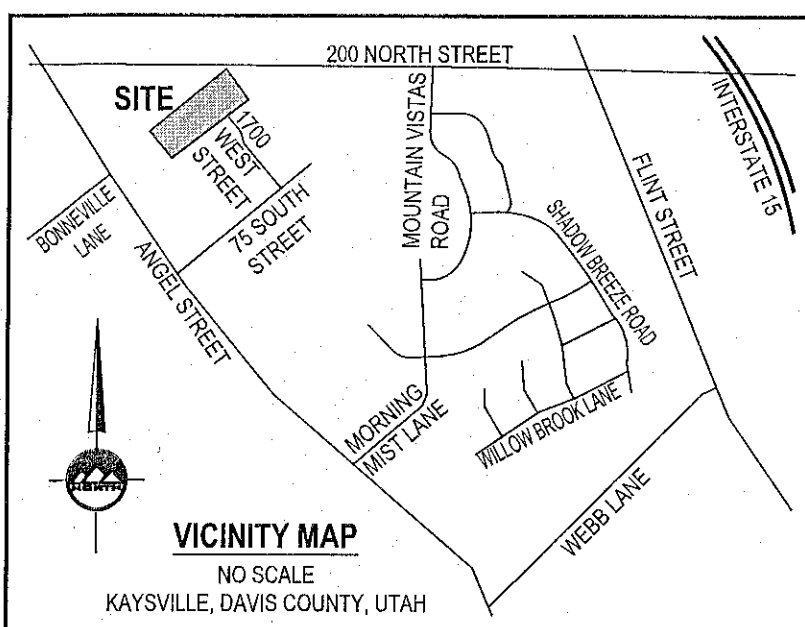


TYPICAL 55 FOOT ROAD CROSS SECTION

LEGEND

- SECTION CORNER
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- SET ENSIGN REBAR AND CAP
- WATER METER
- WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- SANITARY SEWER MANHOLE
- STORM DRAIN CLEAN OUT BOX
- STORM DRAIN CATCH BASIN
- STORM DRAIN COMBO BOX
- ELECTRICAL MANHOLE
- ELECTRICAL BOX
- UTILITY POLE
- EXISTING LIGHT
- PROPOSED LIGHT
- GAS METER
- GAS MANHOLE
- GAS VALVE
- TELEPHONE MANHOLE
- TELEPHONE BOX
- SIGN
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- PROPOSED EDGE OF ASPHALT
- EXISTING STORM DRAIN LINE
- PROPOSED STORM DRAIN LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER SERVICE LINE
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- PROPOSED LAND DRAIN LINE
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- PROPOSED CULINARY WATER SERVICE LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING BUILDING
- PROPOSED BUILDING

DAVID AND KATHERINE
JOHNSON
11-094-0016



200 NORTH STREET

BASIS OF BEARING S 89°54'00" W 2636.86' RECORD 2637.39' MEASURED
QUARTER SECTION LINE

HARVEY SUBDIVISION
LOT 1

JAMES HARVEY
11-094-0082

STANLEY HARVEY
11-094-0098

TYLER JOHNSON
11-094-0099

CAROLYN ANDERSON
11-094-0100

SALT GRASS LAND AID
CATTLE LLC
11-094-0086

POINT OF BEGINNING
NORTHEAST CORNER
PHEASANT COVE
SUBDIVISION

PHEASANT COVE
SUBDIVISION

LOT 102

NOTES

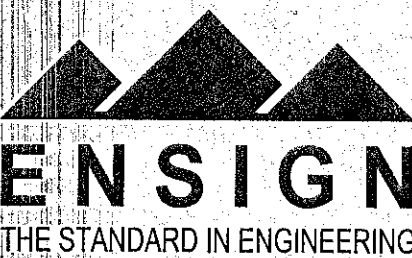
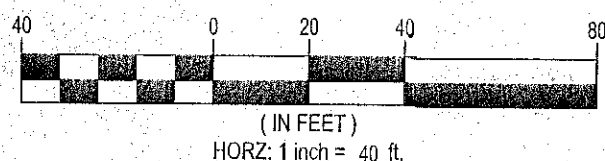
- PROPERTY IS TO BE ZONED R-1-B.
A. FRONT YARD SETBACK IS 20'
B. SIDE YARD SETBACK IS 10' BETWEEN STRUCTURES
C. REAR SETBACK IS 15'
- PARCELS A, B AND C (OPEN SPACE) ARE ALSO PUBLIC UTILITY AND DRAINAGE EASEMENTS

LAND USE TABLE

OVERALL AREA	250,005 sq.ft.
TOTAL LOTS	22
AVERAGE LOT SIZE	7,682 sq.ft.
DENSITY	3.83 UNITS/ACRE
OPEN SPACE PROVIDED	26,422 sq.ft.
OPEN SPACE REQUIRED	26,343 sq.ft.



