

26 June 2014 Minutes

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KAYSVILLE CITY PLANNING COMMISSION

June 26, 2014

Members Attending: Chairperson Russell Lindberg, Gary Bullock, Stroh DeCaire, Lorene Kamalu, Betty Parker

Excused: Matthew Anderson, Jake Garn

Staff Present: City Engineer Andy Thompson, Zoning Administrator Wade Flint, Secretary Annemarie Plaizier

Others Present: Daryl L. Ernst, Scott Taylor, Cindy Taylor, Jeff Noorda, Sue Noorda, Jennifer Lindberg, Brittany Lindberg, Aubrey Lindberg, Mary Lindberg, Ashley Lindberg, Emily Lindberg, Ryan Lindberg, Andrew Peterson, Conner Smith, Jaynalee Peterson, Carl Galbraith, Kent Galbraith, Patrick Scott, Steve Bingham, Jennifer Cieslewicz

OPENING

The Planning Commission meeting was held on Thursday, June 26, 2014 at 7:00 p.m. in the Municipal Center.

Chairperson Russell Lindberg opened the meeting by welcoming those present.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", SOCIAL SKILLS INSTRUCTION FOR CHILDREN AT 322 EAST 2300 SOUTH – JENNIFER CIESLEWICZ

Wade Flint explained that Mrs. Cieslewicz works with children ages four to ten years old to help them develop their social and interaction skills. She anticipates having three classes per week on Monday, Wednesday, and Friday, for no longer than one hour per class. The children will be in three different age groups and Mrs. Cieslewicz plans to have no more than eight students at a time.

Russell Lindberg asked about off-street parking.

Jennifer Cieslewicz responded that she will provide parking with her driveway, but will also notify parents to drop off and pick up the children at the designated times. If at some point she decides to hold more than one class per day, there will be a one-hour break in between classes.

Stroh DeCaire asked if she would hold classes during the summer.

Jennifer Cieslewicz responded that she plans to hold classes year-round.

Betty Parker asked Mrs. Cieslewicz if her neighbors were aware of her intentions for this business.

Jennifer Cieslewicz responded that she had sent an e-mail to her neighbors notifying them of her business and what it will entail. She hasn't received any complaints or concerns from the neighbors.

Lorene Kamalu commented that she had spoken with some of Mrs. Cieslewicz's neighbors who told her they are excited about the business.

Betty Parker made a motion to grant a conditional use permit for a Major Home Occupation B, social skills instructions for children at 322 East 2300 South for Jennifer Cieslewicz. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", PRESCHOOL AT 50 NORTH 750 EAST – SUE NOORDA

Wade Flint explained that preschools are limited to twelve students and Mrs. Noorda anticipates having two classes per day, five days a week, with approximately eight students per class. A bedroom in her home will be converted to the preschool area and it does have an exterior door which leads to the rear yard. Parents will drop off and pick up children at designated times, and there is enough space in her driveway to provide off-street parking.

Stroh DeCaire asked if the property was fenced.

Sue Noorda commented that the backyard is fenced, and she will always be with the students when they are outside.

Lorene Kamalu made a motion to grant a conditional use permit for a Major Home Occupation B, preschool at 50 North 750 East for Sue Noorda. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 1198 SOUTH 800 EAST – RUSSELL LINDBERG

Chairperson Russell Lindberg recused himself from this item due to a conflict of interest. Vice-Chairperson Gary Bullock filled in as Chairperson for the duration of this item.

Wade Flint explained that the Lindberg children are requesting to have farm animals, specifically chickens, on their property at 1198 South 800 East. The chickens will be kept in the backyard, and based on the size of their property, they will be able to care for up to seven chickens. Staff has inspected the property and found the proposed site for the chicken coop to be in compliance with the required setbacks.

Mary Lindberg commented that they would like to have seven chickens and won't be keeping any roosters.

Stroh DeCaire made a motion to grant a conditional use permit for farm animals at 1198 South 800 East for Russell Lindberg. Betty Parker seconded the motion and it passed unanimously.

Chairperson Russell Lindberg rejoined the meeting.

PUBLIC HEARING AND REQUEST TO REZONE 2.95 ACRES OF PROPERTY AT 796 WEST 200 NORTH FROM R-1-20 (SINGLE FAMILY RESIDENTIAL) TO LI (LIGHT INDUSTRIAL) – DEAN GALBRAITH

Andy Thompson explained that Staff has received a request to rezone 2.95 acres of property at approximately 796 West 200 North from R-1-20 (Single Family Residential) to LI (Light Industrial). The Galbraith Family would like to market the property and since it is surrounded on three sides with light industrial zones and uses, they believe that the property is better suited to the light industrial zone. When this request was originally reviewed by Staff with the owner, it was suggested that the residential home not be included in the rezone since Mr. Galbraith would continue to live there. Since that time, Staff has reviewed the State Statute and determined that the home could remain as a residence in the Light Industrial zone without any problem.

Chairperson Russell Lindberg opened the Public Hearing.

Scott Taylor commented that he lives in the neighborhood to the south of this property and he feels that the Light Industrial zoning is appropriate for this property. However he is concerned about some of the allowed uses in the LI zone, which include twenty-four hour commercial businesses, adjacent to Barnes Park which has a curfew. There is also concern with allowing potential businesses to sell alcohol within such close proximity to the park and the residential subdivision, and also concern with increased trash this type of businesses may create.

