

25 September 2014 Minutes

25 September 2014

KAYSVILLE CITY PLANNING COMMISSION
September 25, 2014

Members Attending: Chairperson Gary Bullock, Matthew Anderson, Stroh DeCaire, Russell Lindberg, Betty Parker

Excused: Jake Garn, Lorene Kamalu

Staff Present: City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Anne Reynolds, Joe Reynolds, Ryan Westergard, Deane Smith, Logan Hall, Marilyn Stanger, Doug Stanger, Curtis Cox, David Booth, Shauna Dixon, Bill Dixon, Jerry Wisner, Brian Deppe, Heidi Nettleton

OPENING

The Planning Commission meeting was held on Thursday, September 25, 2014 at 7:00 p.m. in the Municipal Center.

Chairperson Gary Bullock opened the meeting by welcoming those present. Mr. Bullock announced that Item 6, a public hearing and request to rezone 0.5 acre of property at 661 West Cottonwood Drive from R-A to R-1-20 for Rosann Balmer, had been withdrawn by the applicant.

The minutes of the August 28, 2014 meeting were presented for approval.

Stroh DeCaire made a motion to approve the minutes of the August 28, 2014 meeting. Betty Parker seconded the motion and it passed unanimously.

REVIEW OF THE CONDITIONAL USE PERMIT FOR A MODEL HOME AND FLAG POLE GREATER THAN THIRTY FEET IN HEIGHT AT 1336 SOUTH SUNSET DRIVE – WOODSIDE HOMES

Andy Thompson explained that on September 13, 2012 the Planning Commission approved a conditional use permit for a model home and flag pole greater than thirty feet in height at 1336

South Sunset Drive for Woodside Homes with the following conditions: the flag pole be no higher than fifty-five feet in height, and that the conditional use permit would expire in two years from the date of issuance. Woodside Homes has approximately fifteen undeveloped lots left available within the Sunset Equestrian development and therefore they are requesting a time extension on the conditional use permits for the model home and flag pole. The fifty foot tall flag pole sits directly in front of the model home. Woodside Homes anticipates that within two years they will no longer be using this model home.

Betty Parker asked about the model home site after it is no longer needed as a sales office.

Bill Dixon, representing Woodside Homes, responded that the sales office area will be changed back into the garage, and the flag pole removed. If the new homeowners would like to keep the flag pole, they would be required to obtain the correct permits for it.

Matthew Anderson made a motion to grant approval of a time-extension for the conditional use permits for a model home and flag pole greater than thirty feet in height at 1336 South Sunset Drive for Woodside Homes with the condition that the conditional use permits expire in two years. Stroh DeCaire seconded the motion and it passed unanimously.

REVIEW OF THE CONDITIONAL USE PERMIT FOR A MODEL HOME AND LOW PROFILE SIGN AT 920 EAST DORIS PLACE – IVORY HOMES

Andy Thompson explained that on September 27, 2012 the Planning Commission granted a time-extension for a conditional use permit to Ivory Homes for a model home in Montebella Subdivision at 920 East Doris Place. The conditional use permit was granted with the following conditions: the existing flags near the Main Street entrance of Montebella Subdivision be approved for twenty-four additional months, and the model home be approved for twenty-four additional months. Staff has contacted Ivory Homes and they would like to extend the model home conditional use permit for at least one more year to continue to promote the remaining eight undeveloped lots within the Montebella Subdivision. The existing flags have been moved from the entrance of the Montebella Subdivision to the model home property. Staff recommends approval of a time-extension for the conditional use permits for an additional twenty-four months. Ivory Homes has recently purchased the property directly to the south of this subdivision, located within Farmington City boundaries, and could potentially build a new model home within that new development. If that should occur, this model home would no longer be needed.

Logan Hall, representing Ivory Homes, commented that they anticipate only using this model home location for about another eighteen months.

Stroh DeCaire made a motion to grant approval of a time-extension for the conditional use permits for a model home, low profile sign, and existing flags at 920 East Doris Place for Ivory Homes with the condition that the conditional use permits expire in two years. Russell Lindberg seconded the motion and it passed unanimously.

REVIEW OF THE CONDITIONAL USE PERMIT FOR A DUPLEX AT 317 WEST BURTON LANE – DOUGLAS STANGER

Andy Thompson explained that on September 26, 2013, Mr. Stanger was approved for a conditional use permit for a duplex at 317 West Burton Lane with the condition that the single family dwelling meet building code requirements when converted to a duplex. In Title 17-30-6 it states that conditional use permits shall expire if not implemented within one year of issuance. It also states that the Planning Commission may grant a maximum extension of six months for the conditional use. Mr. Stanger has not yet applied for a building permit for the duplex conversion, and is therefore requesting a time-extension on his conditional use permit approval. This property is zoned R-1-20 for residential single family dwellings, however, Title 17-12-4(9) allows for two-family dwellings as a conditional use as long as not more than two duplexes are within five-hundred feet of the proposed development site. The five-hundred feet is measured in a straight line from the center of the duplex site to the boundary of any other duplex or twin home property. There are no other duplexes within the five hundred feet of this home. Staff recommends approval of a six month time-extension with the previous condition that the existing single family dwelling meet all building code requirements for a duplex conversion.