HORIZONTAL GRAPHIC SCALE



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

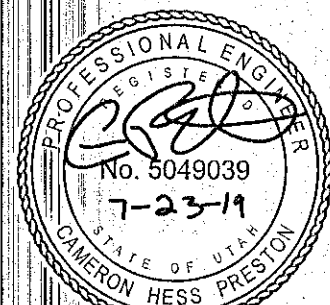
RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
OVATION HOMES
498 NORTH KAYS DRIVE
KAYSVILLE, UT 84037
CONTACT:
BRIAN FROST
PHONE: 801-564-3899

COTTAGES AT HARVEY ESTATES
PRELIMINARY PLAT - NOT TO BE RECORDED
1773 WEST 200 NORTH
KAYSVILLE, UTAH



NO. DATE REVISION BY

PRELIMINARY PLAT

PROJECT NUMBER 8510

PRINT DATE 7/23/19

DRAWN BY MEUMER

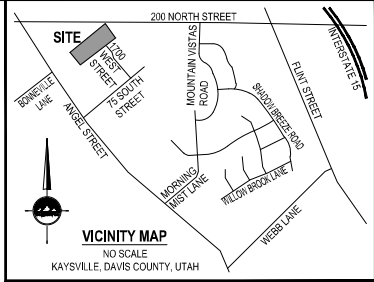
CHECKED BY C. PRESTON

PROJECT NUMBER C. PRESTON

1 OF 1

COTTAGES AT HARVEY ESTATES PHASE 1

LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 32
TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH



INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH J.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.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.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.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.

DEVELOPER
OVATION HOMES
498 NORTH KAYS DRIVE
KAYSVILLE, UTAH 84037
801-564-3898
BRAD FROST

SURVEY RECORDING DATA

DATE: _____

DRAWING No. _____

SURVEYOR'S CERTIFICATE

I, MICHAEL B. HERBST do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. 5046930 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 COTTAGES AT HARVEY 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 requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

Beginning at the Northeast Corner of Pheasant Cove Subdivision, said point being South 89°54'00" West 1166.73 feet along the quarter section line and South 254.19 feet from the East Quarter Corner of Section 32, Township 4 North, Range 1 West Salt Lake Meridian, and running;

thence South 52°00'00" West 776.39 feet along the north line to the Northwest Corner of Pheasant Cove Subdivision, being on the east line of Clifton Subdivision;
thence North 39°08'37" West 288.23 feet along the east line of Clifton Subdivision and beyond to the extension of a fence line running northeasterly;
thence North 52°43'00" East 445.71 feet to and along a fence line to a fence corner;
thence North 36°13'01" West 20.24 feet along a fence line to a fence corner;
thence North 52°40'28" East 64.46 feet along a fence line;
thence North 51°09'09" East 91.25 feet;
thence North 67°23'22" East 55.01 feet;
thence North 50°29'51" East 110.56 feet;
thence South 69°48'43" East 1.91 feet to the South line of 200 North Street;
thence South 16°15'39" East 1.39 feet along the South line of 200 North Street;
thence North 69°54'00" East 12.10 feet along the South line of 200 North Street;
thence South 38°50'51" East 291.29 feet, to the point of beginning.

Contains 227,008 square feet, 5.211 acres, 21 lots and 2 open space parcel.

10/09/2019
Date

Michael B. Herbst
Michael B. Herbst
License no. 5046930



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

COTTAGES AT HARVEY 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____.

By: _____ By: _____

By: _____ By: _____

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH J.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 the State of Utah, who after being duly sworn, acknowledged to me that He/She is the _____ of _____ a Limited Liability Company and that He/She 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 Corporation executed the same.

MY COMMISSION EXPIRES: _____

_____, RESIDING IN _____ COUNTY.
NOTARY PUBLIC

COTTAGES AT HARVEY ESTATES PHASE 1

LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 32
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

SHEET 1 OF 2

PROJECT NUMBER : 8510

MANAGER : C.PRESTON

DRAWN BY : A.SHELBY

CHECKED BY : C.PRIESTON

DATE : 10/10/19

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____.

BY THE KAYSVILLE CITY COUNCIL

CITY RECORDER CITY MAYOR

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____.

BY THE KAYSVILLE CITY ENGINEER

KAYSVILLE CITY ENGINEER

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____.

BY THE CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, KAYSVILLE CITY PLANNING COMMISSION

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____.

BY THE KAYSVILLE CITY ATTORNEY.

