

10 March 2016 Minutes

KAYSVILLE CITY PLANNING COMMISSION

March 10, 2016

Members Attending: Chairperson Matthew Anderson, Stroh DeCaire, Lorene Kamalu, Betty Parker, Thomas Wood

Excused: Gary Bullock, Joshua Sundloff

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

Others Present: Council Member Larry Page, Rachel Engstrom, Ross Ranzenberger, Pearl Ranzenberger, Nolan Jabczynski, Justin Bennett, Vicki Gold

OPENING

The Planning Commission meeting was held on Thursday, March 10, 2016 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the January 28, 2016 and February 11, 2016 meetings were presented for approval.

Lorene Kamalu asked that her comment on page four of the February 11, 2016 minutes be revised to state “Lorene Kamalu asked about the number of units being proposed and if the developer had considered a different plan with fewer units, which might better fit the intended zoning.” Mrs. Kamalu also clarified that under the Reports item that she had spoken to the contractor hired by Wendell Peery and not a neighbor as stated in the minutes.

Stroh DeCaire made a motion to approve the minutes of the January 28, 2016 and February 11, 2016 meetings with the amendments as proposed. Thomas Wood seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, HANDYMAN SERVICES AT 195 EAST 100 SOUTH – NOLAN JABCZYNSKI

Lyle Gibson explained that Nolan Jabczynski is requesting a conditional use permit for a Major Home Occupation “B” from his home at 195 East 100 South. Mr. Jabczynski will use his home for scheduling appointments and preparing bids, as well as processing other paperwork. Any tools or equipment not being used will be stored inside. Mr. Jabczynski has a son living with him who will occasionally help with different jobs.

Stroh DeCaire made a motion to grant a conditional use permit for a Major Home Occupation “B”, handyman services at 195 East 100 South for Nolan Jabczynski. Lorene Kamalu seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, ESTHETICIAN AT 977 WEST MILL SHADOW DRIVE – RACHEL ENGSTROM

Lyle Gibson explained that Rachel Engstrom is a licensed esthetician and has been practicing in commercial outlets but now desires to continue providing services to some of her clientele through her own home business. Her property, located at 977 West Mill Shadow Drive, has a large driveway and therefore will have adequate space for customers to park off-street. Ms. Engstrom plans to have clients come by appointment only and will leave time between each appointment to complete paperwork.

Stroh DeCaire asked if Ms. Engstrom is the owner of the property.

Lyle Gibson said that it is owned by the family member who also lives on the property.

Thomas Wood made a motion to grant a conditional use permit for Major Home Occupation “B”, esthetician at 977 West Mill Shadow Drive for Rachel Engstrom. Betty Parker seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A TWO-FAMILY DWELLING AT 609 EAST 1150 SOUTH – ROSS RANZENBERGER

Lyle Gibson explained that Ross Ranzenberger lives at 609 East 1150 South and would like to build an addition onto his home to create an extra dwelling unit. Two-family dwellings are permitted in the R-1 zoning districts as a conditional use as long as there is not more than two duplexes located within a five-hundred foot radius of the subject property, which there is not. There is already a three-car garage on site and space for three cars in the driveway, and therefore meets the parking requirement for a duplex of two off-street parking spaces per dwelling. Each living unit would also have its own electric meter. Staff is recommending approval with the condition that the applicant complete the building permit process for a conversion from a single-family to two-family dwelling.

Ross Ranzenberger added that the driveway for the new unit would run along the east side of the property from the main driveway. Because city ordinance restricts having separate dwelling units on the property, a pool house will connect the exiting home to the new unit.

Stroh DeCaire asked if the Ranzenberger’s already had an interested tenant.

Ross Ranzenberger responded that they plan to have it be used by family.

Matthew Anderson asked if the new driveway along the property line would be covered.

Ross Ranzenberger said that he was told he couldn't completely cover the driveway, but will be installing a covered walkway alongside the home which will hang over the driveway about four feet.

Stroh DeCaire made a motion to grant a conditional use permit for a two-family dwelling at 609 East 1150 South for Ross Ranzenberger with the condition that Mr. Ranzenberger complete the building permit process for a conversion from a single-family to a two-family dwelling. Lorene Kamalu seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY AND FINAL PLAT APPROVAL FOR MILLER RANCH SUBDIVISION AMENDED AT 1766 WEST PHILLIPS STREET – MISTIE MANNING

Andy Thompson explained that this plat for the Miller Ranch Subdivision, located at 1766 West Phillips Street, was recently approved and recorded. As the new home was being laid out, it was discovered that the originally platted lot did not provide the desired setbacks for the proposed home. A new plat has therefore been submitted, moving the northerly line about thirty feet further north. Both lots are still in compliance with applicable zoning requirements.

