

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

December 12, 2019

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

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

Others Present: City Councilman Larry Page, Dave Morton, Keaton Morton, Damen Day, Randy Douglas, Matt Gertge, Steve Talbot, Elaine Talbot, Steve Ott, Jan Ott, Barbara Sims, Ann Barley, Dan Burton, Adam Hughes, Steve Einfeldt, Pam Horfet, Phil Holland, Rose Coleman, Temisha Coleman.

OPENING

The Planning Commission meeting was held on Thursday, December 12, 2019 at 7:00 p.m. in the Kaysville Fire Station Building. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present.

The minutes of the November 14, 2019 meeting were presented for approval. Steve Lyon made a motion to approve the minutes. Toby Barrus seconded the motion and it passed unanimously.

PUBLIC HEARING FOR THE REZONE OF 1.64 ACRES OF PROPERTY AT 37 SOUTH ANGEL STREET FROM A-1 (LIGHT AGRICULTURE) TO THE R-1-14 (SINGLE FAMILY DWELLING) ZONING DISTRICT TO INCLUDE THE PRUD OVERLAY ZONE FOR STEVEN AND SHERRILEE EINFELDT.

Dan Jessop explained that Mr. Steve and Sherrilee Einfeldt are seeking a rezone at the subject property to accommodate future residential development. The existing zoning district permits agriculture and a single family dwellings.

The property abutting to the north is a 1.8 acre parcel zoned l A-1. The properties abutting along Angel Street to the south and extending east along the south property line are zoned R-1-20 with a 5.9 acres residential parcel zoned R-A to the east. The R-1-14 zone being applied for will allow for single family dwellings on 14,000 square foot lots.

The proposed zoning would allow for as many as 5 total units on the property. The applicant has provided a concept plan showing a private street subdivision type development which is the reason for the PRUD overlay zone.

In consideration of the rezone the Planning Commission should consider how the use fits with the city's general plan and how it works at the specific location.

Should the private street subdivision development type be favorable, staff recommends that the PRUD overlay zone be subject to approval of a desirable final plat. Per 17-34-6 (3)

Vice Chairperson Josh Sundloff asked if the subdivision was too close to the road. Lyle Gibson said that the buildings are 20 ft. from the road providing enough space per Kaysville City ordinance from the street to the garage door, and staff is not concerned with the proximity of the drive access to other intersections.

Wilf Sommerkorn asked about a PRUD; is it needed? Lyle Gibson said yes. The private street type development is required for this subdivision concept to be approved.

Vice Chairperson Josh Sundloff made a motion to recommend approval to the City Council the rezone of 1.64 acres of property at 37 South Angel Street from A-1 (Light Agriculture) to the R-1-14 (Single Family Dwelling) zoning district to include the PRUD overlay zone subject to final plat approval. Tammy Tran seconded the motion and it passed unanimously.

PUBLIC HEARING FOR THE REZONE OF 23.3 ACRES OF PROPERTY AT 1300 EAST 1084 NORTH FROM A-1 (LIGHT AGRICULTURE) TO THE R-1-8 (RESIDENTIAL SINGLE FAMILY DISTRICT) FOR THE DAVE AND KEATON MORTON DEVELOPMENT GROUP.

Dan Jessop explained that Dave and Keaton Morton with Morton Development are seeking a rezone at the subject property to accommodate future residential development.

The existing zoning is A-1 Light Agriculture district, which allows for 1 residential unit per acre. The abutting property to the north is an R-1-10 Residential property, and the property to the south, and east is 140 acres of the Kaysville Wilderness Park zoned PU (Public Use).

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

Lyle Gibson explained that there is an aqueduct running through the property so the developers have worked closely with US Government and the Weber Basin Water district on how to design this property. They have also worked with UDOT and Kaysville City Staff because the property is adjacent to the new Highway 89 project.

