

23 January 2014 Minutes

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KAYSVILLE CITY PLANNING COMMISSION
January 23, 2014

Members Attending: Chairperson Russell Lindberg, Matthew Anderson, Gary Bullock, Stroh DeCaire, Jake Garn, Lorene Kamalu, Betty Parker

Staff Present: Zoning Administrator Wade Flint

Others Present: Mayor Steve Hiatt, Council Member Jared R. Taylor, Steven W. Israelsen, Danny Porter, Sue Shaw, Chase Rogers, Paul Allred, Phil Holland, John Holt, Darin Hammond

OPENING

The Planning Commission meeting was held on Thursday, January 23, 2014 at 7:00 p.m. in the Municipal Center.

Chairperson Russell Lindberg opened the meeting by welcoming those present.

Mayor Steve Hiatt made a presentation of appreciation to John Holt for his participation as a member of the Planning Commission and thanked him for his service. Mayor Hiatt introduced Lorene Kamalu as the new Commission member, who was appointed at the last City Council meeting.

The minutes of the January 9, 2014 meeting were presented for approval.

Gary Bullock said that on the first page it mentions his name as having opened the meeting, and it needed to be corrected to show Russell Lindberg's name instead.

Gary Bullock made a motion to approve the minutes of the January 9, 2014 meeting with the correction as mentioned. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION B, MUSIC LESSONS AT 412 SOUTH ANGEL STREET – JOHN MADSEN

Wade Flint explained that Mr. Madsen has a finished room in his basement where he will be offering choir instruction and jazz band instruction. Classes will be held on Tuesdays, with two

choir groups coming for an hour each between 4:00 p.m. and 6:30 p.m., and one band group coming from 7:00 p.m. to 8:00 p.m. The choir groups will have a maximum of ten students per class, and the jazz band could potentially have as many as twenty students. The Madsen's recently moved into their new home which was constructed with this home occupation in mind. The site was designed with a circle driveway for easy drop-off of the students. An outside entrance to the basement is also provided for student access.

Gary Bullock asked about the age group of the students.

Wade Flint responded that the students will be in junior high or high school, and therefore there is some concern that students will try to drive themselves to class. Staff has discussed this concern with Mr. Madsen and suggested that he inform students that they will have to be dropped off to class because of the limited amount of parking space. If the City finds that there are problems occurring because of this home occupation, the conditional use permit can come back to the Planning Commission for review.

Jake Garn made a motion to grant a conditional use permit for a major home occupation B, music lessons at 412 South Angel Street for John Madsen. Matthew Anderson seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION B, HANDYMAN SERVICES AT 1955 WEST COOPER STREET – CHAD LARSEN

Wade Flint explained that Mr. Larsen has been providing handyman services for twenty years. Handyman services are limited to repairs and new construction that do not require a licensed contractor such as flooring, drywall, painting, finish work, cabinetry, etc. Mr. Larsen uses a pickup truck to transport his tools and he does not anticipate any employees. All materials will be taken directly to the jobsite.

Betty Parker asked about any necessary permits needed through the State.

Chad Larsen responded that he has checked with the State regarding his type of handyman services, and is in compliance with their regulations.

Gary Bullock made a motion to grant a conditional use permit for a major home occupation B, handyman services at 1955 West Cooper Street for Chad Larsen. Matthew Anderson seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION B, CARPET CLEANING AT 1387 SOUTH VIA LA COSTA WAY – DEAN SPEARS

Wade Flint explained that carpet and upholstery cleaning is listed as a recommended major home occupation B in Title 17-26-4(12). Mr. Spears recently purchased a portable carpet cleaning machine which fits into the back of a pickup truck and is ready to go into business for himself. He currently has no other employees and intends to use this home-based business as

temporary employment while going to college. He is aware that if he does decide to hire employees that the employees would not be allowed to come to his home.