Chairperson Matthew Anderson opened the Public Hearing.

There were no comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Betty Parker made a motion to recommend preliminary and final plat approval for Miller Ranch Subdivision Amended at 1766 West Phillips Street for Mistie Manning. Thomas Wood seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR HERITAGE SQUARE TOWNHOME SUBDIVISION PHASE 2 AT 560 WEST MUTTON HOLLOW ROAD – JUSTIN BENNETT

Andy Thompson explained that Justin Bennett developed this property, located at 560 West Mutton Hollow Road, about two years ago. This development contained two two-unit townhomes served by a private lane. Mr. Bennett now would like to add three more townhome units to the project. Under the existing R-2 zoning the property would accommodate a total of seven units, and with the already approved PRUD overlay zone, the lots and open space would be in compliance. However, when the original rezone and plat approvals were given, it was with the condition that no more than four units be allowed on the property. This condition was agreed on and documented with a recorded development agreement. Mr. Bennett acknowledges the development agreement, but believes that now that the first four units are in place, many of the concerns expressed with the original approval have dissipated. Staff recommends that the Planning Commission review this proposal and consider the impacts of the original development, and the potential impacts of the requested additional units. If it is determined that the impacts are acceptable, then the project may be recommended for approval, subject to a modification to the

development agreement. The Planning Commission may also recommend additional provisions to the development agreement to mitigate any impacts from the additional units.

Chairperson Matthew Anderson opened the Public Hearing.

There were no comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Justin Bennett said that when this development was originally proposed it seemed that most of the concern was with the density of the project. A lot of time and money have been invested into this project since receiving approval and there isn't enough money left to improve the vacant lot as open space as originally planned on the south end of the property.

Stroh DeCaire commented that he had reviewed the minutes from the meetings when this development received approval. Many neighbors were present at the meetings and expressed a lot of concern about the proposed number of units. The limitation of four lots for this entire property was set for a reason. It seems that, based on the layout and construction of this development, Mr. Bennett was just satisfying the City's requirements until a later date.

Justin Bennett said that development costs have been more than expected and he is now looking for another way to help cover costs and feels that building additional units is the best option.

Thomas Wood commented that because the original development plans had a large piece of the property vacant at the end of the lane, it seems that Mr. Bennett never intended to only build four total units, but rather met the allowed unit limitation to satisfy the approval requirement for the time being.

Justin Bennett said that the first drawing of the development showed seven units, and when the four unit limitation was set he decided to just remove the back three units and create an open space area instead of having the subdivision plans redesigned. Mr. Bennett added that because there haven't been any further complaints from the neighbors in the area since the property was developed that the same concerns don't exist anymore.

Stroh DeCaire said that the Planning Commission recently received an e-mail from David Black, a neighbor, who stated that he is against allowing more units within this development because there is already too much density in the area.

Thomas Wood asked about the water retention area in the back of the property.

Andy Thompson responded that the retention area is small and wouldn't be near the proposed units. However, should these proposed development plans be approved for preliminary plat, Mr. Bennett would have to design a storm water plan.

Lorene Kamalu stated that she had driven through the development before tonight's meeting and feels that it has been well built and maintained thus far.

Betty Parker commented that when this was originally approved it was approved for the best use at that time. Has that changed now?

Andy Thompson said that another option could be to build a single family dwelling on the vacant lot instead. However, it might seem awkward to have a single family home among multi-family units, and might affect the value of the home.

Matthew Anderson commented that as it stands right now, another unit couldn't be built on the property at all, unless the development agreement is amended.

Thomas Wood said that another possibility could be to build two smaller single family homes on the lot, similar to those on Stonne Lane.

Matthew Anderson said that he is uncomfortable approving three more units on this piece of property, but also doesn't want to see the property empty. Maybe there is a middle ground that would be a better use for the property.

Justin Bennett said that if three units were built, it would still leave plenty of open space area around the units. Mr. Bennett added that he plans to start installing landscaping around the existing units in the spring.

Thomas Wood asked if a second access could be created onto Stonne Lane.

Justin Bennett responded that he had spoken with the residents of Stonne Lane but has been unable to work something out with them.

Thomas Wood asked if the new units would be rentals.

Justin Bennett said that because each unit would be sold separately, it is up to each owner to decide what to do with the unit.

Lorene Kamalu said that while the Commission needs to consider what the highest and best use for is every property, sometimes the impact of a development is not as bad as it is anticipated. It's possible that the reason we haven't heard from the neighbors is that they changed their mind about what they originally thought were negative impacts from this development. The type of units being proposed are in high demand right now because of their size and because of their location within the city. It doesn't seem that there would be any other negative impacts with the approval of a few additional units.