KAYSVILLE CITY ATTORNEY



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: 801-255-0929
TOOELE
Phone: 801-461-1390
CEDAR CITY
Phone: 801-361-1463
RICHFIELD
Phone: 801-396-2383

COTTAGES AT HARVEY ESTATES PHASE 1

LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 32
TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH

OPEN SPACE PARCEL "B"
HILL FARMS PHASE 6

MOUNTAIN SHADOW
ESTATES
LOT 7

MOUNTAIN
SHADOW ESTATES
LOT 1

SEEMORE COUNTRY
ESTATE
LOT 14

200 NORTH STREET

WILKIE
STREET

CENTER
SECTION 32
T4N, R1W
SL&BM
(FOUND)

BASIS OF BEARING S 89°54'00" W 2636.86' RECORD 2837.39' MEASURED
QUARTER SECTION LINE

S 89°54'00" W

1186.73'

EAST QUARTER
CORNER
SECTION 32
T4N, R1W
SL&BM
(FOUND)

JAMES & BEVERLY
HARVEY
11-094-0081

TYLER JOHNSON
11-094-0099

STANLEY HARVEY
11-094-0098

CAROLYN
ANDERSON
11-094-0100

SALT GRASS LAND
AND CATTLE LLC
11-094-0096

POINT OF BEGINNING
NORTHEAST CORNER
PHEASANT COVE
SUBDIVISION

LOT 102

LINE TABLE		
LINE	BEARING	LENGTH
PL1	N36°13'01"W	20.24'
PL2	S89°48'43"E	1.91'
PL3	S16°15'39"E	1.39'
PL4	N89°54'00"E	12.10'
L5	S85°53'44"E	10.00'
L6	S5°56'13"W	50.00'
L7	N87°59'09"E	50.00'
L8	S38°00'00"E	4.31'
L9	S38°50'51"E	49.83'
L10	N10°51'52"W	49.83'
L11	N10°51'52"W	51.06'
L12	N39°30'29"W	51.06'
L13	S39°30'29"E	15.00'
L14	S39°30'29"E	14.28'
L15	S52°00'00"W	10.00'
L16	N62°00'00"E	7.17'
L17	N0°11'17"E	17.53'
L18	N0°11'17"E	5.87'

LEGEND

- SECTION CORNER
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV."
- PU&DE= PUBLIC UTILITY & DRAINAGE EASEMENT
- EASEMENTS
- BUILDABLE AREA (SEE GENERAL NOTE 1)
- SANITARY SEWER EASEMENT

NOTES

- PROPERTY IS TO BE ZONED R-1-S.
A. FRONT YARD SETBACK IS 20'
B. SIDE YARD SETBACK IS 13' BETWEEN STRUCTURES (R & S)
C. REAR SETBACK IS 15'
- ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU & DE) ARE 10' FRONT, 5' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.
- PARCELS A, B AND C (OPEN SPACE) ARE ALSO PUBLIC UTILITY AND DRAINAGE EASEMENT.
- MINIMUM FINISH FLOOR FOR EACH LOT IS 1' ABOVE THE CURB AND GUTTER UNLESS A LAND DRAIN SYSTEM IS INSTALLED.
- A PRIVATE IRRIGATION DITCH TO THE WEST IS TO REMAIN ACTIVE.

