

1. Documents

Documents:

[28 JULY 2016 PACKET.PDF](#)
[28 JULY 2016 AGENDAS.PDF](#)

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, July 28, 2016 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening
2. Conditional use permit for farm animals at 824 Brookshire Drive – Stan Henson.
3. Conditional use permit for an electronic message center sign at 2260 West Island Drive – Davis School District. (Tabled Item)
4. Final Plat approval for the Wiser Subdivision at approximately 507 South 800 East – Jerry Wiser.
5. Call to the public.
6. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
7. 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, July 22, 2016.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Wiser Subdivision Final Plat July 28, 2015

Applicant/Owner:	Jerry Wiser
Location:	507 South 800 East
Zone:	R-1-8 and R-1-10

Description:

About a year ago Mr. Wiser received preliminary plat approval for this property and has now submitted for final plat approval. The final plat has two significant changes from the preliminary plat; lot 5 was previously shown as two lots, and the walking path connecting the cul-de-sac to 800 East has been removed.

The plat consists of five lots on about three acres with one existing home. The lots range in size from just over 18,000 square feet to over 37,000 square feet.

Recommendation:

The plat complies with the R-1-10 zone and the engineering is in good order. Staff has reviewed the sidewalk connection and has concerns over the long term maintenance. It is believed that the cost to the City of the maintenance would outweigh the benefits that this facility would provide.

Attachment 1: Location Map
Attachment 2: Final Plat
Attachment 3: Preliminary Plat
Attachment 4: Minutes from March 26, 2015 Planning Commission

Wiser Subdivision





Planning Commission Staff Report

Conditional Use Permit for Farm Animals July 28, 2016

Applicant/Owner: Stan Henson
Location: 824 North Brookshire Drive

Description:

Mr. Henson is requesting a conditional use permit for farm animals. Their property is approximately 0.23 acres or 10,000 square feet, allowing up to six (6) fowl, rabbits, or similar animals. Specifically the request is for chickens at the above listed property.

City staff was made aware of the chickens through contact from outside the office inquiring if the chickens were permitted. There is roosters on site but the property has had chickens not knowing that a conditional use permit was required. There are currently six (6) chickens on site. The property currently has a fence that encloses the rear yard and a coop for the chickens is already in place in compliance with chapter 17-24 of the Kaysville City ordinance.

Recommendation:

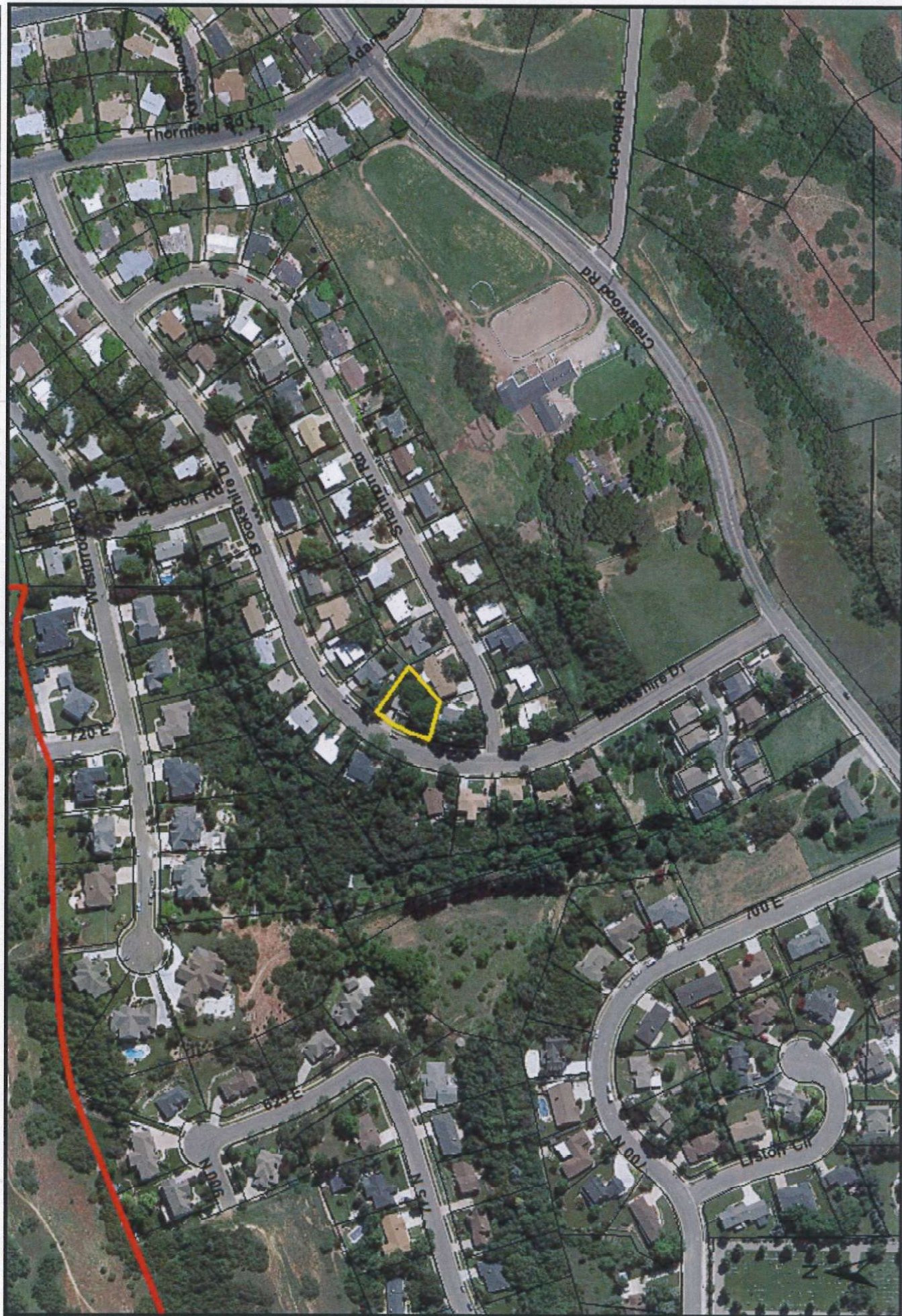
Staff is recommending approval of the proposed conditional use permits for farm animals subject to compliance with the provisions of chapter 17-24 Farm Animals.

