

KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, January 9, 2020 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 December 12, 2019 meeting.
2. Conditional use permit for a major home occupation "B" for group singing lessons at 1539 South 650 East for Jill Branch.
3. Conditional use permit for a Public Utility Substation located at 711 North Fairfield for Davis and Weber County Canal Company.
4. Public hearing for preliminary and final plat approval for a Public Utility Substation located at the southwest corner of Boynton and Fairfield road for the Boynton Corner Subdivision and Davis and Weber County Canal Company.
5. Public hearing for the rezone of 1.5 acres of property located at 191 South Flint Street from an R-1-20 (Single Family Dwelling) to an R-1-10 (Single Family Dwelling) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for Phil Holland.
6. Public hearing and preliminary plat approval for the Elms on Flint Subdivision located at 191 South Flint Street for Phill Holland.
7. Public hearing and preliminary plat approval for the Deseret Landing Subdivision approximately located at 700 South Deseret Drive for Phil Holland.
8. Final plat approval for the Island View Townhomes located at 750 East 250 South for Advanced Solutions Group.
9. Variance request for the side yard setback requirement (17-12-6) on a corner lot at 780 East 1475 South for Bryce Huff (tabled item).
10. Call to the public.
11. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
12. 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, January 3, 2020.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional use permit for a Major Home Occupation 'B', Group Music Lessons.

January 9, 2020

Applicant/Owner: Jill Branch
Location: 1539 South 650 East
Zone: R-1-8 (Single Family Residential)

Description:

Jill Branch is looking to offer music lessons from her home at the above listed address. Individual music lessons fall under the category of 'Minor Home Occupation', but group music lessons require a major home occupation approval. She has taught music lessons before from her home in Idaho. She anticipates doing one group class once a week with no more than 15 children, but occasionally may have another class if demand requires for a total of 2 group sessions per week. Classes will be no more than 2 hours per session from 4pm to 6pm. The applicant's home is on a corner lot so frontage should be sufficient for scheduled pick-up and drop-off.

[KCC 17-26-4 \(12\) d.](#) states 'Organized classes (limits shall be placed on the number of students and/or the number of vehicles transporting students to prevent congestion.'

Staff has visited with the applicant and reviewed the restrictions of Title 17-26-4 Major Home Occupations B.

Recommendation:

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

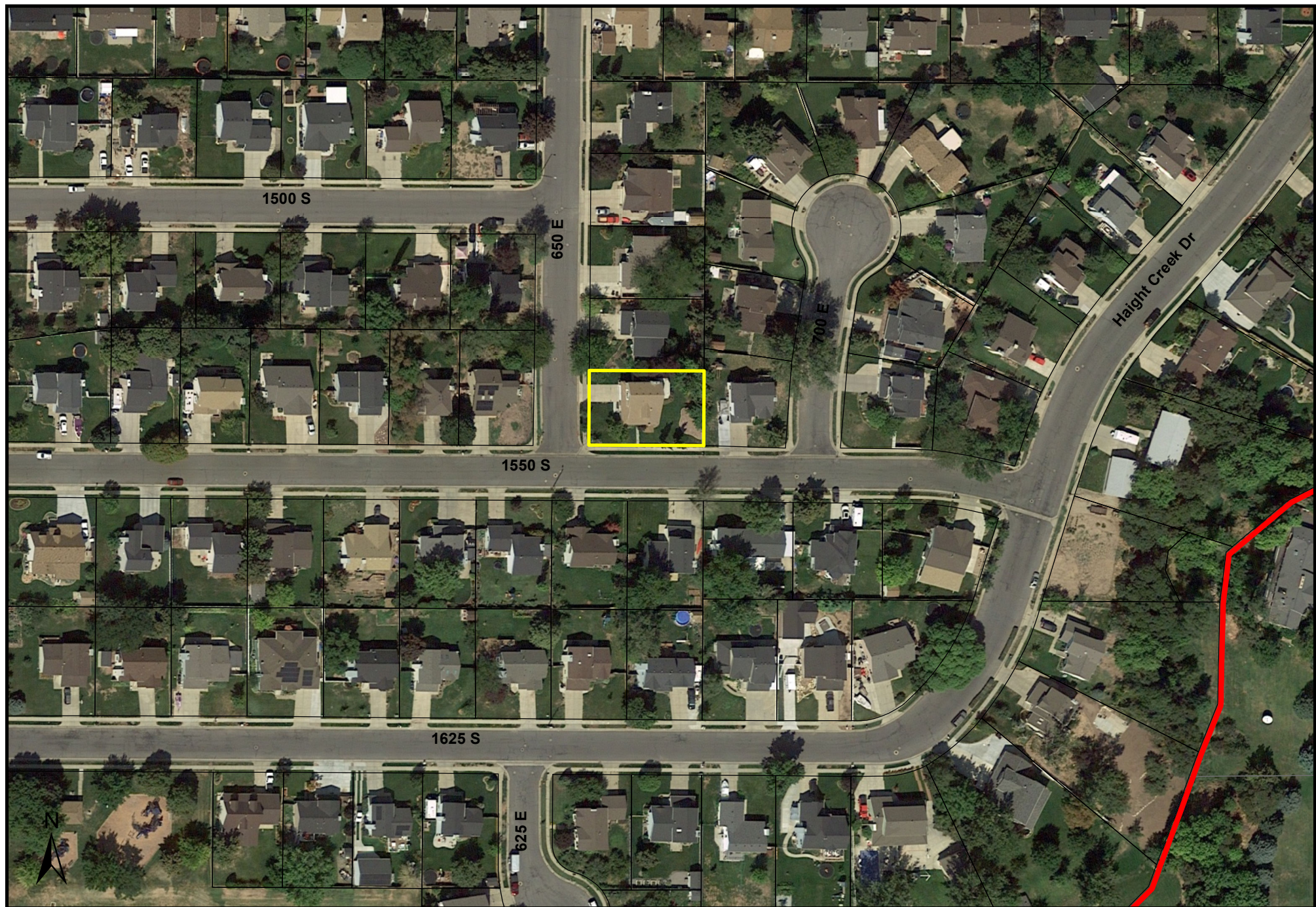
- The number of students be limited to no more than 15 students at any one time.

Reasoning:

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

Attachment 1: Area map

1539 South 650 East





Planning Commission Staff Report

Conditional use permit for a Public Utility Substation and preliminary and final plat for the Boynton Corner Subdivision.

January 9, 2020

Applicant/Owner: Rick Smith for Davis and Weber County Canal Company (DWCCC)
Location: 711 North Fairfield Road
Zone: R-A

Description:

The Davis and Weber County Canal Company is seeking approval for a lot split and a conditional use permit for a utility substation at the subject address. The existing lot is zoned R-A and is .82 acres or 35,207 sq. ft. in size. The subdivision proposal will keep a lot for the existing home on a parcel of 22,215 sq. ft. or 0.51 acres and a new lot with 12,871 sq. ft. or 0.30 acres for the substation. This complies with the size and frontage requirements for the lot which will maintain the home, and creates a lot that is smaller than the standard allowed of the R-A zone but complies with [KCC 17-31-15](#) which allows for deviation in typical lot requirements for public utility substations.

The applicant has provided plans for the secondary water pump station which indicates a pump house within a fenced area located 11 feet from the property line along Fairfield Road. The applicant has provided example photos of what the structure would look like based on other DWCCC properties. While they have indicated fencing, the planning commission should determine with the applicant what type of fencing is most appropriate considering the building that screens the pump equipment. The proposed side yard is less than the typical 20 ft. side yard against a public street which the Planning Commission has the ability to approve.

17-31-15 Public Utility Substations

Public utility substations shall be conditional uses in all R-Districts and shall be screened from neighboring uses with a masonry wall, solid board fence, or shrubbery as required by the Planning Commission. Public utility substations may be allowed with less than the required lot area, width and yards for the zone in which located.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a Public Utility Substation as proposed with additional clarification from the Planning Commission regarding the type of fencing that will be permitted.

Staff is also recommending approval of the preliminary and final plat for the Boynton Subdivision as proposed. The Planning Commission is tasked with making a recommendation regarding the preliminary plat to the City Council. The motion as it relates to the final plat shall be subject to a decision from the City Council to approve the preliminary plat.

Reasoning:

The proposed site plan can be approved per 17-31-15 and the subdivision plat meets all applicable ordinances and standards so long as the conditional use permit is approved for a public utility substation.

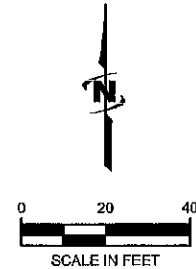
- Attachment 1: Location Map
- Attachment 2: Proposed Site Plan
- Attachment 3: Boynton Corner Subdivision Plat
- Attachment 4: Example substation photos.

711 North Fairfield Road

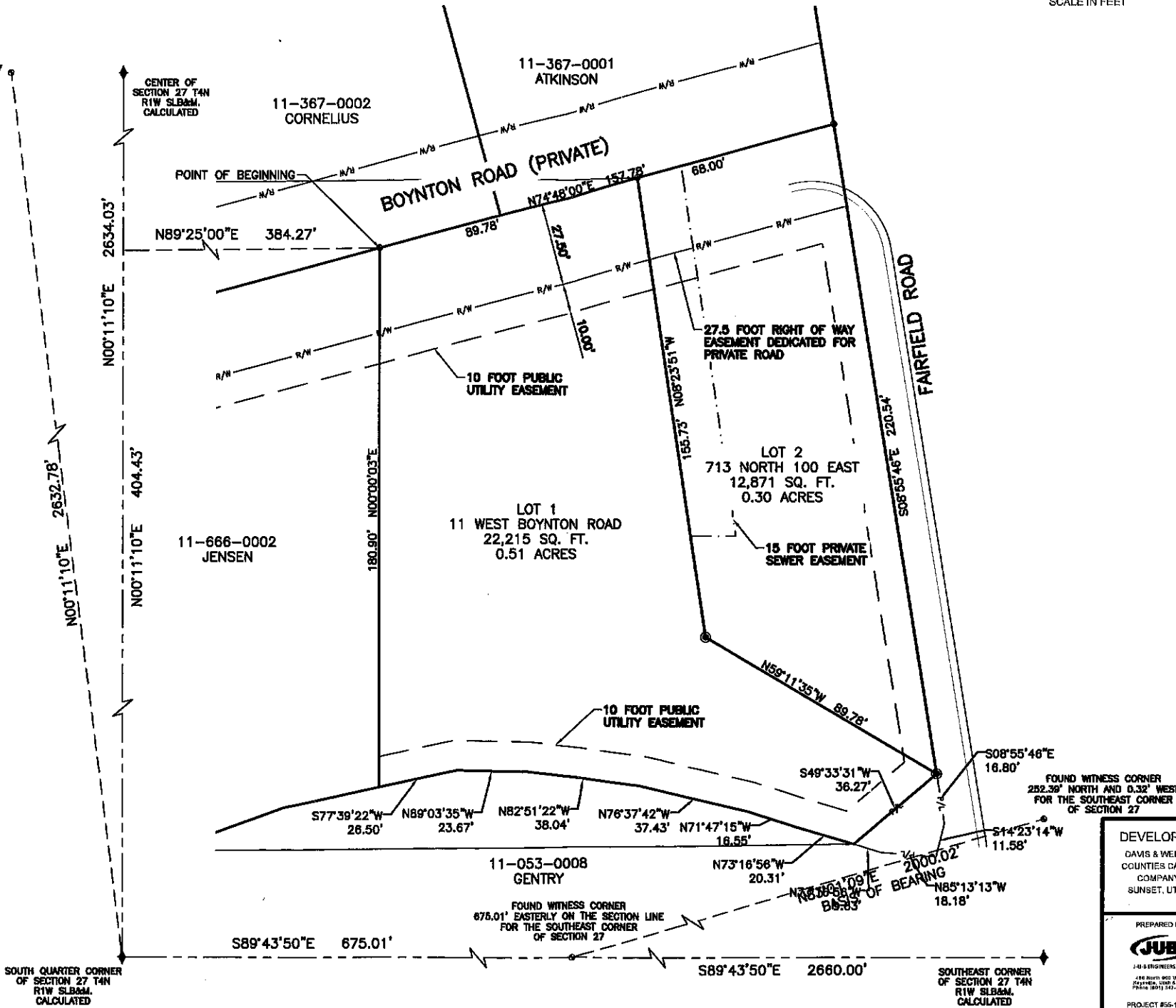


BOYNTON CORNER

AMENDING LOT 1, VAN DRIMMELEN SUBDIVISION
BEING PART OF THE SOUTHEAST 1/4 OF SECTION 27,
TOWNSHIP 4 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY UTAH
DECEMBER 2019