DAVID AND
KATHERINE
JOHNSON
11-094-0016

JAMES HARVEY
11-094-0082

LOT 13
6,931 sq.ft.
0.159 acres

LOT 12
6,406 sq.ft.
0.147 acres

LOT 11
8,750 sq.ft.
0.155 acres

LOT 10
8,750 sq.ft.
0.155 acres

LOT 9
8,750 sq.ft.
0.155 acres

LOT 8
8,750 sq.ft.
0.155 acres

LOT 7
8,750 sq.ft.
0.155 acres

LOT 6
8,750 sq.ft.
0.155 acres

LOT 5
8,750 sq.ft.
0.155 acres

LOT 4
19,191 sq.ft.
0.441 acres

LOT 3
7,845 sq.ft.
0.180 acres

LOT 2
7,845 sq.ft.
0.180 acres

LOT 1
7,279 sq.ft.
0.167 acres

LOT 21
5,880 sq.ft.
0.135 acres

LOT 20
7,205 sq.ft.
0.165 acres

LOT 19
8,057 sq.ft.
0.185 acres

LOT 18
6,930 sq.ft.
0.159 acres

LOT 17
6,975 sq.ft.
0.161 acres

LOT 16
7,020 sq.ft.
0.161 acres

LOT 15
7,065 sq.ft.
0.162 acres

LOT 14
7,110 sq.ft.
0.163 acres

LOT 13
7,155 sq.ft.
0.164 acres

LOT 12
7,200 sq.ft.
0.165 acres

LOT 11
7,245 sq.ft.
0.166 acres

LOT 10
7,290 sq.ft.
0.167 acres

LOT 9
7,335 sq.ft.
0.168 acres

LOT 8
7,380 sq.ft.
0.169 acres

LOT 7
7,425 sq.ft.
0.170 acres

LOT 6
7,470 sq.ft.
0.171 acres

LOT 5
7,515 sq.ft.
0.172 acres

LOT 4
7,560 sq.ft.
0.173 acres

LOT 3
7,605 sq.ft.
0.174 acres

LOT 2
7,650 sq.ft.
0.175 acres

LOT 1
7,695 sq.ft.
0.176 acres

LOT 21
7,740 sq.ft.
0.177 acres

LOT 20
7,785 sq.ft.
0.178 acres

LOT 19
7,830 sq.ft.
0.179 acres

LOT 18
7,875 sq.ft.
0.180 acres

LOT 17
7,920 sq.ft.
0.181 acres

LOT 16
7,965 sq.ft.
0.182 acres

LOT 15
8,010 sq.ft.
0.183 acres

LOT 14
8,055 sq.ft.
0.184 acres

LOT 13
8,100 sq.ft.
0.185 acres

LOT 12
8,145 sq.ft.
0.186 acres

LOT 11
8,190 sq.ft.
0.187 acres

LOT 10
8,235 sq.ft.
0.188 acres

LOT 9
8,280 sq.ft.
0.189 acres

LOT 8
8,325 sq.ft.
0.190 acres

LOT 7
8,370 sq.ft.
0.191 acres

LOT 6
8,415 sq.ft.
0.192 acres

LOT 5
8,460 sq.ft.
0.193 acres

LOT 4
8,505 sq.ft.
0.194 acres

LOT 3
8,550 sq.ft.
0.195 acres

LOT 2
8,595 sq.ft.
0.196 acres

LOT 1
8,640 sq.ft.
0.197 acres

LOT 21
8,685 sq.ft.
0.198 acres

LOT 20
8,730 sq.ft.
0.199 acres

LOT 19
8,775 sq.ft.
0.200 acres

LOT 18
8,820 sq.ft.
0.201 acres

LOT 17
8,865 sq.ft.
0.202 acres

LOT 16
8,910 sq.ft.
0.203 acres

LOT 15
8,955 sq.ft.
0.204 acres

LOT 14
9,000 sq.ft.
0.205 acres

LOT 13
9,045 sq.ft.
0.206 acres

LOT 12
9,090 sq.ft.
0.207 acres

LOT 11
9,135 sq.ft.
0.208 acres

LOT 10
9,180 sq.ft.
0.209 acres

LOT 9
9,225 sq.ft.
0.210 acres

LOT 8
9,270 sq.ft.
0.211 acres

LOT 7
9,315 sq.ft.
0.212 acres

LOT 6
9,360 sq.ft.
0.213 acres

LOT 5
9,405 sq.ft.
0.214 acres

LOT 4
9,450 sq.ft.
0.215 acres

LOT 3
9,495 sq.ft.
0.216 acres

LOT 2
9,540 sq.ft.
0.217 acres

LOT 1
9,585 sq.ft.
0.218 acres

LOT 21
9,630 sq.ft.
0.219 acres

LOT 20
9,675 sq.ft.
0.220 acres

LOT 19
9,720 sq.ft.
0.221 acres

LOT 18
9,765 sq.ft.
0.222 acres

LOT 17
9,810 sq.ft.
0.223 acres

LOT 16
9,855 sq.ft.
0.224 acres

LOT 15
9,900 sq.ft.
0.225 acres

LOT 14
9,945 sq.ft.
0.226 acres

LOT 13
9,990 sq.ft.
0.227 acres

LOT 12
10,035 sq.ft.
0.228 acres

LOT 11
10,080 sq.ft.
0.229 acres

LOT 10
10,125 sq.ft.
0.230 acres

LOT 9
10,170 sq.ft.
0.231 acres

LOT 8
10,215 sq.ft.
0.232 acres

LOT 7
10,260 sq.ft.
0.233 acres

LOT 6
10,305 sq.ft.
0.234 acres

LOT 5
10,350 sq.ft.
0.235 acres

LOT 4
10,395 sq.ft.
0.236 acres

LOT 3
10,440 sq.ft.
0.237 acres

LOT 2
10,485 sq.ft.
0.238 acres

LOT 1
10,530 sq.ft.
0.239 acres

LOT 21
10,575 sq.ft.
0.240 acres

LOT 20
10,620 sq.ft.
0.241 acres

LOT 19
10,665 sq.ft.
0.242 acres

LOT 18
10,710 sq.ft.
0.243 acres

LOT 17
10,755 sq.ft.
0.244 acres

LOT 16
10,800 sq.ft.
0.245 acres

LOT 15
10,845 sq.ft.
0.246 acres