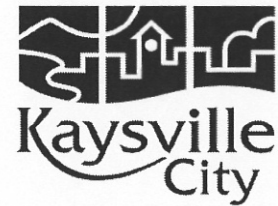
Reasoning:

The existing conditions on site and restrictions of the ordinance appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

824 North Brookshire Drive





Planning Commission Staff Report

Conditional Use Permit for an Electronic Message Center sign at Kays Creek Elementary. (Tabled Item) July 28, 2016

Applicant/Owner: Bryan Turner with the Davis School District
Location: 2260 West Island Drive
Zone: R-A

Description:

The Davis School District is just completing construction for the opening of the new Kays Creek Elementary School in the north-west corner of Kaysville City. With the school construction a sign has been built which requires conditional use approval from the planning commission.

17-33-7 (8) of the Kaysville City Ordinance states: *Planning Commission/Conditional Use Permits. For a site that is five (5) acres or larger, the Planning Commission may consider an on-premise sign proposal that is less restrictive than regulations set forth herein. Such sign plans shall be considered a conditional use and a determination shall be made that the proposed sign exceptions are not in conflict with the purpose of this Chapter and are in architectural harmony with the development and other buildings and uses adjacent to the development.*

Generally in a residential zone, signs of this nature would not be permitted, however many schools in Kaysville already have similar signs which have been approved under the provision above. The sign is roughly 10' x 8' with the EMC portion of the sign being roughly 8' x 4'.

In addition to the provision allowing flexibility on large sites such as the school with over 10 acres of ground, the sign ordinance also has the following regulation for EMCs: *EMC signs shall not cause glare or rapid blinking, nor be intensely lighted so as to create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. EMC signs shall be capable of being programmed to automatically dim according to ambient light conditions. Conditional use in zones where permitted. Allowed only as part of monument and ground signs. As part of the conditional use review the Planning Commission may consider hours of operation, sign height, sign size, and/or setbacks from property lines.*

During discussion at the last planning commission meeting, staff was asked to provide additional details regarding the sign and have someone present representing the school district. Contact with the school district confirmed that the sign is capable of being dimmed on a programmed schedule, the district is also willing to turn the sign off overnight. Additional site review confirmed that the sign is 10' 6" behind the sidewalk along Island Drive and 8' from back of curb along the exit of the drop off lane. Kaysville City has a standard for clear view areas at street intersections, but not a standard that is applicable as a requirement in this case when considering the drive/drop off. 17-31-18 (2) states 2) *On a corner lot in any district, no obstruction to view, except utility fixtures not higher than three feet (3'), shall be allowed*

to impede vision between a height of two feet (2') and ten feet (10') above the centerline grades of the streets within a triangular area formed by the streets at property line and a line connecting them at points thirty feet (30') from the intersection of the property lines. Further review of this standard indicates that it is established for higher speed roads without variation to traffic required to stop and applied universally throughout the city to simplify regulation. For a drop off area with low speeds and one way traffic AASHTO standards indicate that the clear view area would be greatly reduced. Photos of a car stopped in each lane of the drop off exit are shown to indicate the amount of visibility in either position when looking in the direction of the sign. Finally, Oakwood homes was contacted directly to inquire about any concerns for their development and the 'quick move-in' home across the street. As of the date of this report no concerns have been made known to staff.