FOUND WITNESS CORNER
35.48' WEST AND 1.38' SOUTH
FOR THE CENTER OF SECTION 27



LEGEND:

- SECTION LINES
- 15 FOOT PRIVATE SEWER EASEMENT
- 10 FOOT PUBLIC UTILITY EASEMENT
- SET 6/8 X 24" REBAR AND JUB ENGINEERS INC CAP
- FOUND MONUMENT
- REFERENCE OR WITNESS MONUMENT
- SECTION CORNER
- NAIL IN ASPHALT

SURVEYOR'S CERTIFICATE

I DAVID D STRONG DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NO. 5331568 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, A SURVEY WAS MADE UNDER MY DIRECTION OF THE TRACT OF LAND SHOWN HEREON IN ACCORDANCE WITH SECTION 17-23-17. I HEREBY STATE THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

SIGNED THIS _____ DAY OF _____, 20____.

SIGNATURE

BOUNDARY DESCRIPTION:

A PART OF SECTION 27, T.4N., R.1W., S.1/4 & 8.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING N.00°35'00"W. 404.43 FEET AND N.89°25'00"E. 384.27 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 27; AND RUNNING THENCE N.74°48'00"E. 157.78 FEET TO THE WESTERLY RIGHT OF WAY LINE OF FAIRFIELD ROAD; THENCE S.06°56'48"E. 220.54 FEET ALONG SAID WESTERLY RIGHT OF WAY; THENCE S.49°33'31"W. 36.27 FEET; THENCE N.73°16'56"W. 20.31 FEET; THENCE N.71°47'15"W. 18.55 FEET; THENCE N.78°37'42"W. 37.43 FEET; THENCE N.82°51'22"W. 38.04 FEET; THENCE N.89°03'35"W. 23.67 FEET; THENCE S.77°39'22"W. 26.50 FEET TO THE EASTERLY BOUNDARY LINE OF LOT 2, VAN DRIMMELEN SUBDIVISION; THENCE N.00°00'03"E. 180.90 FEET ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING.

CONTAINING 35,086 SQUARE FEET MORE OR LESS.

OWNER'S CERTIFICATE OF DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO A LOTS AS SHOWN ON THIS PLAT, AND NAME SAID TRACT "BOYNTON CORNER" AND DO HEREBY GRANT A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREOF AS PUBLIC UTILITY AND DRAINAGE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS TO KAYSVILLE CITY, UTAH

SIGNED THIS _____ DAY OF _____, 20____, BY:

HATHAWAY, LAURA LEE - TRUSTEE DAVIS & WEBER COUNTIES CANAL COMPANY

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF DAVIS JSS
ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNERS OF THE ABOVE OWNERS DEDICATION _____ WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

RESIDING AT: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH

COMMISSION EXPIRES: _____ PRINT NAME

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF DAVIS JSS
ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNERS OF THE ABOVE OWNERS DEDICATION _____ WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

RESIDING AT: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH

COMMISSION EXPIRES: _____ PRINT NAME

DAVIS COUNTY RECORDER

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

DAVIS COUNTY RECORDER

CITY COUNCIL APPROVAL

PRESENT TO THE KAYSVILLE CITY COUNCIL THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED

MAYOR

CITY RECORDER

CITY ENGINEER

APPROVED THIS _____ DAY OF _____, 20____.

KAYSVILLE CITY ENGINEER

PLANNING AND ZONING COMMISSION

APPROVED THIS _____ DAY OF _____, 20____.
BY THE KAYSVILLE CITY PLANNING COMMISSION

CHAIRMAN

KAYSVILLE CITY ATTORNEY

APPROVED THIS _____ DAY OF _____, 20____.

KAYSVILLE CITY ATTORNEY

DEVELOPER

DAVIS & WEBER
COUNTIES CANAL
COMPANY
SUNSET, UTAH

PREPARED BY

JUB
JUB ENGINEERS, INC.
146 NORTH 400 STREET
SUNSET, UTAH 84501
PHONE (801) 347-0293

PROJECT #55-18-073
OCTOBER 2019









Planning Commission Staff Report

Public Hearing for the rezone of approximately 1.5 acres of property at 191 South Flint Street (shown on the included map) from the R-1-20 (Single Family Residential) to the R-1-10 (Single Family Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone.

Preliminary plat for the Elms on Flint Subdivision.

January 9, 2020

Applicant/Owner: Phil Holland (applicant) / Stephen and Ruth Ann Tarbet (owner)

Description:

The subject property was previously approved for a 3 lot private street subdivision in 2008 and began installation of improvements but was never completed and recorded. The original approval had been for 3 lots under an old cluster subdivision ordinance. The property has remained in its current state for nearly a decade with a berm and fencing along Flint Street and the private street.

The applicant is looking to utilize the existing private street and is proposing a 5 lot subdivision. To accommodate the number of proposed lots, the applicant is requesting a rezone to the R-1-10 zoning district which allows for lots as small as 10,000 sq. ft. in size. The requested PRUD overlay zone is necessary for a private street subdivision.

The property is surrounded by R-1-20 zoning on all sides and has frontage on Flint Street. As proposed, the rezone would allow in increase from 3 to 5 homes.

After holding a public hearing, the Planning Commission is tasked with making a recommendation to the City Council regarding the rezone request and the preliminary plat.

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.

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

Identity and Character:

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

Housing:

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

1. West of I-15, allow for similar housing densities in existing neighborhoods while considering medium density housing along the major streets and higher density housing near transit stops and arterial streets (200 North, Interstate 15, and the West Davis Corridor).

B. The majority of the housing should be single unit attached or detached. The City will seek to provide a variety of housing choices throughout the community including a means for allowing homes of a variety of sizes. 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.

Chapter 17-34 PRUD – Planned Residential Unit Development

17-34-1 Purpose

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

Should the Planning Commission find that the proposed development or something similar is desirable, they may request to see, or recommend that the council see a development agreement be put into place which would further refine any allowed variations from typical standards and could put specific parameters in place to ensure desirable development of the property.

Recommendation:

Rezone:

The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan and how well the proposal works at this specific location. If inclined to recommend the rezone request, the recommendation from the Planning Commission may at its discretion include considerations for a development agreement.

Staff recommends that final approval of the PRUD overlay zone be subject to approval of an acceptable final subdivision plat.

Preliminary Plat:

If the proposed zoning is recommended for approval, staff recommends that the Planning Commission forward a favorable recommendation of the preliminary plat to the City Council.

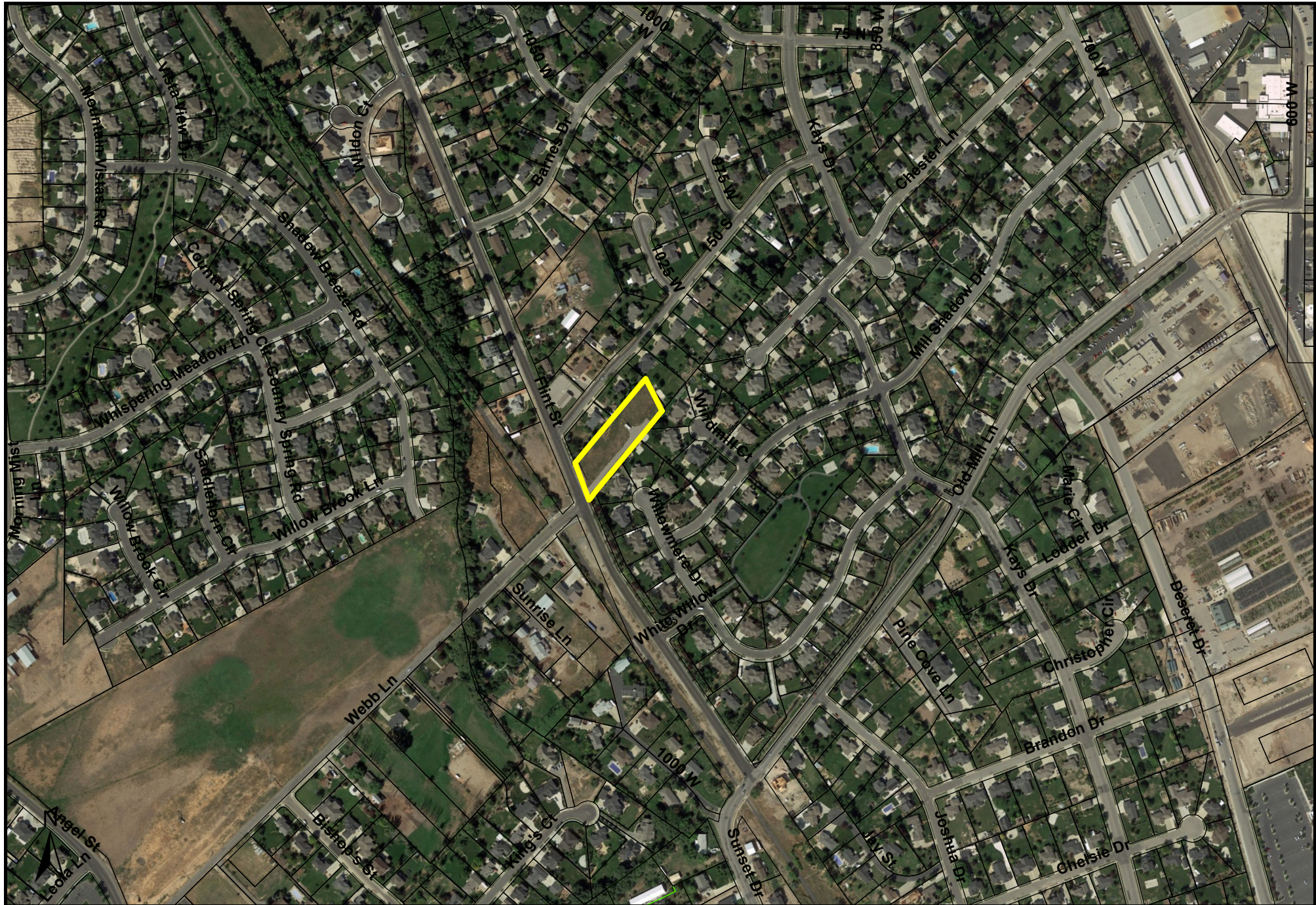
Reasoning: Staff has reviewed the proposed preliminary plat and finds that it meets applicable standards so long as it receives the requested zoning.