Chairperson Wilf Sommerkorn invited the developer Dave Morton to the stand. Mr. Morton stated that in addition to the aqueduct at the back of the property there are also power lines that can't be moved. That is why they are requesting a rezone of an R-1-8 because they have to build around things.

In designing the subdivision they are planning on placing the larger lots on the side of the property closest to existing neighbors to serve as a buffer. They would put the smaller lots near the front of the development. One option they have considered is a gated community due to the

exclusive nature of the area. Mr. Morton stated that all the lots in this development would be designed to take advantage of the spectacular views.

Chairperson Wilf Sommerkorn opened the public hearing

Temisha Coleman asked how many lots would be in this subdivision. Mr. Morton responded 60. She said that 60 lots is too many especially with this being on a mountain side. Kaysville city should keep its open feel and we are losing that.

Chairperson Wilf Sommerkorn Closed the public hearing.

Vice Chairperson Josh Sundloff asked Lyle Gibson to load the map showing the area surrounding the proposed subdivision. He pointed out that many neighborhoods in the area are zoned R-1-8 so this request matches others nearby. Vice Chairperson Josh Sundloff asked Mr. Morton what type of houses they plan to build. Mr. Morton said that they plan on building two story, rambler, and ranch style. They would like a mix in the neighborhood.

Vice Chairperson Josh Sundloff asked how drivers will enter into the subdivision with the new highway project. Mr. Morton said from the North. They will make a bigger entry way into the subdivision to help buffer the neighbors to the north.

Jan Ott from the audience asked Chairperson Wilf Sommerkon if she could make a comment. She is concerned about the traffic that an additional 60 homes would add to the frontage road. How will they get out of the neighborhood with all the new cars being added? If every house has two cars, that is 120 new cars. The frontage road can't handle that much traffic.

Vice Chairperson Josh Sundloff said that neighbors need to take this issue up with the city council since they are the ones that make the final decision. This is a big concern and they will take everything into consideration.

Tammy Tran made a motion to recommend approval to City Council the rezone of 23.3 acres of property at 1300 East 1084 North from A-1 (Light Agriculture) to the R-1-8 (Single Family Dwelling) zoning district for the Dave and Keaton Morton Development Group. Steve Lyon seconded the motion and it passed unanimously.

CONDITIONAL USE FOR POLE HEIGHT OF 160 FT. WITH NETTING. THE SALE OF BEER FOR THE CONSUMPTION ON THE PREMISES, AND THE SALE OF LIQUOR FOR THE CONSUMPTION ON THE PREMISES LOCATED AT APPROXIMATELY 545 SOUTH DESERET DRIVE FOR BIGSHOTS REAL ESTATE.

Lyle Gibson explained that Randy Douglas with BIGSHOTS Real Estates is requesting a three part conditional use permit on behalf of Bigshots Golf. The applicant is anticipating a Golf recreation and entertainment facility, which includes a 160 ft. tall pole and net to contain the balls hit on the driving range, requiring a conditional use permit due to the exceeded height

over 35 ft. The entertainment facility is anticipating beer, and liquor sales with consumption on the premises requiring a conditional use permit for each type of beverage offered.

As part of the Utah Division of Alcohol and Beverage Control (UDABC) approval, Kaysville City must ensure that this location meets Utah 32B-1-202 regarding proximity restrictions. This code states that: "Restaurants may not be located within 300 feet of a community location measured by ordinary pedestrian travel, or 200 feet measured in a straight line." A "community location" is defined as a church, school, public park, public playground or library. Distances are measured from the nearest entrance of the proposed outlet to the property boundary of the community location. Staff has reviewed this location and has found that it does not violate the proximity restrictions. Prior to issuance of a business license, applicable permits from the UDABC must be obtained.