LOT 14
10,890 sq.ft.
0.247 acres

LOT 13
10,935 sq.ft.
0.248 acres

LOT 12
10,980 sq.ft.
0.249 acres

LOT 11
11,025 sq.ft.
0.250 acres

LOT 10
11,070 sq.ft.
0.251 acres

LOT 9
11,115 sq.ft.
0.252 acres

LOT 8
11,160 sq.ft.
0.253 acres

LOT 7
11,205 sq.ft.
0.254 acres

LOT 6
11,250 sq.ft.
0.255 acres

LOT 5
11,295 sq.ft.
0.256 acres

LOT 4
11,340 sq.ft.
0.257 acres

LOT 3
11,385 sq.ft.
0.258 acres

LOT 2
11,430 sq.ft.
0.259 acres

LOT 1
11,475 sq.ft.
0.260 acres

LOT 21
11,520 sq.ft.
0.261 acres

LOT 20
11,565 sq.ft.
0.262 acres

LOT 19
11,610 sq.ft.
0.263 acres

LOT 18
11,655 sq.ft.
0.264 acres

LOT 17
11,700 sq.ft.
0.265 acres

LOT 16
11,745 sq.ft.
0.266 acres

LOT 15
11,790 sq.ft.
0.267 acres

LOT 14
11,835 sq.ft.
0.268 acres

LOT 13
11,880 sq.ft.
0.269 acres

LOT 12
11,925 sq.ft.
0.270 acres

LOT 11
11,970 sq.ft.
0.271 acres

LOT 10
12,015 sq.ft.
0.272 acres

LOT 9
12,060 sq.ft.
0.273 acres

LOT 8
12,105 sq.ft.
0.274 acres

LOT 7
12,150 sq.ft.
0.275 acres

LOT 6
12,195 sq.ft.
0.276 acres

LOT 5
12,240 sq.ft.
0.277 acres

LOT 4
12,285 sq.ft.
0.278 acres

LOT 3
12,330 sq.ft.
0.279 acres

LOT 2
12,375 sq.ft.
0.280 acres

LOT 1
12,420 sq.ft.
0.281 acres

LOT 21
12,465 sq.ft.
0.282 acres

LOT 20
12,510 sq.ft.
0.283 acres

LOT 19
12,555 sq.ft.
0.284 acres

LOT 18
12,600 sq.ft.
0.285 acres

LOT 17
12,645 sq.ft.
0.286 acres

LOT 16
12,690 sq.ft.
0.287 acres

LOT 15
12,735 sq.ft.
0.288 acres

LOT 14
12,780 sq.ft.
0.289 acres

LOT 13
12,825 sq.ft.
0.290 acres

LOT 12
12,870 sq.ft.
0.291 acres

LOT 11
12,915 sq.ft.
0.292 acres

LOT 10
12,960 sq.ft.
0.293 acres

LOT 9
13,005 sq.ft.
0.294 acres

LOT 8
13,050 sq.ft.
0.295 acres

LOT 7
13,095 sq.ft.
0.296 acres

LOT 6
13,140 sq.ft.
0.297 acres

LOT 5
13,185 sq.ft.
0.298 acres

LOT 4
13,230 sq.ft.
0.299 acres

LOT 3
13,275 sq.ft.
0.300 acres

LOT 2
13,320 sq.ft.
0.301 acres

LOT 1
13,365 sq.ft.
0.302 acres

LOT 21
13,410 sq.ft.
0.303 acres

LOT 20
13,455 sq.ft.
0.304 acres

LOT 19
13,500 sq.ft.
0.305 acres

LOT 18
13,545 sq.ft.
0.306 acres

LOT 17
13,590 sq.ft.
0.307 acres

LOT 16
13,635 sq.ft.
0.308 acres

LOT 15
13,680 sq.ft.
0.309 acres

LOT 14
13,725 sq.ft.
0.310 acres

LOT 13
13,770 sq.ft.
0.311 acres

LOT 12
13,815 sq.ft.
0.312 acres

LOT 11
13,860 sq.ft.
0.313 acres

LOT 10
13,905 sq.ft.
0.314 acres

LOT 9
13,950 sq.ft.
0.315 acres

LOT 8
13,995 sq.ft.
0.316 acres

LOT 7
14,040 sq.ft.
0.317 acres

LOT 6
14,085 sq.ft.
0.318 acres

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

October 24, 2019

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

Staff Present: Zoning Administrator Lyle Gibson, Kaysville City Attorney Nic Mills, Dan Jessop, Heather Nielsen.

Others Present: Kaysville City Councilman Larry Page, Dustin Parke, Kaitlin Parke, Ron Titus, Chase Titus, Dale Maxfield, Becky Needham, Marilyn Killpack, Brian Bolinder, Jared Schmidt, Spencer Prince, Bobbie Jo Flint, Andre Lortz, Doug Farr, Richard Ensign, Norm Whitaker, Jil Laumuh, Brian Perry, Rodney Hill, Andy Thompson, Lauren Johnson, Mitch Lillywite, Rod Hill.

OPENING

The Planning Commission meeting was held on Thursday, October 24, 2019 at 7:00 p.m. in the Kaysville City Fire Station building. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present and asked if there could be a change in the agenda order. They wanted to change the order of items numbered 5 and 6. Steve Lyon made a motion to approve the agenda change. Josh Sundloff seconded the motion and it passed unanimously.