Attachment 1: Area Map

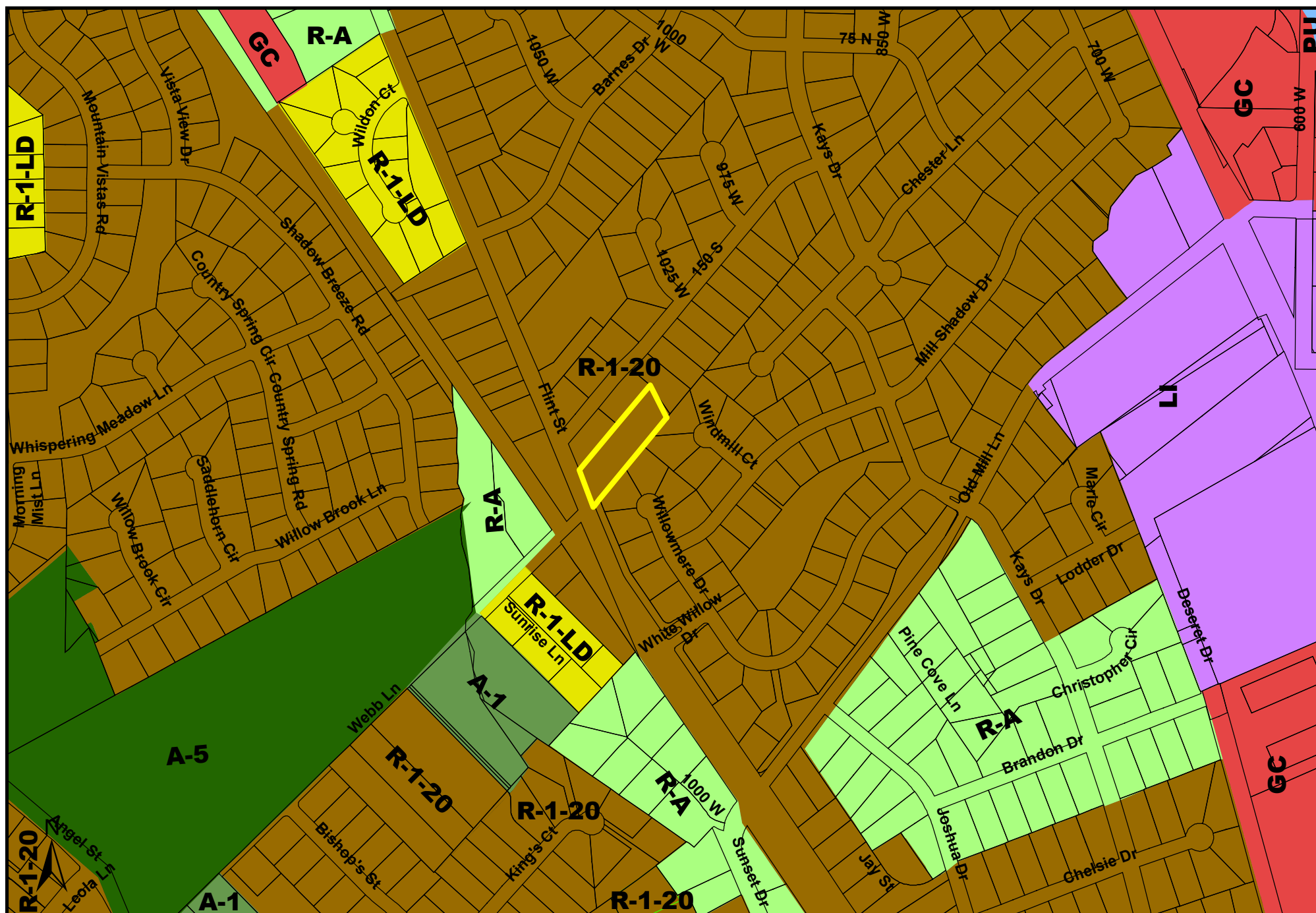
Attachment 2: Zoning Map

Attachment 3: Preliminary Plat

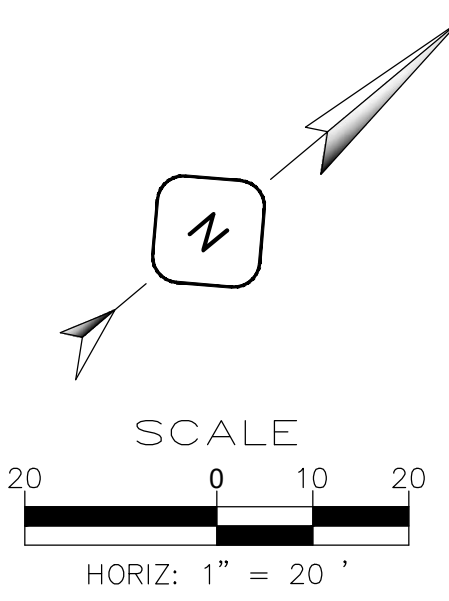
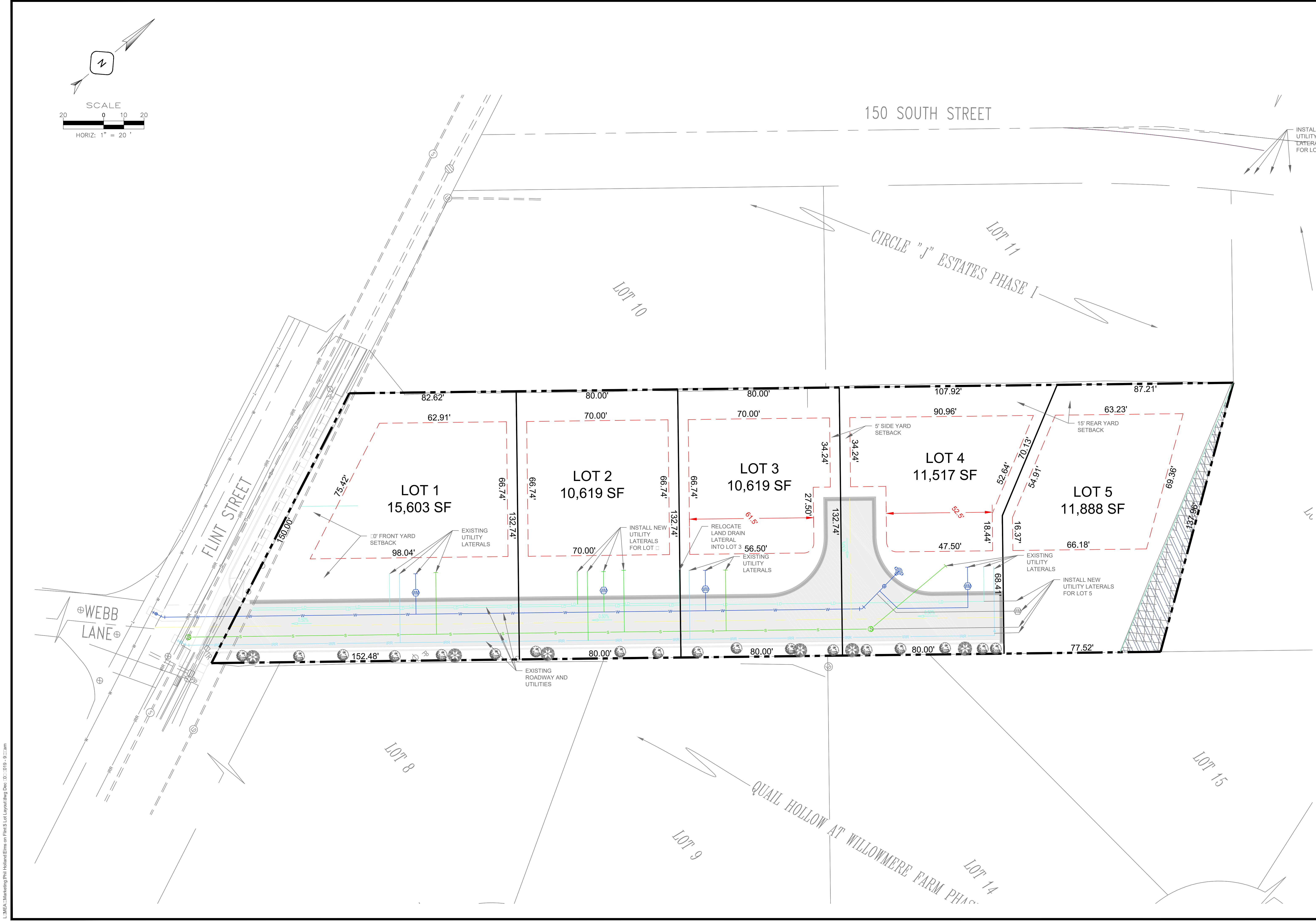
191 South Flint Street - Rezone from R-1-20 to R-1-10 PRUD



191 South Flint Street - Rezone from R-1-20 to R-1-10 PRUD



L:\MEA\Marketing\Phil Holland\Elms on Flint\5 Lot Layout.dwg Dec 10:10:19 - 5/11/2019



REVISION	
NO.	DATE
DRAWING IS NOT TO SCALE IF BAR DOES NOT MEASURE 1 INCH	

ELMS ON FLINT SUBDIVISION

5 LOT PRELIMINARY PLAN

KAYSVILLE CITY, DAVIS COUNTY, UTAH

Scott P. McFarland, PE
Professional Engineer
207 East 1350 South
Kaysville, Utah 84037
801.226.2797 (VO)
smpm@mea-inc.com

MEA
McFarland Engineering & Associates, Inc.

REGISTERED PROFESSIONAL ENGINEER
SCOTT P. MCFARLAND
No. 504870
STATE OF UTAH

DESIGN ☐ SPM
DRAWN ☐ SPM
CHECKED ☐ SPM
DATE ☐ 12-5-19

SHEET:

C1



Planning Commission Staff Report

Deseret Landing Subdivision Preliminary Plat Approval January 09, 2020

Applicant/Owner: Phil Holland
Location: Approximately 700 South Angel Street
Zone: LI and R-2 (PRUD Pending Final Plat Approval)

Description:

The applicant recently went into a development agreement with the city for the subject property where residential development on the south end of the property would be allowed so long as it does not exceed 66 units or 5.5 units per acre while requiring that a minimum of 13 acres of property be used for commercial purposes.

The Planning Commission at its last meeting approved conditional use permits to allow for the function of a BigShots driving range facility on the north west portion of the property on what is shown in the attached subdivision plat as 'Commercial Lot 1'. There is an additional 6.4 acres of commercial property along Deseret Drive shown as 'Commercial Lot 2' for a total of 16.87 acres of commercial development.

The proposed plat includes residential component which is being looked at independently as a Common Open Space. The residential subdivision contains private streets and open space along Deseret Drive and I-15. The plat also includes 42 units on 8.13 acres at just over 5 units per acre. Larger lots abut the existing residential development to the south with a minimum frontage of 80 feet. All lots are for single family detached homes with frontage of 50' and a minimum lot size of 4,500 square feet or .1 acres. The existing development agreement has previously allowed for 20 foot front yard, 5 foot side yard, and 15 foot rear yard setbacks. The amount of open space provided has been confirmed to meet the minimum required for a Common Open Space Subdivision. Additional details for the residential lots such will be available at the 1/9/20 meeting.

This subdivision plat defines which properties will be used for commercial development and which will be residential. The residential and commercial sections can be looked at as phases. The residential will be back with a final plat specific to that component. It is likely that 'Commercial Lot 1'. Will have a separate final subdivision plat indicating the details of the street access. 'Commercial Lot 2' will also require a final plat that may or may not add any private or public streets. Likely it will just formalize the lot.

Recommendation:

Staff recommends that the Planning Commission forward a favorable recommendation to the City Council for the Deseret Landing preliminary subdivision plat.

Reasoning:

The proposed subdivision complies with applicable standards and ordinances and the approved development agreement for the property.

Attachment 1: Area Map

Attachment 2: Concept Plat (From development agreement)

Attachment 3: Preliminary Plat – Landscape Plan – Example Architecture

700 South Deseret Drive





SAMUEL J. BRADY
ARCHITECTS

200 E. South Temple
Salt Lake City, Utah 84111
(801) 595-1752
www.sambrady.com

NOTE: THE DRAWINGS PROVIDED
SCALE TO THE LOT AND NOT TO THE
OVERALL SITE. THE OVERALL SITE
DIMENSIONS COULD VARY.