Finally, in addition to the conditional use approvals applicable to the proposed project, KCC 17-32-5 states that for golf courses and similar recreation activities the parking requirement shall be determined by the Planning Commission. The applicant is has provided a sample parking requirement from their other facility located in Utah which has 42 bays. The Kaysville location would be slightly larger with 54 bays and with a similar comparison would require 182 stalls. This is a ratio of 1 stall per bay, and roughly 10 stalls for every 1,000 sq. ft. of restaurant area.

Staff recommends approval of the proposed conditional use for a fence pole greater than 35 feet in height subject to the following conditions:

- Poles shall not exceed 160 feet in height.
- The poles shall be a color that a white or gray such that it matches the color of the nearby power transmission poles.
- Netting shall similarly be of a similar color so as to reduce its visibility and visual impact.

Staff recommends approval for sale of beer for consumption on premises. Staff also recommends approval for sale of liquor for consumption on premises.

Staff recommends that parking be approved as follows:

In accordance with KCC 17-32-5

- 1 stall for every 4 seats in the designated restaurant area.
- 1 stall for every 5 seats of event room seating
- 3.5 stalls per every 1,000 sq. ft. of office

And

- 1 stall for each golf bay.

Chairperson Wilf Sommerkorn invited Randy Douglas from BigShots to the stand. Mr. Douglas explained that this is a popular sport and similar to the concept of Top Golf in Utah, however they feel that they have a better product because their system uses Doppler radar which provides golfers with better results. Mr. Douglas explained that this type of long range golfing is a social event where people can have fun. Most people that attend their facilities are not golfers and all ages can participate.

They are proposing to build at least 44 golfing bays and 3 large meeting/conference rooms that they will have available for rent.

They plan on installing several poles up to 160 ft. in height with a black netting that blends in. There will be no lights installed on the poles so it won't affect drivers on the freeway. They will also add 200 parking stalls.

Tammy Tran asked when they plan to start building? Mr. Douglas said as soon as the purchase agreement is finalized and weather permits.

Chairperson Wilf Sommerkorn asked the commissioners if there were concerns with the beer and alcohol permit. Tammy Tran said no. There are business here in Kaysville City that have liquor licenses.

Vice Chairperson Josh Sundloff made a motion to grant a conditional use permit for the 160 ft. pole height with colors compatible to adjacent power lines and netting being the color black or similar to color of Top Golf's netting.

Vice Chairperson Josh Sundloff made a motion to grant a conditional use permit for the consumption of beer to be consumed on the premises.

Vice Chairperson Josh Sundloff made a motion to grant a conditional use permit for the consumption of liquor to be consumed on the premises.

Vice Chairperson Josh Sundloff made a favorable motion to accept staff's parking requirement recommendation.

Quan Nguyen seconded the motion and it passed unanimously.

**FINAL PLAT APPROVAL FOR THE VILLAS AT GREEN MANOR SUBDIVISION
(PREVIOUSLY REVIEWED AS GREEN MEADOWS) AT 1576 WEST 200 NORTH
FOR PHIL HOLLAND.**

Dan Jessop explained that the subject property was recently rezoned for the purpose of this subdivision and received preliminary plat approval from the city council on October 3, 2019. The subdivision consists of 21 lots for single family detached homes.

Since that approval the applicant has provided engineering details that have been reviewed and found acceptable by the applicable reviewing entities.

The subdivision plat is consistent with the development agreement and approved preliminary plat.

Chairperson Wilf Sommerkorn asked Mr. Holland if he wanted to add any comments. Mr. Holland declined.

Steve Lyon made a motion to approve the final plat for The Villas at Green Manor at 1576 West 200 North for Phil Holland. Toby Barrus seconded the motion and it was unanimously approved.

CALL TO THE PUBLIC

Nothing was brought forward to the commission.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, January 9, 2020. The meeting scheduled for December 26, 2019 will be canceled due to the holiday.

ADJOURNMENT

Chairperson Wilf Sommerkorn made a motion to adjourn the meeting. Steve Lyon seconded the motion and it passed unanimously. The meeting adjourned at 9:00 p.m.