The minutes of the October 10, 2019 were presented for approval. Steve Lyon made a motion to approve the meeting minutes from the October 10, 2019 meeting. Quan Nguyen seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A TWO FAMILY DWELLING AT 188 NORTH 650 EAST FOR DUSTIN PARKE (TABLED ITEM).

Dan Jessop explained that this was the tabled item where the applicant is requesting approval to build a new two-family dwelling at the proposed address. The property which is at the corner of 650 East Street and 200 North has an existing home which faces 650 East. The applicant is looking to remodel the home to add a unit in the basement.

In the R-1-8 zoning district, a single-family dwelling is a use by right, however a two-family dwelling is allowed only by conditional use according to KCC 17-12-4 (9). Specifically this section allows two-family dwellings by conditional use as follows: 'Not more than two duplexes (4 units) may be allowed within 500 feet of any duplex (2 units). The 500 feet shall be measured in a straight line from the center of a duplex site to the boundary of any other duplex or twin home property.'

Staff has reviewed the 500 foot radius from the center of the duplex site and has identified 2 duplexes (4 units) within the 500 foot radius. It is staff's interpretation of this ordinance that this property is eligible for consideration of the conditional use permit based on this finding.

The applicant has provided plans indicating the interest in creating an access via a staircase on the east side of the property to a basement unit of about 960 sq. ft. The applicant is proposing to pour a new driveway on the north side of the property to accommodate parking to the new unit.

Staff is recommending approval of the proposed two-family dwelling with the following conditions:

- Parking be provided at a minimum of 2 parking stalls per unit in accordance with KCC 17-32-5, Number of Parking Spaces Required.
- The driveway approach can be no closer than 20 feet to the point where the property lines would intersect at 650 East and 200 North Street per ordinance 17-32-2, Off-Street Parking.

Should the planning commission determine to approve the proposed conditional use permit. It will be necessary for the applicant to pursue a building permit to bring the structure in compliance with applicable building code for a two-family dwelling and pay the appropriate impact fees for the new unit.

Chairperson Wilf Sommerkorn invited Dustin Parke to the stand. He explained that his basement was unfinished and he would like to build another family dwelling containing a walk out basement. He would make the basement apartment accessible by building a new separate driveway.

Chairperson Wilf Somerkorn told the audience members that the Planning Commission would take a few minutes to hear from them.

Ron Titus said he felt that the city street and cul-de-sac is too narrow to add another driveway. He said you wouldn't be able to turn left into the driveway. You would have to back up and make a turnabout creating a big traffic problem.

Mary Jensen said that she lives by the house and sees no issue with them adding a two-family dwelling.

Mitch Lillywite also approves of what they purpose to do.

Marilyn Killpack said the planning commission is only looking at two standards instead of the 12 required by the state to be meet. She said this was a big deal in the neighborhood and they don't want renters. She feels that renters increase crime and create problems.

Katlyn Parke, wife of the applicant said that they would not allow anyone to rent if they are not safe. They also have in-laws living around the corner that can keep an eye on the home if they decide to move and rent both portions of the home out.

Chairperson Wilf Sommerkorn asked Lyle Gibson about the Utah standards and if they are being met. Lyle Gibson said yes, all the standards were being met and there is little change happening to the building.

Vice Chairperson Josh Sundloff asked if the driveway meets the site triangle requirements. Lyle Gibson said yes it meets the site triangle requirements.

Vice Chairperson Josh Sundloff asked where new tenants would park. He would like a condition added to the property only allowing cars to park in the new driveway. He would also like to see the driveway extend to the back of the house.

Joshua Sundloff made a motion to grant a conditional use permit for a Two-Family dwelling at 188 North 650 East for Dustin Park with the following conditions:

- Driveway has to come all the way to the back part of the home on the North side.
- 10 foot wide concrete driveway for egress and ingress and parking.
- No parking in the site triangle. This must be policed by the owners.

Steve Lyon seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY/ FINAL PLAT APPROVAL FOR THE REESE SUBDIVISION AT 10 SOUTH 100 WEST FOR LANCE AND NANCY REESE.

Dan Jessop said that the property is located at 10 South 100 West and is zoned R-T. Currently the lot is 30,492 square feet in size. The applicants Mr. and Mrs. Reese are anticipating creating a new lot of 10,744 square feet with a frontage of 70 feet. This will leave the existing home on a 19,832 square feet lot. The new lot proposed will be facing 100 West. Both existing and new proposed lot will meet frontage and square footage requirement for existing R-T zoning.

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

Staff recommends that the Planning Commission also approve the final plat for the Reese Subdivision subject to receiving preliminary plat approval by the City Council.

Chairperson Wilf Sommerkorn opened the public hearing. No comments were presented so he closed the public hearing.

Quan Nguyen made a motion to approve the preliminary plat at 10 South 100 West for Lance and Nancy Reese. Steve Lyon seconded the motion and it was passed unanimously.