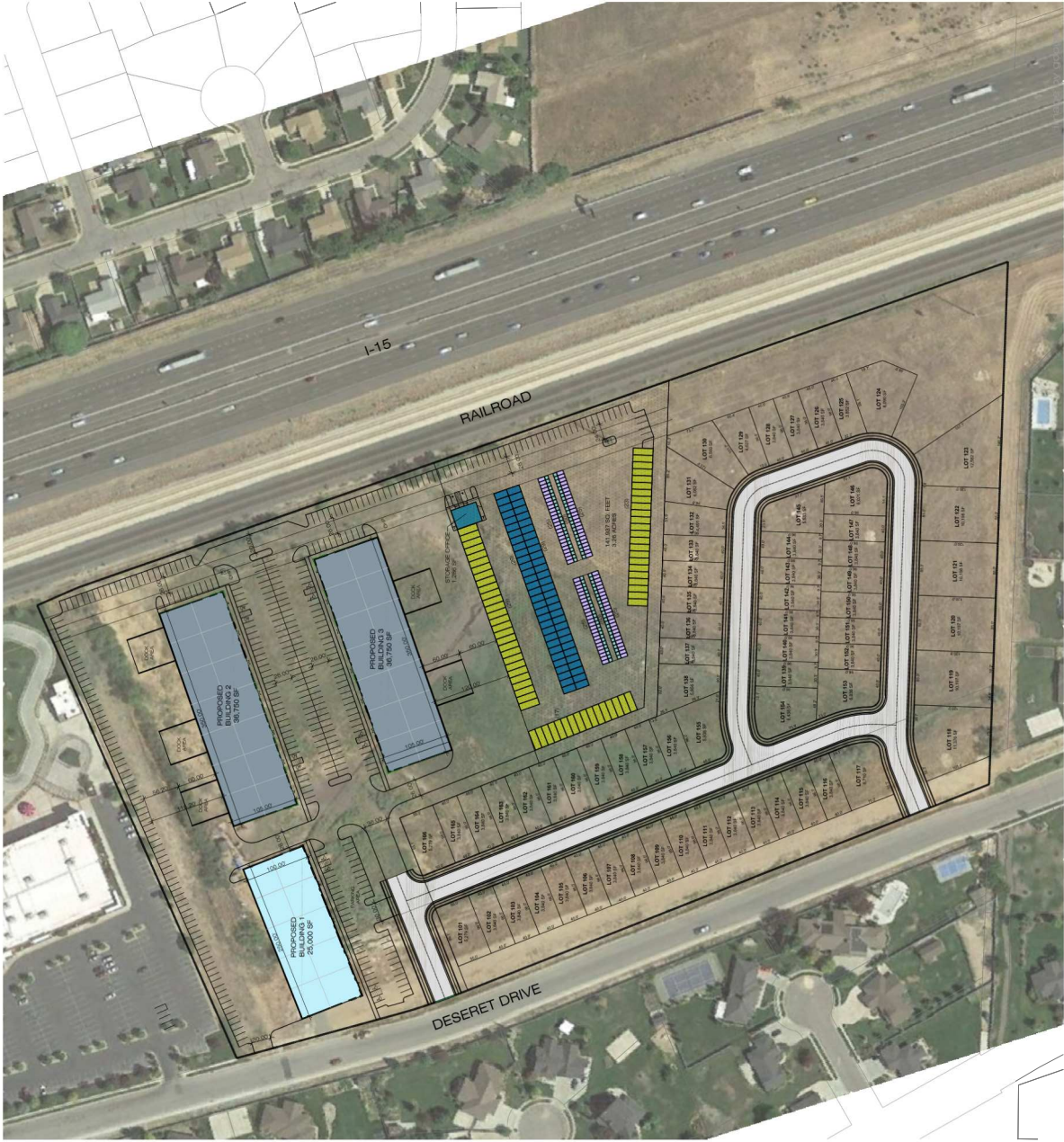
500 DESERET DRIVE

KAYSVILLE, UT
PROPOSED
BUILDINGS

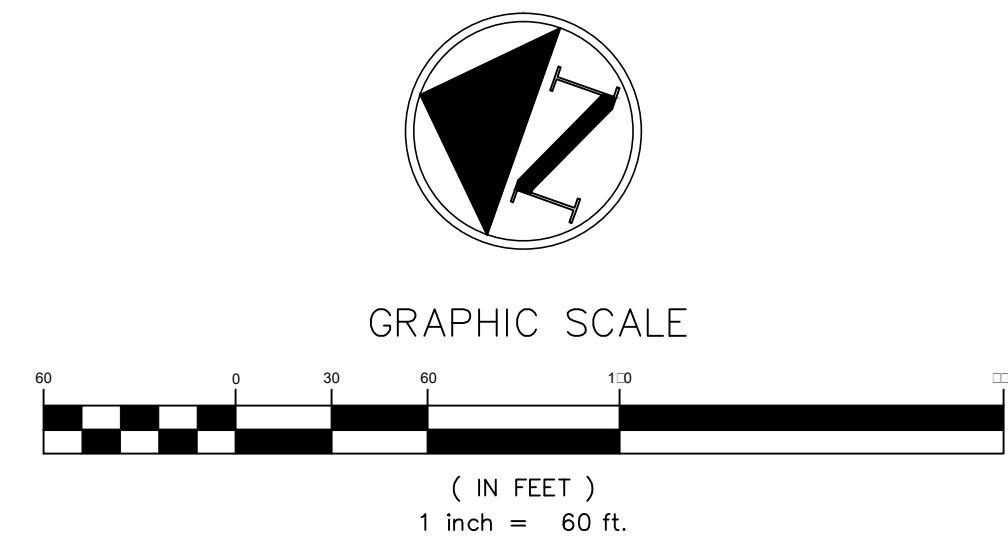
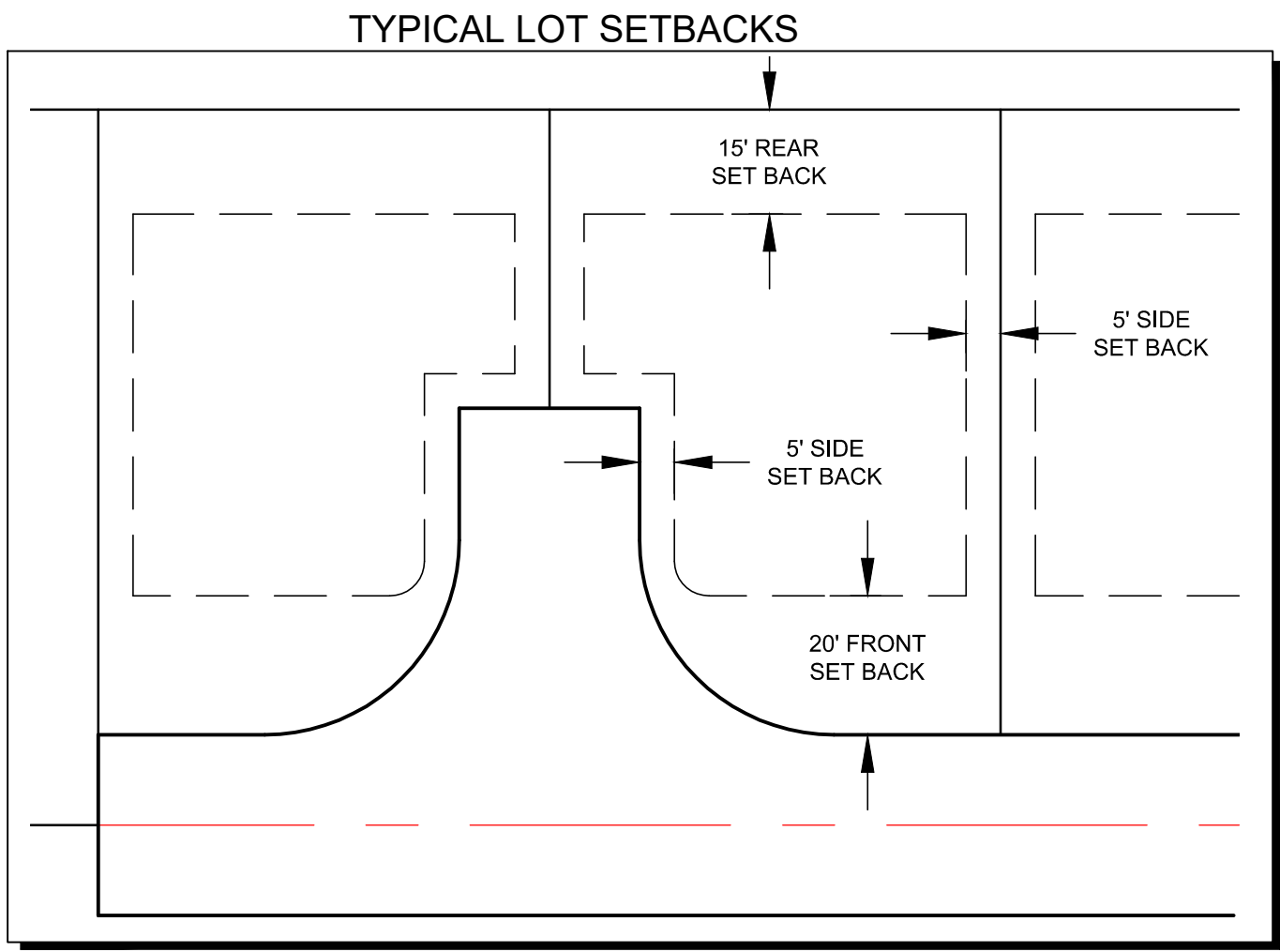
SITE PLAN