Betty Parker made a motion to grant a conditional use permit for a major home occupation B, carpet cleaning at 1387 South Via La Costa Way for Dean Spears. Stroh DeCaire seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR SADDLEBROOK ESTATES AT APPROXIMATELY 2260 WEST 200 NORTH – HENRY WALKER HOMES

Wade Flint explained that over the last several meetings this project has received preliminary plat approval and PRUD overlay zoning. The final plat has now been submitted. The project is located at the west end of 200 North Street and consists of twenty-one lots and open space. The lots range in size from just over 8,500 square feet to over 20,000 square feet, with one very large ten acre lot where an elementary school will be located. The site plan for the school will be addressed under a separate application at a later date.

Matthew Anderson asked if there is an approximate time frame for when the school will be built.

Chase Rogers, with the Davis County School District, responded that they anticipate having this school built within the next three years.

Gary Bullock made a motion to recommend final plat approval for Saddlebrook Estates at approximately 2260 West 200 North for Henry Walker Homes. Stroh DeCaire seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR SHEPARD'S LANDING SUBDIVISION AT 35 WEST SHEPARD LANE – HENRY WALKER HOMES

Wade Flint explained that a few months ago this property was rezoned to the R-1-LD zone which allows lots as small as 12,000 square feet, but limits the density to a maximum of two lots per acre. At the rezone hearing, the public expressed some concern with the road pattern, drainage and other minor issues. The developer met with many of those residents and tried to address their concerns in the design of the subdivision. This subdivision's main access will be off of 50 East, and will eventually also take access off of Shepard Lane. There is also a stub road planned on the south end of the subdivision. In an effort to reduce the traffic, 50 East Street does not go straight through to connect to 950 North Street in Farmington. The issues raised about the drainage will be addressed through the engineering with the final plat. The proposed seventy-five lots range in size from 12,000 square feet to over half an acre. The plat appears to meet the requirements of the zone, however the total number of lots may need to be adjusted slightly as the final survey is completed.

Stroh DeCaire asked about the stub street on the south end of the subdivision.

Wade Flint responded that the property owners to the south don't plan to develop their property anytime soon. However, when they do it is anticipated that a road will connect to this stub street.

Chairperson Russell Lindberg opened the Public Hearing.

Paul Allred said that he lives next to this property and was assured by Councilmembers that the neighbors would be sent mailed notices about this development, which did not happen. The public notice signs posted by the city on the property is not an adequate means of notifying the neighbors. There needs to be a better way. Staff reports and proposed plats should be posted on the city's website. There are some significant concerns by the existing neighbors about traffic control on 50 East Street. Many people travel that road at excessive speeds, and extending the road will make an existing problem worse. Mr. Allred suggested that a three-way stop be installed at the intersection of 50 East and 2200 South to help to control speeding drivers. There is also concern over not having a second access readily available for when the property starts to be developed.

Councilmember Jared Taylor commented that the City Council was under the impression that the developer would be sending mailers to neighboring property owners regarding the development. Also, Staff has been working to figure out the best solution for noticing agenda items.

Wade Flint commented that this development will be built in phases and until the second access is in place, the developer will be limited on the number of homes that can be built.

Phil Holland commented that the first phase will be planned off of 50 East.

Paul Allred asked if there were any plans to widen 50 East Street.

Wade Flint responded that there aren't any.

Danny Porter said that there needs to be some kind of assurance to residents that drainage problems will be resolved so it won't be an issue in the future as this property is developed.

Darin Hammond stated that he lives in the Quail Crossing Subdivision, and it is a huge safety concern that this development could be approved without the second access. Also, the open space located in the Quail Crossing Subdivision abuts this development. The residents of Quail Crossing are concerned that the new residents coming into this subdivision will use their open space area. There has been some discussion with Councilmembers about the possibility of the city buying that open space area and creating a city park. If this occurs, there needs to be better access provided from the new development to that common area. Additional parking and trails will also need to be provided. The open space could be better utilized than it is currently, and this would be a great opportunity for the City. If the City chooses not to buy the property, another possible solution would be to require that the new development become part of the Quail Crossing Homeowners Association. The new residents should be required to have to help ease the burden of maintaining and developing the open space if they want to use it.