Steve Lyon made a motion to approve the final plat contingent to approval from the city council at 10 South 100 West for Lance and Nancy Reese. Quan Nguyen seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR THE PRESERVE PHASE 2 SUBDIVISION AT APPROXIMATELY 150 SOUTH ANGEL STREET FOR SYMPHONY HOMES.

Lyle Gibson said that Symphony Homes is looking to begin development of the second phase of the Preserve Subdivision. This phase consists of 25 lots, Parcel A which is a common area. The

subdivision will continue the development of Pheasant Meadow Drive, and makes the second connection into the subdivision at Whispering Meadow Lane. The subdivision is a standard subdivision within the R-1-LD zone.

This phase complies with the preliminary plat and other applicable requirements and therefore, Staff suggests that the Planning Commission approve the final plat for The Preserve Subdivision Phase 2.

Chairperson Wilf Sommerkorn invited the applicant to the stand. Jared Schmidt came up and said that they pride themselves on producing a nice product and feel that this development meets all standards.

Toby Barrus made a motion to approve the final plat for the Preserve Phase 2 subdivision at approximately 150 South Angel Street for Symphony Homes. Quan Nguyen seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR WHISPER HOLLOW SUBDIVISION AT 650 EAST 100 NORTH FOR SPENCER PRINCE.

Lyle Gibson explained that the Planning Commission tabled this item at their most recent meeting requesting information to address 2 remaining items:

- An explanation be provided to clarify whether or detention was ever required for a 100-year storm event.
- The city's reviewing engineer firm provide a letter stating their findings in regard to the storm water design.

This project received preliminary plat approval from the City Council in June of 2017. The project was further reviewed and received a final plat approval from the Kaysville City Council in December of 2017 but has been on hold due to litigation. Minutes from those meetings have been provided for the commission's review.

The plat consists of 5 new lots on a private street with a separate piece of property labeled parcel 1 which exists to provide access together with the necessary easements for utilities to the property to the east. The lots range in size from 9,491 sq. ft. to 11,269 sq. ft.

The applicant has since been working to address the items of concern from the concerned parties and has resubmitted a final plat application to the city with updated subdivision design details for review. The Preliminary Plat approval on hand asked that the following items be addressed in the review of the final plat:

1. Before requesting final plat approval, access to the Briggs property be resolved.
2. Storm water problems be addressed.
3. Privacy concerns be addressed along the western property line.
4. Work with staff to determine if a geotechnical report is needed.

5. Lot 6 not be included in the PRUD overlay.

The above listed items have been addressed to the satisfaction of city staff and applicable reviewing entities. The re-engineered subdivision while similar in layout to the preliminary, and very similar to the original proposed final plat, has provided a 36' wide parcel that is wide enough to provide access for a double flag lot development on the Briggs property. Enhanced storm water retention has been engineered to address storm water concerns. In addition to a configuration where homes are on the opposite side of the road from the western property line, the developer has proposed a vinyl fence and trees on the west side of the road to act as a screen in order to address privacy concerns. In regards to the last item, staff has received and reviewed a geotechnical investigation report addressing the hydrology concerns in the area. Pursuant to prior practice in preparing Staff Reports, the construction/engineered drawings and geotechnical report are not included with this report but were reviewed by staff and are available for review.

The subdivision plat is consistent with the approved preliminary plat and meets the requirements of the underlying zoning for the property.

Staff is satisfied that this project meets the applicable requirements including the conditions placed by the Planning Commission at preliminary approval. The Planning Commission should review the proposed plat and assure that these conditions have been adequately met from their prospective. Staff recommends findings of fact and conclusions of law similar to those provided herein be made by the Planning Commission, which can be revised to identify the action taken by the Planning Commission.

Lyle Gibson said that Andy Thompson the old Kaysville City engineer was presents for more clarification along with others from Hights Creek irrigation and lawyers.

Doug Farr, the Attorney for the Tice and Taylor families stood and said that their main concern is about water and flooding. This case has been involved in litigation because his clients had received information stating that the development should be developed to handle a 100 year storm event however, they are only meeting the requirements for a 10 year storm. Mr. Farr asked why the change when there have been problems with this property and water before.

Vice Chairperson Joshua Sundloff asked Mr. Farr how the 100 year storm event requirement was conveyed. Was it written or verbal? Mr. Farr said that his clients had a conversation with Mr. Andy Thompson regarding the study done by GeoStrata and in that report it says the cities engineer is requiring a 100 year storm event. It was never written down or voted upon just verbally understood.

Cam Preston with Ensign Engineering stood and explained that his third party findings are included within the packet that was posted online. Mr. Preston said that his main concern is drainage and the 20 acres of property which serves as drainage property for Hights Creek irrigation. There has been nothing addressed on the Hights Creek reservoir portion that creates pressure for secondary water. He stated that every time it rains Kaysville City Public Works is cleaning out the grate making sure that water is properly flowing through. This grate is located where property lot 1 will be. How will the city access this grate?