SCALE: 1" = 60'-0"
JUNE 4, 2019
SITE-2.dwg

AS.1



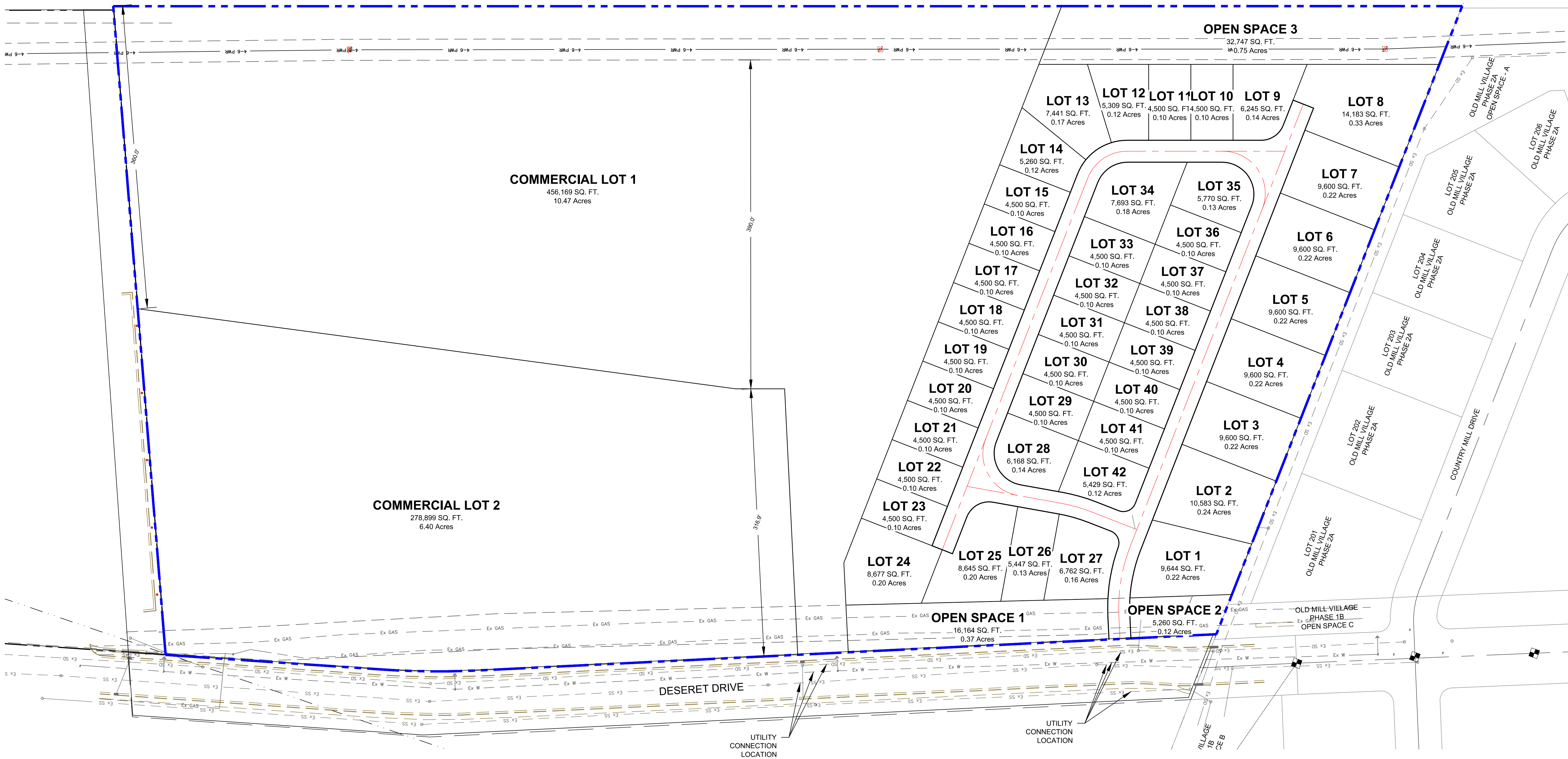
PROJECT SUMMARY	
10' X 30'	69 UNITS
10' X 20'	58 UNITS
5' X 10'	100 UNITS
5' X 5'	100 UNITS
TOTAL STORAGE UNITS	
327 UNITS	



INTERSTATE - 15

FRONTRUNNER TRACKS

UNION PACIFIC RAILROAD



NO. DATE REVISION

DRAWING IS NOT TO SCALE
IF BAR DOES NOT
MEASURE 1 INCH

0 1/2 1

DESERET DRIVE SUBDIVISION
PRELIMINARY PLAN

KAYSVILLE CITY, DAVIS COUNTY, UTAH

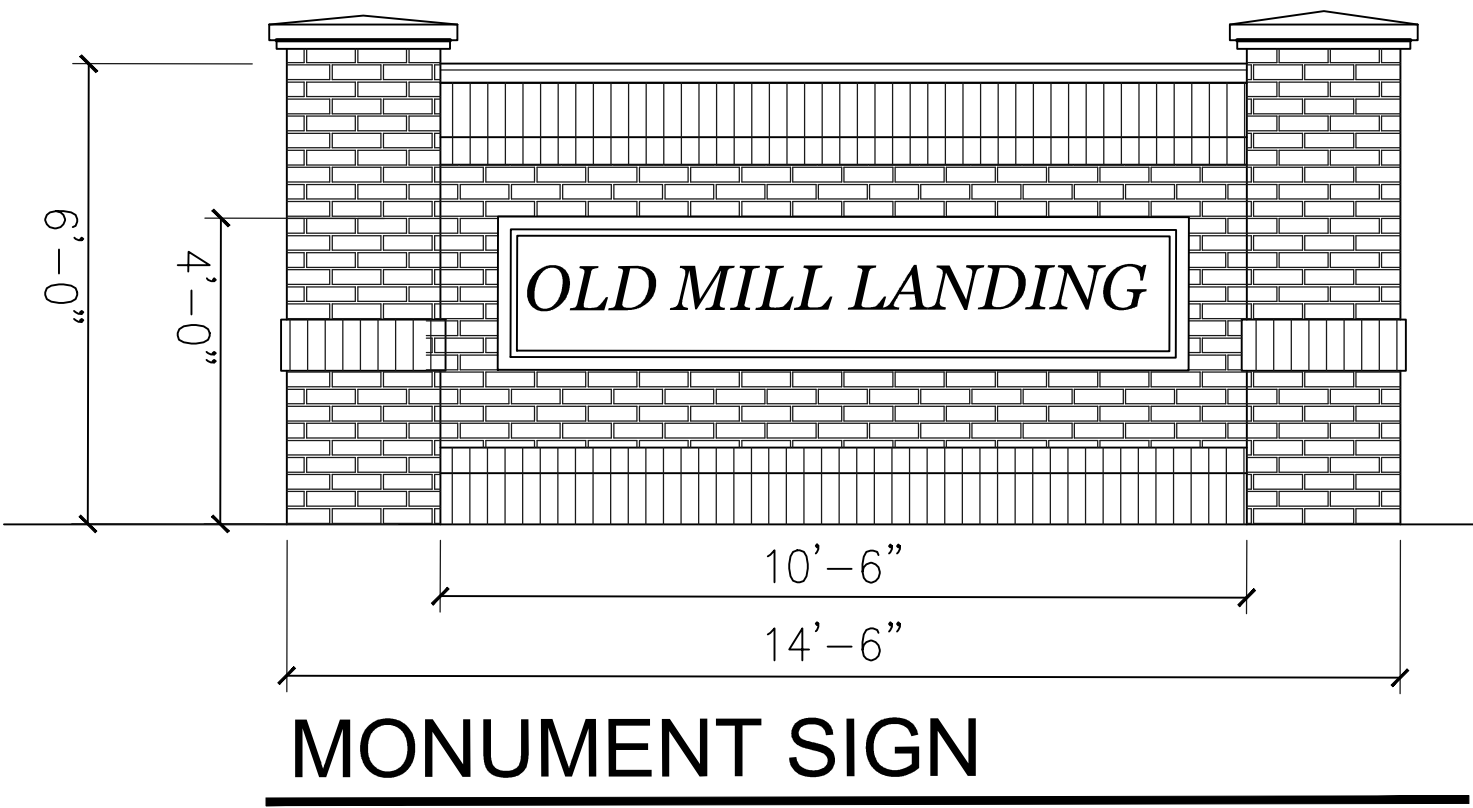
Scott B. McFarland, PE
Project Manager
247 East 1375 South
Kaysville, Utah 84037
801.265.6797 (P)
sbmef@yahoo.com

MEAF
McFarland Engineering & Associates, Inc.



DESIGN ☐ SPM
DRAWN ☐ SPM
CHECKED ☐ SPM
DATE ☐ 12-15-19

SHEET:
PRELIM

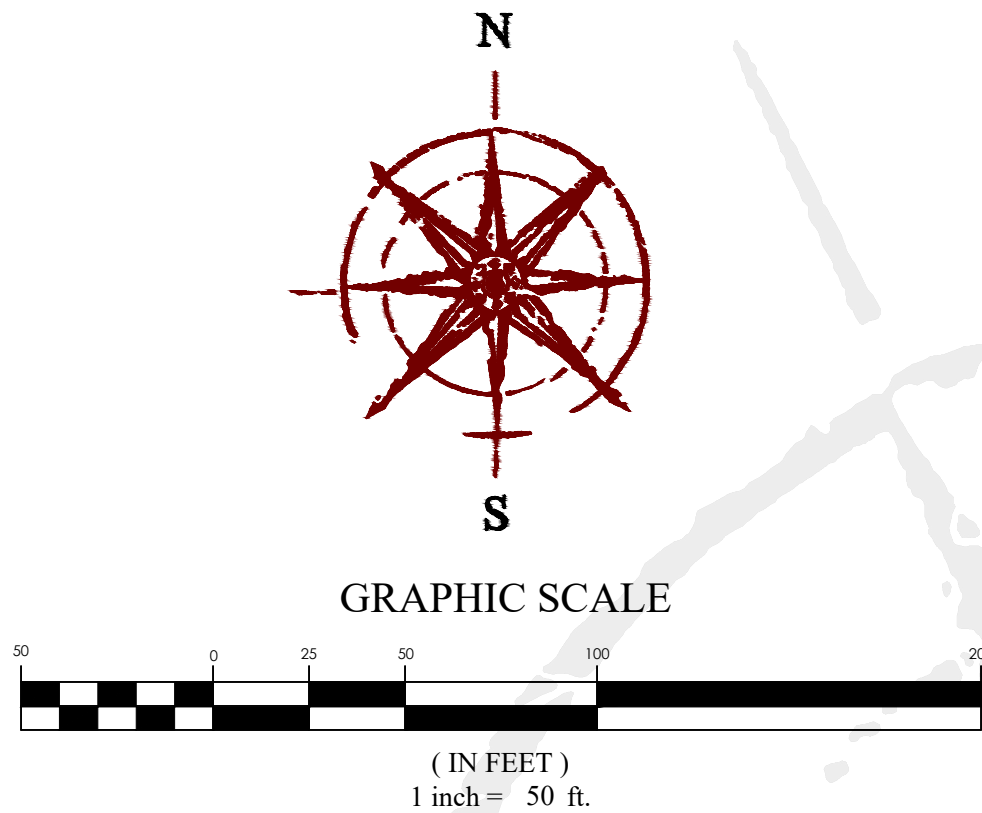


PLANT SCHEDULE

Symbol	Scientific Name	Common Name	Size	Quantity	Waterwise
SHRUBS					
FNE	Forestiera neomexicana	New Mexican Privet	2 Gal	14	Yes
ACP	Arctostaphylos x coloradoensis 'Panchito'	Bearberry Manzanita	2 Gal	3	Yes
EAC	Euonymus alatus 'Compacta'	Dwarf Burning Bush	5 Gal	10	No
CGR	Cotinus 'Grace'	Smoke Tree	5 Gal	7	No

TREE LEGEND

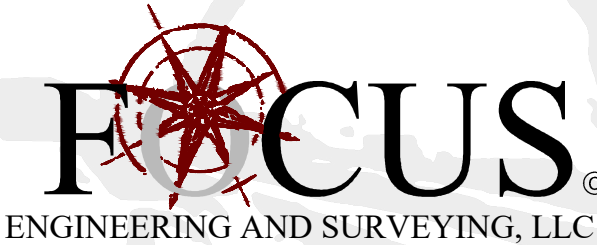
- Pinus nigra
Austrian Pine (5 total) 50x30
- Picea pungens glauca 'Hoopsii'
Colorado Blue Spruce (9 total) 35x11
- Gymnocladus dioica 'Espresso-JFS' Espresso™
Kentucky Coffee Tree (3 total)
- Acer grandidentatum 'Mesa Glow'
Bigtooth Maple (6 total)
- Zelkova serrata 'Green Vase'
Zelkova (10 total)



OLD MILL LANDING landscape plan

KAYSVILLE, DAVIS
1/3/2020

Note: This plan is for illustrative purposes only. Boundaries may be based on parcels obtained through public GIS data. It is recommended that a survey be performed to determine actual boundary size and dimensions as well as other potential boundary conflicts.







Planning Commission Staff Report

Island View Townhomes Final Plat.

January 9, 2020

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

Description:

The Planning Commission has previously approved a conditional use permit to allow for twin home construction, and the City Council has given approval for the preliminary plat of the proposed subdivision.

The applicant has submitted the final plat drawings which have been reviewed by staff. The plat is consistent with the concept and preliminary plans previously reviewed by the Planning Commission consisting of 6 lots which meet the R-2 zone and the previously granted conditional use permit.

Recommendation:

Staff recommends that the Planning Commission approve the final plat as proposed.

Reasoning:

In addition to being consistent with the approved preliminary plat, staff has reviewed the proposed plat and construction drawings and finds it to meet applicable ordinances and standards.