Recommendation:

Staff recommends that the planning commission approve the application for a conditional use permit for the electronic message sign at Kays Creek Elementary with the following condition:

- The sign be turned off between the hours of 8pm and 6am.

Attachment 1: Area Map

Attachment 2: Photo of the sign

Attachment 3: Visibility Photos

Attachment 4: Site Plan

Kays Creek Elementary Sign





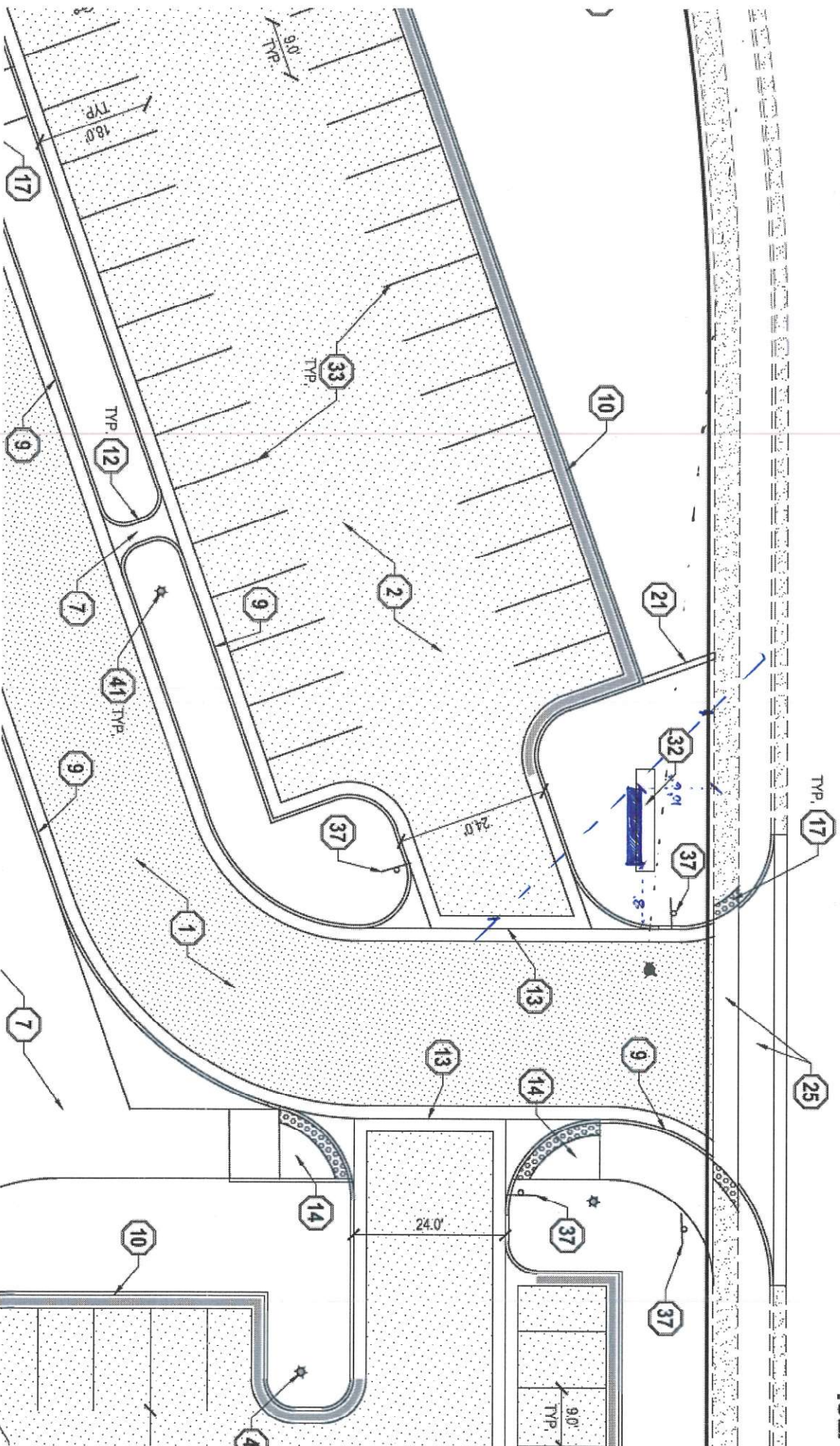


Photo 1: View of the intersection from the northbound lane, looking south. The stop sign is visible on the right side of the road. The excavator is working on the dirt mound in the background.