Steve Israelsen said that his property abuts this development on the north side and is concerned about the location of the proposed access point on Shepard Lane. That portion of the road is on a

hill, and also curves where the intersection is being planned. It is not uncommon to have cars slide off during snowstorms here and the new intersection needs to be better designed or relocated. The school on 25 West Street creates a bottleneck of traffic onto Shepard Lane when school is in session. Shepard Lane already has a lot of traffic, and another connecting access road will just create more congestion.

There were no further comments or questions from the public. Chairperson Russell Lindberg closed the Public Hearing.

Phil Holland, representing Henry Walker Homes, said that the proposed access road onto Shepard Lane was originally planned to run through what is now being shown as Lot 101 on the proposed plat, but it didn't meet city requirements. The proposed intersection onto Shepard Lane is the best alternative. There is already a city right-of-way easement in place at this location, and will be designed to ensure traffic safety. Henry Walker Homes is aware of the water drainage problems in the area and is working on a design to help resolve those problems. They have also met with the Quail Crossing Homeowners Association and are aware of concerns about residents using their park without helping in maintenance costs. To help alleviate this concern, a fence will be installed to restrict access to the private property. Henry Walker Homes has found a need for subdivisions where there is no Homeowners Association. The R-1-LD zone will allow for larger lots, and eliminates the open space requirement.

Chairperson Russell Lindberg excused Matthew Anderson for the remainder of the meeting.

Gary Bullock said that he isn't comfortable approving this subdivision without a more guaranteed secondary access point. How will this subdivision be phased and what is the number of homes that will be restricted to one access road? Also, he agrees that stop signs should be installed at the intersection of 50 East and 2200 South to help control the flow of traffic. Regarding the issue of the Quail Crossing open space area, fencing may help to deter residents from using the space, but it won't guarantee it. When Quail Crossing was developed, the lots were allowed to be smaller than the required square footage of the zone because of the open space. Removing that open space would take many of the lots out of compliance with the existing zone.

Russell Lindberg commented that it doesn't seem logical to expect a fence to keep the residents from utilizing that open space area. The best long-term solution would be to find a way to, allowing both subdivisions to share the Quail Crossing common area.

Wade Flint explained that the city can't force anyone to become part of a Homeowners Association. Henry Walker Homes specifically requested the R-1-LD zone because there are no open space requirements in that zone. They have met all of the requirements for the zone.

Lorene Kamalu said that she agrees that there might be a better way of public noticing. The current procedure of posting signs on the properties under consideration on an agenda doesn't seem to be adequate enough. Postcard mailers might be a better solution. Also, creating a park for this area would be very beneficial for the community. Maybe this item should be tabled so that some of the concerns mentioned can be addressed.

Jake Garn made a motion to recommend preliminary plat approval for Shepard's Landing Subdivision at 35 West Shepard Lane for Henry Walker Homes with the following conditions:

1. Issues regarding the second access be addressed before approval of a second phase.
2. Any safety concerns be addressed on Shepard Lane and 50 East.

Gary Bullock seconded the motion.

Voting was as follows:

Betty Parker yea
Jake Garn yea
Lorene Kamalu yea
Stroh DeCaire nay
Russell Lindberg nay
Gary Bullock yea

The motion passed with a vote of four to two.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Wade Flint commented that in the past, the city would send notices to adjacent property owners within five-hundred feet of a proposed development, and received numerous complaints about the noticing policy. The City's noticing policy has since evolved into our current policy, with the posting of the sign on the affected property. Information about agenda items is posted on the signs, on the city website, and also e-mailed to those who have signed up for notification.

Betty Parker suggested putting something about the City's public noticing policy in the City newsletter.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, February 13, 2014 at 7:00 p.m.

ADJOURNMENT

Betty Parker made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 9:00 p.m.