Vice Chairperson Josh Sundloff asked what Mr. Preston what he would propose to address the water flow from Hights creek. Mr. Preston said that they need to address how much water is draining into the Hights creek reservoir and how do they currently operate their reservoir.

Rod Hill from Hights Creek Irrigation stood and said that they are not in charge of the following issues.

1. Hights Creek is not in charge of or owners of the storm drain system. They are just users of it.
2. At this time Hights Creek is not in agreement with this plat plan. We have not signed off on anything at this time.

Vice Chairperson Joshua Sundloff asked Mr. Hill what their obligations is to the 100 year storm and the reservoir. Mr. Hill said his obligation is to make sure that the damn does not erode and that the roads are kept clear, everything else is maintained by Kaysville City.

Vice Chairperson Josh Sundloff asked Mr. Hill if there was a 100 year storm and the reservoir is at capacity what would you do, what is your obligation. Mr. Hill said they would release the water and wherever it goes it goes. They do not have an obligation to keep the water in the channel. He will release it into the storm drain system and if it cannot handle it, then that is the fault of the engineers. He is only responsible to not breach the dam.

Andy Thompson, the former Kaysville City engineer approached the stand. The Planning Commissioners asked why he gave a recommendation for a 100 year storm event plan. Mr. Thompson said he did give the developers a recommendation to design a 100 year storm drain event, however the cities engineer does not have the ability to override the city's requirement of only requiring a 10 year storm event. The developer did make their best effort to meet the 100 year storm event however, they were not able to do that.

Vice Chairperson Joshua Sundloff asked if it was open channel from the base of Hights Creek to the grate. Mr. Thompson said there is a pipe, but for the most part it is open. Vice Chairperson Joshua Sundloff asked if all of the surface area of the open channel would be deposited onto that property. Mr. Thompson said yes in that channel. Vice Chairperson Joshua Sundloff said they need to design the inlet to accommodate all of that water.

Tobby Barrus asked Mr. Thompson if in his opinion is the design better than what they had designed before. Mr. Thompson said yes.

Craig Larsen one of the developers for Whisper Hollow said that they meet more than what the city requires with the 10 year storm event. Mr. Larsen said that there are nine acres of land that the water can drain into. The area that they have taken into account for their study is 21 acres. The area of Hights Creek that could drain into their system is half of what they are accounting for.

Mr. Larsen said cleaning out the grate is easy. They will provide access if the people need to

clean out the grate. They can also build a berm for water to flow into their system.

Vice Chairperson Joshua Sundloff said he feels that there is more to the storm water issue that should be addresses. He would like to see a 100 year storm event design but since there is nothing in writing requiring it he feels that this is a good balance.

Mr. Briggs wanted to make sure that the easement is in place to access his property. The lawyers for the Whisper Hollow subdivision said that once this plat is recorded he will receive that in writing.

Vice Chairperson Joshua Sundloff made a motion to grant final plat approval for meeting all five of the requirements and adopting the purposed fact and findings and conclusion of law as indicated in the packet. If there are any changes then they should change them in writing. Toby Barrus seconded the motion and it passed unanimously.

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 by December 21, 2019. He would like to have a recommendation from this meeting to forward to the city council.

Chairperson Wilf Sommerkorn opened the floor for the public to provide input.

Richard Ensign from west Kaysville said that he does not like a blanket increase in zoning. He said that increasing density does not make houses cheaper. He mentioned the Hill Farms development and how those homes are on smaller lots yet sell for more money than houses on the east side of Kaysville.

Vice Chairperson Joshua Sundloff asked Mr. Ensign where he would like to see increased density. Mr. Ensign said that he would like to keep it in commercial areas. To have multi housing options there.

Tom Larsen approached and said Kaysville City is the only area he knows of that has an east and west side. Where homes on the west side are on smaller lots and more expensive than the east. He said that the density is already too much. We don't need to make drastic changes.

Andy Thompson said he does not want higher density/mixed use in commercial zones. He felt that Kaysville City needs to hold onto these areas. Mixed use is not the place there. The city needs to be careful or all commercial land will turn into housing. He proposed that high density housing needs to be distributed throughout the city. It can't just be in one area.

Vice Chairperson Joshua Sundloff thanked those that spoke. He said they like to obtain input on these items. He suggested posting the agenda on Facebook instead of having just a link. That way more people will see what is in it.

Vice Chairperson Joshua Sundloff made a motion to forward to the city council the Kaysville City general plan with the following conditions:

- Refine numbers to city council.
- Number of units per acer language and allowing more leeway for layout of a property.
- Take out residential and multifamily dwellings within commercial.
- More qualifiers where higher density can go.
- Strengthen the language and make it broader.

Steve Lyon seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, November 14, 2019.

ADJOURNMENT

Steve Lyon made a motion to adjourn the meeting. Chairperson Wilf Sommerkorn seconded the motion and it passed unanimously. The meeting adjourned at 10:20 p.m.