Attachment 1: Area Map
Attachment 2: Concept Plan
Attachment 3: Preliminary Plat
Attachment 4: Final Plat

Island View Townhomes



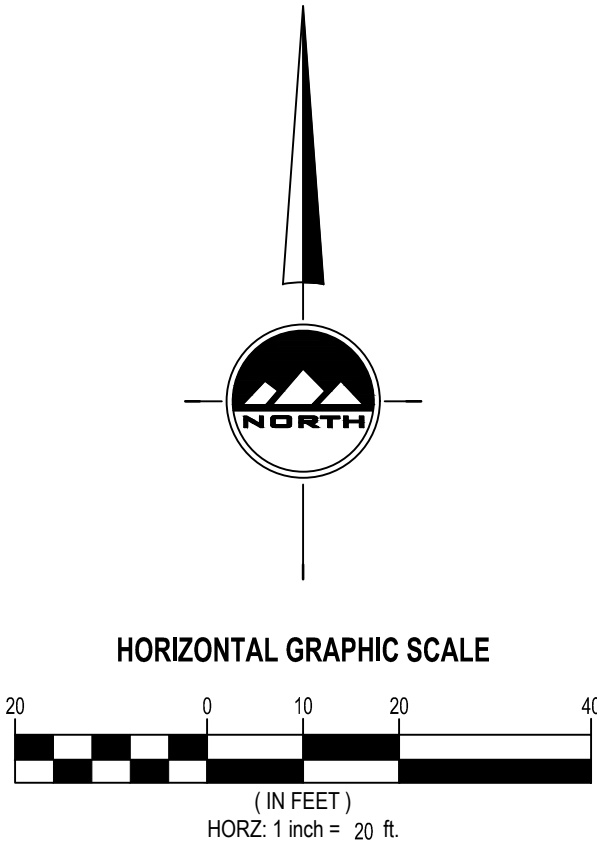
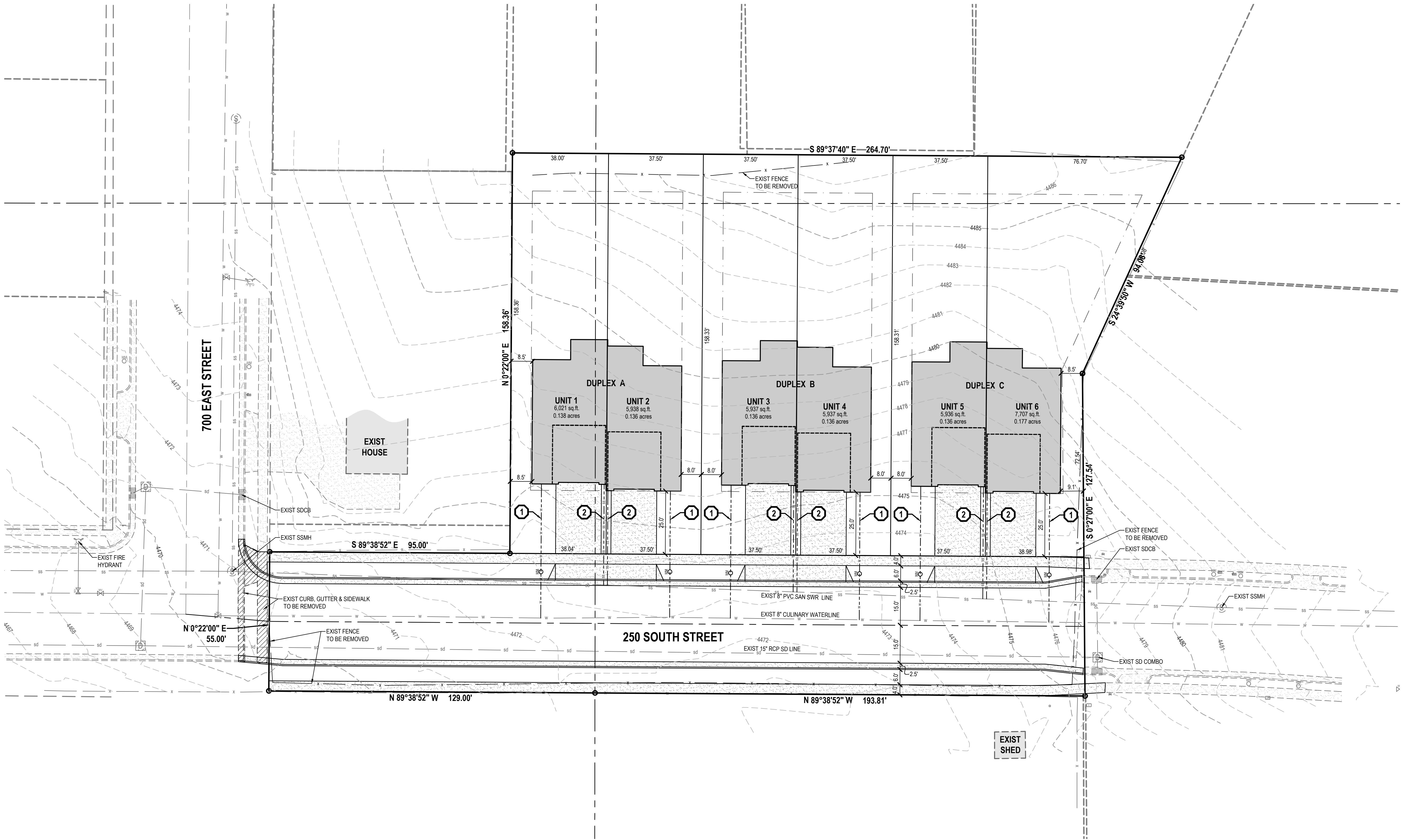
<https://www.google.com/maps/@41.030956,-111.9202109,98m/data=!3m1!1e3>





- 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

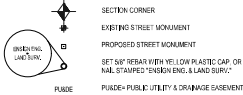
PRELIMINARY PLAT

PROJECT NUMBER 9414
PRINT DATE 10/17/19
DRAWN BY M.ELMER
CHECKED BY C.PRESTON
PROJECT MANAGER C.PRESTON

ISLAND VIEW TOWNHOMES

LOCATED IN THE NORTH HALF OF SECTION 2 TOWNSHIP 3 NORTH RANGE 1 WEST
AND SOUTH HALF OF SECTION 35 TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH

LEGEND



DONALD T. &
LESHA K.
STALEY
TRUSTEES
11-239-0002

LEISA G. & KIB
JACOBSON
TRUSTEES
11-239-0001

JEFFREY B. & SUE W.
NOORDA
07-494-0068

WAYNE E. & MARCIE L.
CLARK
07-494-0025

WAYNE E. & MARCIE L. CLARK
07-494-0025

SCOTT F. &
MARILYN H.
LLOYD
TRUSTEES
07-094-0120

JOCINE M. THOMPSON
TRUSTEE
07-494-0065

ALBERT D. & ASHLEY B.
ALBERTS
07-494-0023

MARVIN & BARBARA
JENKINS
TRUSTEES
07-116-0002

ROBERT L. &
REBECCA H.
JORGENSEN
07-116-0008

CHRISTOPHER
A. & BECCA L.
JENKINS
07-116-0007

UTAH STATE BOARD FOR
APPLIED TECHNOLOGY
EDUCATION
047-194-0103

GENERAL NOTES:

- PROPERTY IS ZONED R-2.
A. FRONT YARD SETBACK 8'-0"
B. REAR YARD SETBACK 8'-0"
C. SIDE YARD SETBACK 5'-0"
- ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (P & D) ARE 10' FRONT, 5' SIDE AND 10' REAR UNLESS OTHERWISE NOTED HEREON.



LAYTON
1405 W. 11000 S. Ste 204
Layton UT 84041
Phone: 801.541.1100
Fax: 801.541.1105
WWW.ENGIN.COM

SALT LAKE CITY
1100 S. 2000 W.
TONGUE
Cedar City
Utah 84002
801.541.1100

CITY ATTORNEY'S APPROVAL

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

PLANNING COMMISSION APPROVAL

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

CITY ENGINEER'S APPROVAL

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

CITY COUNCIL APPROVAL

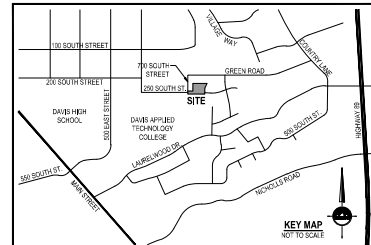
APPROVED THIS _____ DAY OF _____ 20____
BY THE KAYSVILLE CITY COUNCIL, _____
CITY RECORDER CITY CLERK

SHEET 1 OF 1

PROJECT NUMBER: 1414
MANAGER: 141405
DRAWN BY: 141405
CHECKED BY: 141405
DATE: 12/4/19

DAVIS COUNTY RECORDER

ENTRY NO. _____ FILE
DATE _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____ 20____
PAGE _____ IN BOOK _____ OF OFFICIAL RECORDS
DAVIS COUNTY RECORDER
BY _____ DEPUTY RECORDER



KEY MAP
NOT TO SCALE

SURVEYOR'S CERTIFICATE

I, MICHAEL B. HERBERT, do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. 5046990, 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 herein, and have established said tract and its boundaries, together with the location of the proposed improvements, and that the same have been correctly surveyed and located on the ground as shown on this plat. I further certify that all lot lines meet at their points of intersection and that the same comply with the requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT WHICH IS 80°00'00" BY 100.00 FEET ALONG THE 1/4 SECTION LINE FROM THE NORTH 1/4 CORNER OF SECTION 2, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; A RUNNING:
THENCE NORTH 89°38'52" WEST 193.24 FEET;
THENCE NORTH 07°22'00" EAST 56.30 FEET ALONG THE EAST LINE OF 700 EAST STREET;
THENCE SOUTH 89°38'52" EAST 193.24 FEET;
THENCE NORTH 07°22'00" EAST 156.30 FEET;
THENCE SOUTH 89°38'52" WEST 56.30 FEET;
THENCE SOUTH 24°39'00" WEST 56.30 FEET;
THENCE SOUTH 89°38'52" WEST 193.24 FEET TO THE POINT OF BEGINNING.
CONTAINS 1.267 ACRES



December 4, 2019

DATE

Michael B. Herbert
License No. 5046990

OWNER'S DEDICATION

I, the undersigned owner (s) of the above described tract of land, hereby caused same to be subdivided, hereinafter known as:

ISLAND VIEW TOWNHOMES

I do hereby dedicate for perpetual use of the public all lands of best shown on this plat as intended for Public use.
If herein where I have hereunto set out land (s) this _____ day of _____ A.D. 20____.

By: _____ By: _____
By: _____ By: _____

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH [S.S.]
County of Davis
On this _____ day of _____ A.D. 20____,
person(s) 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 is the authorized signatory of the said company for the purposes herein mentioned and acknowledged to me that said corporation was duly organized for the purposes herein mentioned.

MY COMMISSION EXPIRES _____ RESIDING IN _____ COUNTY.
NOTARY PUBLIC

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH [S.S.]
County of Davis
On this _____ day of _____ A.D. 20____,
person(s) 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 is the authorized signatory of the said company for the purposes herein mentioned and acknowledged to me that said corporation was duly organized for the purposes herein mentioned.

MY COMMISSION EXPIRES _____ RESIDING IN _____ COUNTY.
NOTARY PUBLIC

ISLAND VIEW TOWNHOMES

LOCATED IN THE NORTH HALF OF SECTION 2 TOWNSHIP 3 NORTH RANGE 1 WEST AND NORTH HALF OF SECTION 35 TOWNSHIP 4 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
KAYSVILLE, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER



Planning Commission Staff Report

Request for a Variance from side yard setback requirement (17-12-6).