Doug Stanger said that last year when he had made the request for a duplex he had planned to convert his home into a duplex and rent out the basement. His daughter moved into the basement after the approval and he therefore didn't move forward in the duplex conversion. Now that his daughter is moving out, he would like to move forward with the remodel.

Stroh DeCaire asked if there would be any external changes made to the home.

Doug Stanger commented that only interior remodeling will be done.

Betty Parker made a motion to grant approval of a time-extension of six months for the conditional use permit for a duplex at 317 West Burton Lane for Douglas Stanger with the condition that the existing single family dwelling meet all building code requirements for a duplex conversion. Matthew Anderson seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A PUBLIC SERVICE BUILDING AT 281 WEST 300 NORTH – DAVIS BEHAVIORAL HEALTH

Andy Thompson explained that Davis Behavioral Health works with, or for, the County to provide facilities for "youth in crisis". The existing home at 281 West 300 North has been acquired to establish one of these facilities. When children, ages five to seventeen, have no place to go they would be taken to this home until other arrangements could be made. The children may be victims of domestic abuse or other issues that leave them without appropriate care. The children could potentially be at the home from a few hours to a few days. Kaysville City's Attorney has reviewed this request and suggested that this use best fits as a conditional use for a public service building. The facility will have a full-time resident living in the home who will care for them until additional staff is available. This type of use is regulated and licensed by the State of Utah.

Deane Smith, representing Davis Behavioral Health, said that the full-time residents of the home will live upstairs and an area will be set up downstairs for the children to stay. The husband is also a licensed therapist.

Gary Bullock asked about the maximum number of children that will be in the home at one time.

Deane Smith responded that children will be brought in on an intermittent basis and will remain in the home until they can go back home or are taken in by a relative. Because there is no other type of facility like this located within Davis County, they are unsure what the demand will be. They anticipate that, at a maximum, they would only have a few children in the home at one time for less than twenty-four hours. This type of facility is considered a receiving center for children to be brought instead of being taken to an emergency room hospital or put into a juvenile ward. This facility will be a non-threatening place where the children will get short-term relief. More serious cases will be sent to the hospital for care. Davis Behavioral Health currently has an outpatient clinic nearby on Main Street in Layton, and a facility adjacent to the Layton Hospital where more the serious cases will be admitted.

Matthew Anderson asked how children would be placed within this home. Who makes that decision?

Joe Reynolds, the resident of the proposed facility, said that typically parents, grandparents, or the teens themselves will call their crisis line and that the crisis workers will determine where the children will need to be placed.

Deane Smith said that there will also be a crisis worker in the home whenever a child is placed in the facility.

Stroh DeCaire made a motion to grant a conditional use permit for a public service building at 281 West 300 North for Davis Behavioral Health. Russell Lindberg seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 0.5 ACRE OF PROPERTY AT 661 WEST COTTONWOOD DRIVE FROM R-A (AGRICULTURAL RESIDENTIAL) TO R-1-20 (RESIDENTIAL SINGLE FAMILY) – ROSANN BALMER

This item was withdrawn from the agenda.

PUBLIC HEARING AND PRELIMINARY AND FINAL PLAT APPROVAL FOR GALBRAITH 600 EAST SUBDIVISION AT 49 SOUTH 600 EAST – BOB GALBRAITH

Andy Thompson explained that about two years ago Mr. Galbraith received approval for this same two-lot subdivision. The project was not built and the plat not recorded, therefore approval has expired. Mr. Galbraith is now ready to move forward and would like to get the project reapproved. The subdivision consists of two lots. Since previous approval, the existing home on

Lot 1 has been removed and a new home constructed, which complies with the setback requirements of the zone for the proposed subdivision.

Chairperson Gary Bullock opened the Public Hearing.

David Booth, residing at 668 East Center Street, commented that he has lived to the northeast of this property for twelve years. By adding a flag lot into the backyard of this property, it encroaches on the open feel of the neighborhood.

Curtis Cox, residing at 615 East Center Street, commented that he currently lives next door to an existing duplex, and there are several other multi-family homes in the area, whether they are legal or not. Mr. Cox commented that he previously worked for Ogden City's Fire Department and found it difficult to get into homes located on flag lots or similar type lot layouts. It is concerning to know that flag lots are so easy to be approved and there are no limits to them.

Bob Galbraith commented that they wanted to develop their property to give their children or grandchildren a place to live. The home on the flag lot will be a high-quality home and will be built to blend into the neighborhood.

David Booth said that while he appreciates the Galbraith's sensitivity to the neighbors, he is concerned that other property owners will follow suit and create more flag lots in the area.