Betty Parker asked if the vacant lot could be sold.

Andy Thompson responded that it's currently considered as open space for this project. If it's sold off separately then the owner would still have to go through the approval process to allow for a dwelling to be built on the property because of the current density restriction.

Thomas Wood said that he lives near this property and feels that many of the neighbors haven't said anything about this proposed item because they are under the impression that it won't make a difference. Many feel that they were ignored when this development was originally brought to the City for approval and that their concerns had gone unheard. There was a reason the four unit limitation was put upon the approval of this development. However, there might be a better use for the vacant lot that will still meet the spirit of the original limitation. Mr. Wood suggested that Mr. Bennett consider building only two more units, and possibly make them bigger than the others.

Andy Thompson suggested that this item be tabled so the developer could investigate other options for development.

Lorene Kamalu made a motion recommend preliminary plat approval for Heritage Square Townhome Subdivision Phase 2 at 560 West Mutton Hollow Road for Justin Bennett with the following provisions:

1. The developer explore other possible dwelling options for this development
2. The developer explore the possibility of creating a second access onto Stonne Lane.
3. A final landscaping plan be created and presented before preliminary plat approval.
4. The proposed development agreement amendment be presented.

Justin Bennett said that he has attempted to work something out with the home owners of Stonne Lane to try to gain a second access, but has been unsuccessful.

Matthew Anderson stated that he is concerned about the proposed density and would consider recommending approval for a plan with fewer units.

Lorene Kamalu stated that she is concerned about delaying this development any longer.

Betty Parker commented that it is the Planning Commission's due diligence to review each proposed development to ensure it meets city requirements before making a recommendation to the City Council. Since there are still questions and concerns about the project, those need to be addressed before proceeding with any kind of approvals.

Thomas Wood said that before he would recommend approval of this project he would like to see further evidence that this current proposal will be the best use for the property and that other dwelling options have been explored.

The motion died for lack of a second.

Betty Parker made a motion to table the request for preliminary plat approval for Heritage Square Townhome Subdivision Phase 2 at 560 West Mutton Hollow Road for Justin Bennett so that the developer can further review and address the comments and questions made tonight. Thomas Wood seconded the motion.

Voting was as follows:

Lorene Kamalu nay
Stroh DeCaire aye
Matthew Anderson nay
Betty Parker aye
Thomas Wood aye

The motion passed with a vote of three to two.

Matthew Anderson commented the he voted against the motion because he felt that it could have been given a recommendation to the City Council for approval with certain stipulations.

Thomas Wood was excused from the remainder of the meeting.

PRESENTATION AND APPROVAL OF THE KAYSVILLE CITY ACTIVE TRANSPORTATION PLAN

Lyle Gibson explained that the Kaysville City Council adopted the most recent version of the Kaysville City General Plan in December 2014. The Transportation and Traffic Circulation section of the Plan states that the City should “implement the Kaysville Active Transportation Plan”. To create the Active Transportation Plan, Staff secured funding from Wasatch Front Regional Council and together, with Farmington City, hired a consultant to help with the process. Alta Planning and Design was hired and has been working with Staff and a steering committee for over six months to create the Plan to this point. Feedback from significant public input has been considered in the creation of the plan. Public involvement included a website, online survey, and an open house.

Lyle Gibson reviewed the proposed Kaysville Active Transportation Plan with the Planning Commission.

Chairperson Matthew Anderson asked for public comment.

Vicky Gold commented that she is a stay-at-home mom and loves to be active, but has had to find ways to continue to be as they have had children. She tries to bike around the city as much as possible, to places like the grocery store and library. However, living west of the freeway makes it hard to travel to the east side of the city because of safety concerns. Mrs. Gold said that she has stopped bicycling on 200 North because of how busy and unsafe it is. It seems that bicyclists and drivers are afraid of each other. There needs to be a better way for bicyclists and pedestrians to travel on the same road. Bike lanes are a great way to give bicyclists more authority on the road, and to give drivers a better sense of where bicyclists are. This Active Transportation Plan is a good start in helping the world to change to become more active by giving people better access to transportation options.

No other public comment was given.

Matthew Anderson suggested that Commission members review the Plan in further depth over the next couple weeks and then discuss their findings at their next meeting.

Stroh DeCaire made a motion to continue this item at the next Planning Commission meeting. Lorene Kamalu seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought under this item.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, March 24, 2016 at 7:00 p.m.

ADJOURNMENT

Stroh DeCaire made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:45 p.m.