January 9, 2020 (Tabled from September 12, 2019)

Applicant/Owner: Bryce & Melissa Huff
Location: 780 East 1475 South
Zone: R-1-10 (Single Family Residential)

Description:

Update:

The applicant came before the Planning Commission on 9/12/19 with this request originally. At that meeting there was a motion to approve the request which failed to get enough votes. The commission then voted to table the variance which passed unanimously.

Original report from 9/12/19:

The applicant has provided a letter included with this report stating their reasons for seeking a variance. The applicable zoning on the subject property requires that the lot have a 30 ft. front yard setback. As a corner lot the other side yard abutting a street must be at least 20 ft. per 17-12-6 (6).

The required front yard abuts 1475 South Street, the applicant desires to do an addition to the home which as planned would require the variance to build closer than 20 ft. to the property line along Hights Creek Drive.

Applicable ordinances:

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

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-1-10: 30 feet

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.

17-2-2 Definitions

Yard, Front - An open space extending the full width of the lot measured between the front lot line and the closest main building, which open space is unoccupied and unobstructed from the ground upward except as specified elsewhere in this title.

Yard, Side - An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this title. A side yard on the street side of a corner lot shall be known as an "exterior side

yard."

Consistent with Utah Code 10-9a-702, approval of a variance is subject to Chapter 17-4-6 Variances.

17-4-6 Variances.

(1) Any person or entity desiring a waiver or modification of the requirements of this Title as applied to a parcel of property that he or she owns, leases, or in which he or she holds some other beneficial interest, may apply to the Planning Commission for a variance from the terms of this Title.

(2) (a) The Planning Commission may grant a variance only if:

(i) Literal enforcement of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title;

(ii) There are special circumstances attached to the property that do not generally apply to other properties in the same zone;

(iii) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;

(iv) The variance will not substantially affect the general plan and will not be contrary to the public interest; and

(v) The spirit of this Title is observed and substantial justice done.

(b) (i) In determining whether or not enforcement of this Title would cause unreasonable hardship under Subsection 2(a), the Planning Commission may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought; and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

(ii) In determining whether or not enforcement of this Title would cause unreasonable hardship under Subsection (2)(a), the Planning Commission may not find an unreasonable hardship if the hardship is self-imposed or economic.

(c) In determining whether or not there are special circumstances attached to the property under Subsection (2)(a), the Planning Commission may find that special circumstances exist only if the special circumstances:

(i) Relate to the hardship complained of; and

(ii) Deprive the property of privileges granted to other properties in the same district.

(3) The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

(4) Variances run with the land.

(5) The Planning Commission and any other body may not grant a use variance.

(6) In granting a variance, the Planning Commission may impose additional requirements on the applicant that will:

- a. Mitigate any harmful effects of the variance; or
- b. Serve the purpose of the standard or requirement that is waived or modified.

Motion:

Upon review of this report and hearing from the applicant the Planning Commission needs to determine if a variance is appropriate based on the criteria of Chapter 17-4-6.

If the Planning Commission determines that a variance is in fact appropriate, staff recommends that the allowances of that variance be very specific.

Attachment 1: Area Map

Attachment 2: Variance Request Letter and Details

Request for minor variance to
setback requirement on:

780 East 1475 South

(Hess Farm Area on Southern border of the city)

Request made by property
owners/residents:

Bryce & Melissa Huff

12/26/2019

Parcel ID:	080960109
Property Type:	Residential
Property Address:	780 East 1475 South
Sub-Zone District:	R-1-10
Built As Desc.:	Ranch 1 Story
Stories:	1.00
Above Ground Square Feet:	1,259
Basement Total Square Feet:	1,249
Basement Percent Complete:	90%
Garage Square Feet:	604
Exterior:	Frame Masonry Veneer
Roof Cover:	Composition Shingle
Year Built:	1981
Lot Size:	0.73 Acres (Previously 2 parcels merged into 1)
Legal Description:	ALL OF LOT 1, HESS FARM ESTATES NO 1. ALSO: TWO PARCELS OF LAND LOC IN THE N 1/2 OF SEC 11-T3N-R1W, SLB&M: BEG AT A PT 545.72 FT N & 28.33 FT S 47^00' W FR THE CENTER OF SD SEC 11, RUN S 35^30' E 156.76 FT; TH S 58^37'10" W 50.85 FT; TH N 34^22'10" W 146.84 FT TO THE E'LY LINE OF LOT 1, OF HESS FARMS ESTATES NO 1; TH N 47^00' E 48.23 FT ALG SD E'LY LINE TO THE POB. BEG AT A PT N 545.72 FT FR THE CENTER OF SEC 11-T3N-R1W, SLB&M; RUN TH N 47^00' E 35 FT TO THE W'LY LINE OF A STR; TH S 21^32'25" E 143.22 FT; TH S 38^43'02" E 108.97 FT; TH S 48^34'30" E 69.17 FT TO THE N'LY LINE OF A STR; TH S 54^30' W 50 FT; TH N 35^30' W 306.9 FT TO THE S'LY LINE OF LOT 1, OF HESS FARM ESTATES NO 1; TH N 47^00' E 28.33 FT ALG SD LINE TO THE POB. CONT 0.73 ACRES

2nd Request

In the original request made during the September 12 planning commission meeting the commission members voted to table the request after continued conversation. Commission members were divided on the decision to grant the variance. Council members allowed the item to be tabled in order for additional research and so that we could return to the commission after the additional research.

Since the first request, additional research was completed. Additionally in the most recent Kaysville City election the voting results of Proposition 5 provide a reference for the citizens perspective towards supporting property owners reasonable use and development of their property to fit their needs.

Please accept our request for a minor variance to the setback requirement on our property. We are proposing to build a 645 square foot (1st floor) addition onto the western side of our home with a matching addition in basement square footage.

As the property sits on a corner, it has two significant required setback requirements being in the R-1-10 district. It has a 30 ft setback on the front and a 20 ft setback to the side street. Using the proposed design, an angled portion of one corner of the addition would extend into the setback requirement by 3 ft. The draft design attached provides additional clarity to the design of the proposal.

We request the variance based on an appeal to the Purpose of the City Code (17-1-2) and to certain unique circumstances of our lot design that merits an approval for this variance request.

This addition is designed to assist our family in achieving many of the goals of the Purpose of the code. While supporting many of the character-based goals like promoting comfort, convenience, aesthetics, peace, and good order; it will also promote prosperity, and protect the tax base (increased property value).

17-1-2 Purpose

This Title and the regulations and restrictions contained herein are adopted and enacted to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality and its present and future inhabitants and businesses, to protect the tax base, secure economy in governmental expenditures, foster agricultural and other industries, protect both urban and nonurban development, and to protect property values.

17-1-3 Intent

It is hereby declared to be the intent of the City Council of Kaysville City that this Title and the regulations set forth herein shall be so construed as to further the purpose of this Title and promote the objectives and characteristics of the respective zoning districts.

In Section 8-5-15 of the Title the procedure for a variance is laid out. In an effort to give an explanation how this request merits a variance we will respond to each item.

1. The Planning Commission may grant a variance only if:
 1. Literal enforcement of this Title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this Title;

In 17-1-2 the purpose of the Title lays out multiple value based objectives including: providing for the welfare, improving the morals, improving the peace and good order, comfort, convenience and aesthetics of its present and future inhabitants. These attributes are not defined by square footage or dollars. These are values and characteristics that are built by its residents having a sense of community not only to their city but also to their neighborhood and more importantly their home. In our home we have mutual goals as the Title. This addition will help us achieve those goals by improving the space where we can spend time with our children and neighbors.

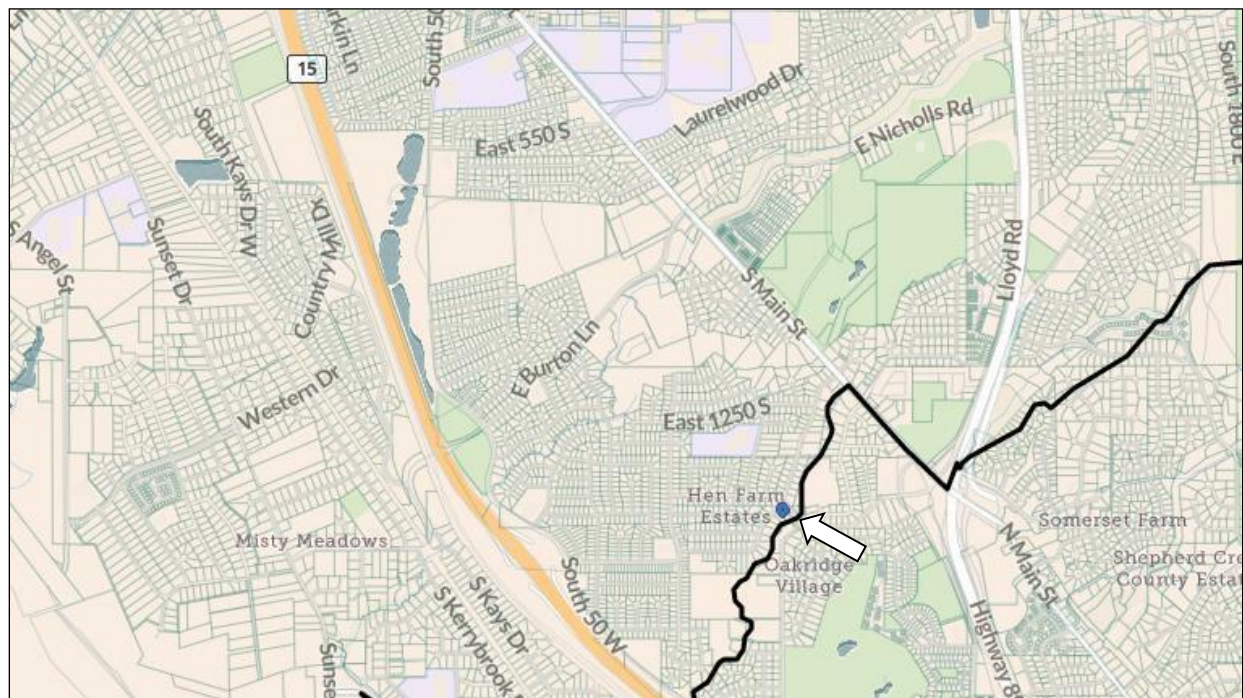
Granting the variance does not harm, take away or diminish the ability of the city, its residents or its future residents' ability to achieve the purposes of the Title.