There were no further comments or questions from the public. Chairperson Gary Bullock closed the Public Hearing.

Gary Bullock asked if there are any current city ordinances which would limit the number of flag lots within the city.

Andy Thompson responded that there is not a number limit on flag lots. They are allowed with a PRUD overlay zone, which Mr. Galbraith has already received approval for.

Matthew Anderson commented that both of these lots are larger than the minimum requirement for the zone.

Matthew Anderson made a motion to recommend preliminary and final plat approval for Galbraith 600 East Subdivision at 49 South 600 East for Bob Galbraith. Betty Parker seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST FOR A PRUD OVERLAY ZONE AT 507 SOUTH 800 EAST, AND PUBLIC HEARING AND PRELIMINARY AND FINAL PLAT APPROVAL FOR JERRY WISER SUBDIVISION AT 507 SOUTH 800 EAST – JERRY WISER

Andy Thompson explained that Mr. Wiser owns about three acres of property on several parcels at the end of 800 East Street and would like to subdivide the property into seven lots. There is an existing home located on the property, as well as some outbuildings. The proposed project includes the completion of the connection between 500 South and 800 East, a cul-de-sac, and a

flag lot. The existing home and outbuildings sit on Lots 5 and 6. Since a flag lot is included, a PRUD overlay zone is required.

Jerry Wiser asked if the current pedestrian walkway on the north side of the property were to remain, who would be required to maintain it.

Andy Thompson responded that the adjacent property owner would be required to maintain that walkway.

Russell Lindberg asked about the existing outbuildings on the property.

Jerry Wiser commented that his existing home is located on Lot 5, and there is a detached garage on Lot 6. Mr. Wiser said that there is a chance that both Lots 5 and 6 will be sold together.

Matthew Anderson said that it seems that 800 East was originally planned to be a through street and asked if that street configuration had been considered.

Jerry Wiser commented that his property essentially sits at the end of a cul-de-sac as it is, therefore the proposed configuration won't be much different. Mr. Wiser said that he has discussed both configurations, the cul-de-sac and through street, with a couple of his neighbors who have agreed that a cul-de-sac would be the preferred development.

Chairperson Gary Bullock opened the Public Hearing.

Brian Deppe commented that 800 East is a narrow street and there are concerns about the additional traffic this development will bring. Mr. Deppe said that he lives near this property and does not want to see this made into a cul-de-sac. A through street would help create a better traffic flow to connecting streets.

Betty Parker asked about the length of the flag stem on Lot 5.

Andy Thompson said that as it's currently proposed, the stem is approximately one hundred and fifty long. There is no regulation or limitation on how long a flag stem can be.

Heidi Nettleton said that recently a development, the Penelope Rose Subdivision, with approximately twenty homes was approved on the west end of 600 South. There is only one outlet for this subdivision, which is 600 South Street. The existing neighbors are concerned by the increased amount of traffic this subdivision will bring, and by creating a connecting street onto 800 East it will create a better traffic flow and help bring some relief to the residents on 600 South.

There were no further comments or questions from the public. Chairperson Gary Bullock closed the Public Hearing.

Jerry Wiser commented that many years ago it was planned to have 700 East connect south to Nichols Road which would have helped to give their neighborhood another outlet.

Andy Thompson said that there are many complications in creating a connecting road to Nichols Road and therefore hasn't been considered for many years as a reasonable connection.

Stroh DeCaire said that because there is only one planned outlet for Penelope Rose, it would be better long-term to create another nearby outlet.

Matthew Anderson asked about the width of 800 East Street.

Andy Thompson responded that 800 East has the standard subdivision street width.

Matthew Anderson asked what kind of configuration the city would like to see at this location.

Andy Thompson responded that, in general, the city would like to see as many street connections as possible. However, Staff feels that there are adequate street connections in this area either configuration would not significantly impact traffic flow.

Lyle Gibson commented that pedestrian traffic should also be considered.

Jerry Wiser commented that he has lived in this area for many years and there is not much traffic along 600 South. This decision shouldn't be made based on guesses, and a traffic study should be considered.

Russell Lindberg commented that while there might not be much traffic in this area currently, we need to look long-term at what traffic could be.

Russell Lindberg made a motion to recommend denial of the request for a PRUD overlay zone at 507 South 800 East, and preliminary plat for Jerry Wiser Subdivision at 507 South 800 East for Jerry Wiser based on the configuration of the development and a lack of a through street at 800 East. Stroh DeCaire seconded the motion.

Voting was as follows:

Russell Lindberg yea
Stroh DeCaire yea
Gary Bullock yea
Betty Parker yea
Matthew Anderson nay

The motion passed with a vote of four to one.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Andy Thompson introduced Lyle Gibson and announced that he recently was hired as the city Zoning Administrator.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, October 9, 2014 at 7:00 p.m.

ADJOURNMENT

Matthew Anderson made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:30 p.m.