Stroh DeCaire commented that if this rezone were approved, off-premise beer sales from a business, such as a convenience store, would be allowed. On-premise beer sales, like at a restaurant or bar, would not be.

Scott Taylor added that it seems that convenience stores tend to attract crowds, which is not something we want adjacent to residential property.

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

Gary Bullock asked if there was an ordinance restricting the distance a store has to be from a park or residential property in order to allow beer sales.

Wade Flint said that there are State distance requirements for on-premise beer sales, but not off-premise. Therefore a use such as a convenient store would be allowed on this property.

Betty Parker asked about the home and if it were to be rezoned if it could be resold.

Andy Thompson said that it could be sold, but the existing residential use could not be expanded.

Stroh DeCaire made a motion to recommend approval of the request to rezone 2.95 acres of property from R-1-20 (Single Family Residential) to LI (Light Industrial) for Dean Galbraith. Gary Bullock seconded the motion and it passed unanimously.

PRELIMINARY AND FINAL PLAT APPROVAL FOR OUTWEST TOWNHOUSE PRUD SUBDIVISION AT 560 WEST MUTTON HOLLOW ROAD, AND PUBLIC HEARING AND REQUEST FOR A PRUD OVERLAY ZONE AT 560 WEST MUTTON HOLLOW ROAD – GOLDEN BENNETT

Andy Thompson explained that this property was recently rezoned to R-2 with the provision that no more than four units be allowed. Mr. Bennett has now submitted a plat showing two, two-unit townhomes which complies with the requirements of the rezone. Each unit is proposed to be served from a private lane with the structure on a pad and the remainder of the property as open space. At the Planning Commission's last meeting, this item was reviewed and tabled because of some questions that the Commission had regarding the fencing and the development of the open space. The developer is present tonight to discuss these issues. Since there is a private road and common open space, this project is required to have the PRUD overlay zone applied in order to be legal. Staff is recommending approval of this development, subject to the determination of how the open space will be developed, and an acceptable fencing plan.

Justin Bennett, representing Golden Bennett, the developer of this property, said that he plans to install a six foot vinyl fence around the perimeter. At this point they anticipate only having grass and a few trees within the open space, but hope to install a small playground later on in the project.

Stroh DeCaire asked about the maintenance of the property.

Justin Bennett commented that the Homeowners Association of this subdivision will be required to maintain the property.

Chairperson Russell Lindberg opened the Public Hearing.

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

Betty Parker made a motion to recommend preliminary and final plat approval for Outwest Townhouse PRUD Subdivision at 560 West Mutton Hollow Road for Golden Bennett. Stroh DeCaire seconded the motion and it passed unanimously.

Betty Parker made a motion to recommend approval of the request for a PRUD overlay zone at 560 West Mutton Hollow Road for Golden Bennett. Stroh DeCaire seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR HILL FARMS SUBDIVISION PHASES 2A AND 2B AT APPROXIMATELY 350 NORTH ANGEL STREET – DESTINATION HOMES

Andy Thompson explained that several months ago, the Hill Farms property went through an extensive planning process that resulted in the City rezoning and granting preliminary plat approval for about one-hundred acres of property near Angel Street and 200 North. Over the last year or so, Phase 1 of this project has been constructed with several of the homes since completed. Destination Homes has now submitted a final plat and engineered drawings for the first two phases of the second section of this project. Phase 2A consists of twenty-six lots and Phase 2B has thirteen. Both phases have several areas of open space. These plats comply with the preliminary plat with a couple lots having been combined since preliminary approval.

Lorene Kamalu asked about the open space within these phases.

Andy Thompson responded that there are some large areas of open space located along Angel Street to create a buffer between the homes and the busy thoroughfare of Angel Street.

Stroh DeCaire made a motion to recommend final plat approval for Hill Farms Subdivision Phases 2A and 2B at approximately 350 North Angel Street for Destination Homes. Gary Bullock seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR THE HOMESTEAD AT HALES FARM SUBDIVISION AT 67 NORTH FLINT STREET – BRIGHTON HOMES

Andy Thompson explained that recently this property received preliminary plat approval and the final plat has now been submitted. The plat consists of fifteen lots on 7.8 acres with lots ranging from 12,430 square feet to over 30,000 square feet. The final plat is in compliance with the preliminary plat and meets the R-1-LD zone and all other applicable requirements. There is an existing home on Lot 15.

Russell Lindberg suggested that the lots fronting onto Flint Street be required to have pull-forward driveways as they will be accessing a main road.

Betty Parker made a motion to recommend final plat approval for The Homestead at Hales Farm Subdivision at 67 North Flint Street for Brighton Homes with the condition that the lots taking access off of Flint Street be required to have pull-forward driveways. Lorene Kamalu seconded the motion and it passed unanimously.

GENERAL PLAN AMENDMENT

The Planning Commission reviewed and discussed the proposed General Plan Amendment and aesthetically improving Kaysville's main road arteries and entrances, such as the I-15 freeway on and off-ramps.

Andy Thompson responded that the City would have to work with UDOT and also find funding to not only improve the areas, but also to pay for the continued maintenance of it. Once a City adds some form of landscaping to UDOT property, the City will be required to maintain the property.

The Commission decided to continue reviewing proposed alterations to the General Plan at their next regularly scheduled meeting.

CALL TO THE PUBLIC

Nothing was brought under this item.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, July 10, 2014 at 7:00 p.m.

ADJOURNMENT

Betty Parker made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:05 p.m.