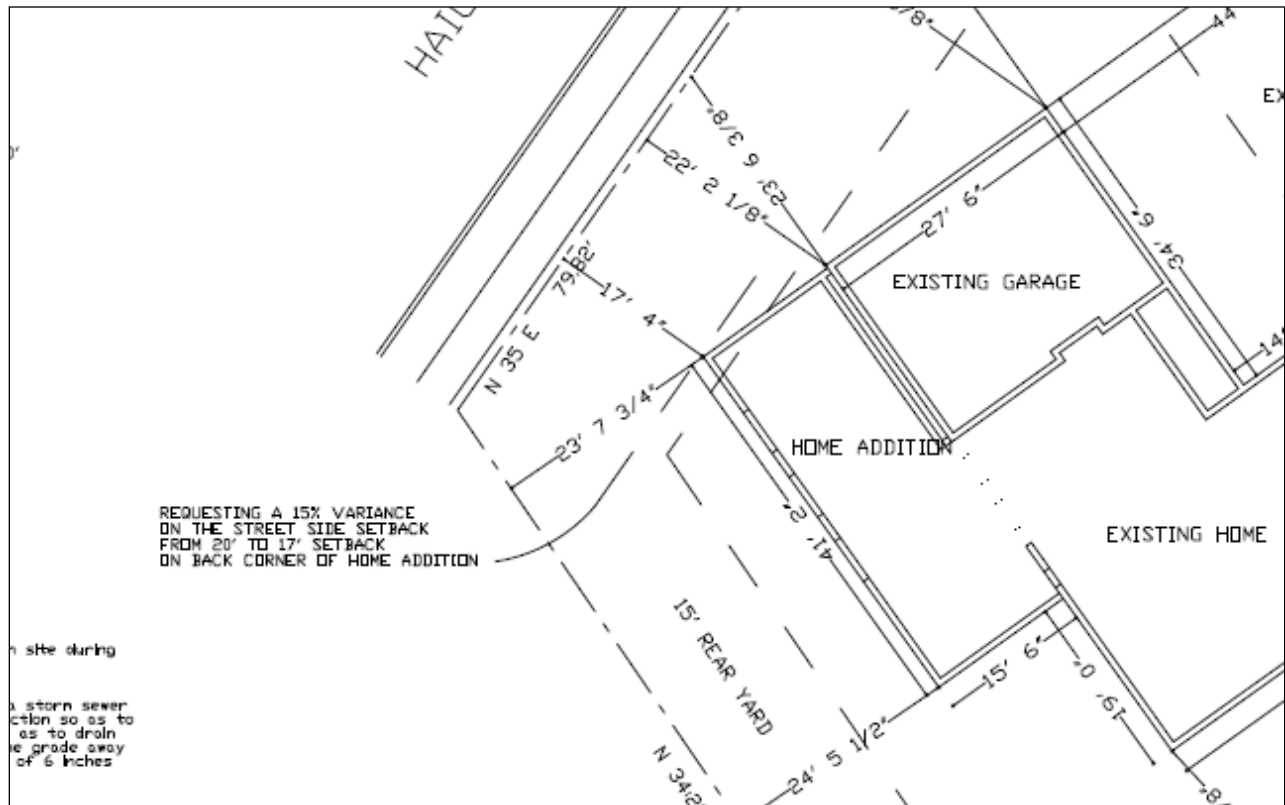
While NOT granting the variance creates an unreasonable hardship based on not allowing us to seek for improvements to our “welfare, peace and good order, comfort, convenience, and aesthetics” that the Title’s very purpose is designed to provide and promote. In addition, NOT granting the variance does not promote the prosperity or improve the property values of my home which the Title is designed to do as well. A renovated and larger kitchen, a new pantry, a new laundry room and additional bathroom will add value to the home and keep investment within the city.

2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone;

The setback was designed for a 90 degree corner parcel. Our property sits on a corner property that has a unique and different shape than is commonly found with corner properties. The street that we are requesting the variance on cuts back into the property. It is not a 90 degree corner lot. If the corner was a standard 90 degree lot, then no variance would be needed.

After reviewing the Kaysville parcels within a reasonable distance from the home, there are very few homes with similar circumstances of the corner cutting back into the property. The overwhelming majority of homes on corners have a 90 degree or greater abutting roadside that defines the setback requirement. The below map is the reference of parcel shapes within reasonable proximity to our property that were examined.



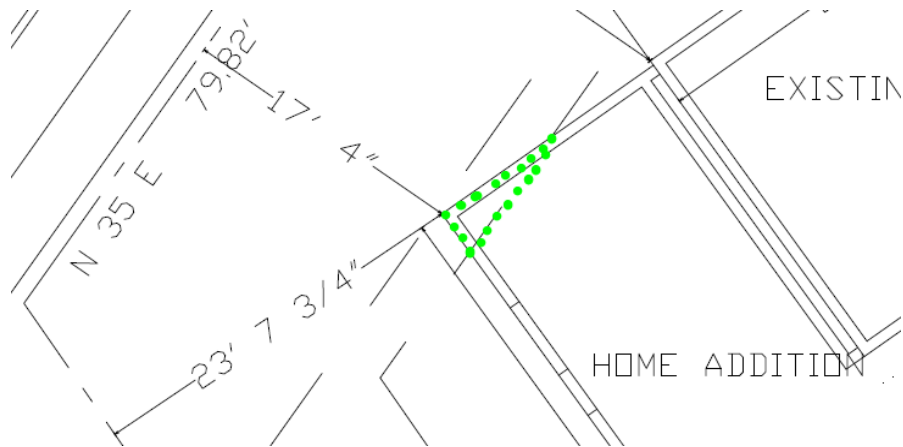


3. Granting- the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;

Within the immediate neighborhood there are a significant number of additions that have been completed. Residents want to stay in the area and have made the choice to add-on to their home instead of moving. In our immediate neighborhood there have been multiple homes that have completed additions. For example, on the subject road of Height Creek Drive, to the west of our property one addition to a property just finished their third car add-on and a second property has a major addition under way. These property owners predominantly do not live on corner properties and do not have to manage the 30 ft front set back AND a 20 ft side setback.

4. The variance will not substantially affect the general plan and will not be contrary to the public interest; and

The proposed variance will have no affect on the general plan due to the items described above and due to very minor nature of the variance. In addition, in an effort to determine the public interest we have attempted to contact all the home owners within 500 ft of our property and explained the variance request we are making. We have shown them the proposed variances request. All persons that we were able to visit with gave their approval and support for the approval of the variance or were indifferent. There is little if anything contrary to the public interest in granting this minor variance.



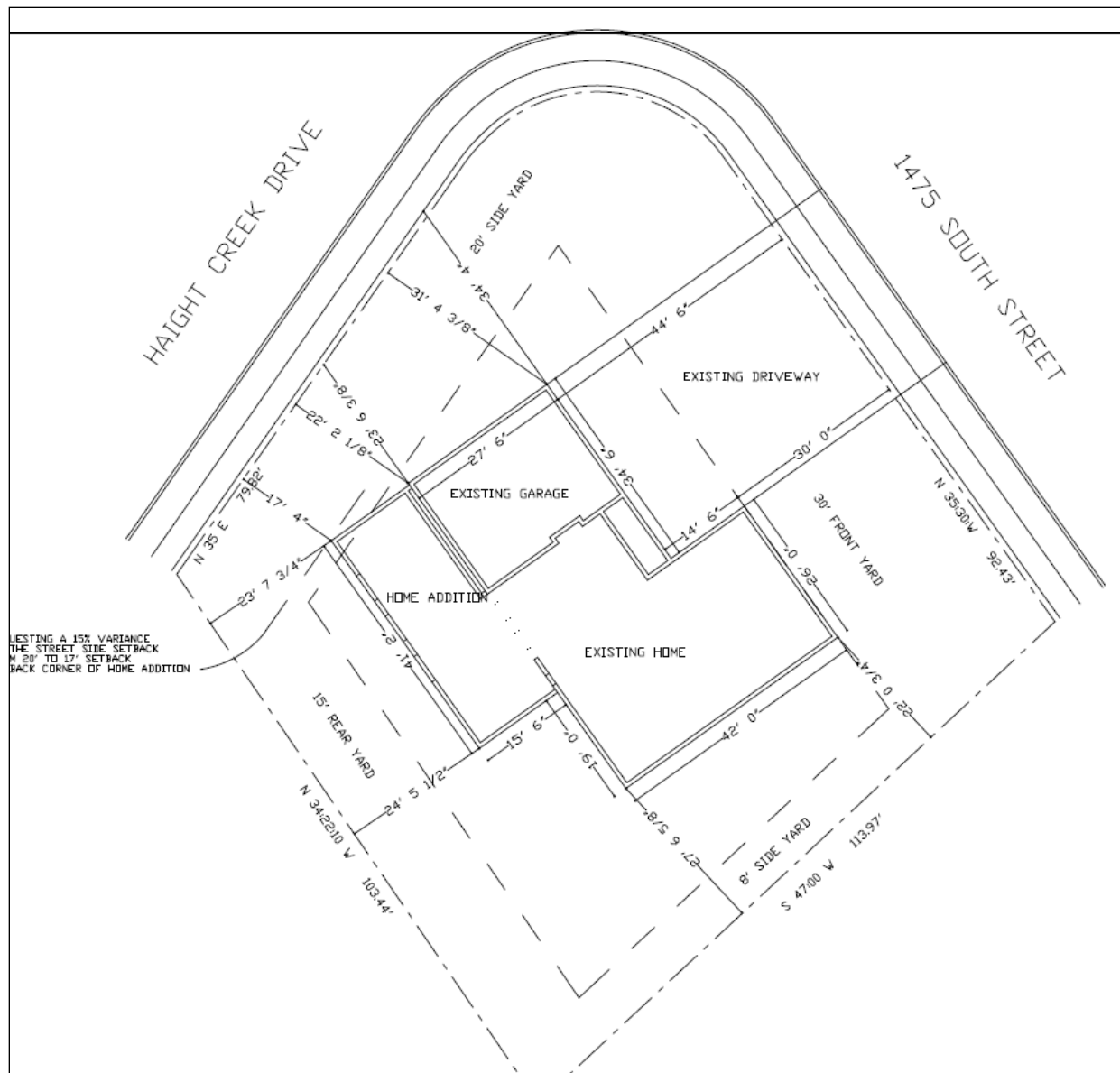
5. The spirit of this Title is observed and substantial justice done.

I would appeal again to the purposes of the Title laid out in 17-1-2. Does approval of the variance request “provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the municipality and its present and future inhabitants and businesses, to protect the tax base, secure economy in governmental expenditures, foster agricultural and other industries, protect both urban and nonurban development, and to protect property values”?

In many ways the approval of the variance helps accomplish the purpose of the Title for myself and my family as residents of the city. Denying the variance hinders or impedes the great majority of the Titles purposes.

2. In determining whether or not enforcement of this Title would cause unreasonable hardship under Subsection 2(a), the Planning Commission may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought; and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

As we explained in the above item, this subject property has several unique circumstances. These include the unique shape of the corner lot cutting back into the parcel while the variance is primarily designed under the assumption of a 90 degree corner.



3. In determining whether or not enforcement of this Title would cause unreasonable hardship under Subsection (2)(a), the Planning Commission may not find an unreasonable hardship if the hardship is self-imposed or economic.

Not granting the variance request would bring to question if the Purpose of the Title is being met. The hardship of not being granted the ability to pursue the similar welfare, comforts, good order peace, conveniences, and improved property values of the other property owners in the neighborhood and city.

Summary

We have loved living in Kaysville. Our first home was in Kaysville behind the DATC in a small bungalow built in 1953. After moving out of state for graduate school we knew we wanted to live again in Kaysville. When we purchased our home in 2012 we knew it was a special home for our sons to explore and experience “the gulley” with its snakes, frogs, deer and other animals. When we purchased the home we knew the time would come when the dropped kitchen ceiling from the 80’s would need to be renovated or expanded. As our family has grown so has the desire to pursue the comforts and conveniences similar to what our neighbors have completed with additions to their homes.

Please review the following draft drawings for the proposed addition that we would like to make to our home. The variance request is very minor at only a 3 ft slice on the corner. We have the support of the surrounding neighbors. With the approval of this variance and the completion of the addition we are committed to making this home in Kaysville our resting grounds to raise our children as responsible citizens of the community.

Thank you for your service on the planning commission and we are happy to answer any questions you may have.

Bryce & Melissa Huff

brycedeloshuff@gmail.com

801-694-1202 Bryce Cell

801-209-8869 Melissa Cell

Relevant City Code**17-12-6Area, 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 (Subject property in compliance at 31,798 or .73 acres)
R-1-8	8,000 square feet

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 (Subject property in compliance at 92.43)
R-1-8	60 feet

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 (Subject property in compliance at 30 ft)
R-1-8	25 feet

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'). (Subject Property in compliance at 24.5 ft after the addition)
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'). (N/A)
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. (Proposed 3 ft variance request for home addition)
7. The minimum rear yard for any main building shall be fifteen feet (15'). (Subject Property is in compliance at over 300 ft)
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. (N/A)

Subject Property Photos







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.