Photo 2: Close-up view of the intersection from the northbound lane, looking south. The stop sign and the excavator are clearly visible.

ISLA



Planning Commission Meeting March 26, 2015

**PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR JERRY WISER
SUBDIVISION AT 507 SOUTH 800 EAST – JERRY WISER**

Lyle Gibson explained that Mr. Wiser owns about three acres of property on several parcels at the end of 800 East Street. A preliminary subdivision plat for this same property was submitted several months ago and the Planning Commission recommended that the proposed plat be denied. There has been concern about allowing 800 East Street as a cul-de-sac, rather than connecting it as a through street. The plat has since been modified, with the flag lot being removed. Mr. Wiser is still proposing the development as a cul-de-sac street. Staff is recommending that the Planning Commission examine the potential traffic patterns in this area and determine if connecting 800 East Street should be required. If the traffic pattern is acceptable without the through street connection, the plat should be approved since it complies with city requirements.

Jerry Wiser said that since the last meeting, he has worked with an engineer on subdivision designs and has found that the cul-de-sac layout is the most practical way to develop the property. Traffic concerns in this area won't be resolved by making 800 East a through street. In speaking with neighborhood residents, he found that most prefer that it be developed as a cul-de-sac. There is already a through street providing adequate access via 875 East Street, and 800 East has been a dead-end street for the last fifteen years. Building four or five homes into the area won't affect current traffic. Making 800 East a through street is unnecessary and won't be beneficial to traffic patterns. The bike path at the end of the cul-de-sac will help create better pedestrian flow in the area.

Matthew Anderson asked about the existing home and outbuilding on Lots 6 and 7.

Jerry Wiser responded that he recently sold Lots 6 and 7, and understands that both the home and the outbuilding will remain.

Chairperson Gary Bullock opened the Public Hearing.

Ray Nettleton said that he lives at the intersection of 600 South and 700 East and feels that having a through street would help to alleviate traffic from the new Penelope Subdivision development. Currently the only access for the Penelope Subdivision is 600 South Street, and any traffic alternatives in the area would help to create more of a natural traffic flow.

Michelle Blackburn commented that she lives on 800 East, just south of Lot 6 on the proposed plat, and is in favor of developing the street as a cul-de-sac rather than bringing more traffic to the area by creating a through street. This dead-end road has become a gathering area for the kids in the area, and by leaving it as a cul-de-sac it would help to keep this area a safer place.

John Stout said that he lives next to the Blackburn's, on the corner of 800 East and 600 South, and agrees that making 800 East a through street would be detrimental to the area as it will create a safety concern with the increased traffic. Most through traffic takes access from 600 East, and

therefore 800 East would probably not be utilized.

Kirk Anderson said that he lives on 800 East as well and one reason he was drawn to the area was because 800 East as a dead end street. There are many children living in the area and a cul-de-sac would create a safer environment.

Jennifer Williams said that she lives on 600 South and although she doesn't live on 800 East she feels that it should be developed as a cul-de-sac. Through streets bring more traffic and with it more safety concerns.

Blaine Duke said that he lives at 503 South 875 East, and agrees that it is unnecessary to make 800 East a through street because of the close proximity to other through streets in the area. Also, the layouts of the lots are large and fit well into the area.

Betty Parker asked if Mr. Wiser had discussed the possibility of a through street with the neighbors.

Jerry Wiser commented that he hadn't.

Bruce Brinkerhoff said that he lives on Cherrywood Drive to the north of this property and is concerned about the increased traffic that the Penelope Rose Subdivision will bring to the area, especially with only one road access.

Elaina Duke said that she lives on 875 East and feels that there aren't many cul-de-sacs in the area where neighborhood kids can gather, with the exception of this 800 East Street. Cul-de-sacs are safer for children in the neighborhood because there is less traffic. The bike path will provide a safe way for kids to travel to and from school.

Jeff Morgan, living at 433 South 800 East, said that he is in favor of the proposed cul-de-sac because he would prefer not to have more traffic on 800 East, and it will also be safer for the residents.

Kathy Stout said that she also lives on 800 East and the road has been a dead end street for many years and feels that it should not be turned into a connecting road.

Melissa Anderson said that the neighborhood children seem to gather at this location because there doesn't seem to be a safe place to do so nearby. The addition of a few more homes on a cul-de-sac won't change that, but a through street would because of the additional traffic.

Adam Spillman said that he bought Lots 6 and 7, which includes the existing home and outbuilding, and one reason they were attracted to this property was because it wasn't on a thoroughfare.

Tyler Higley said that he lives on Laurelwood Drive nearby and is excited to see that the city is encouraging more bike and walking paths in the city. The walking path will add to the

neighborhood and be a great place for pedestrian traffic.

Russ Jensen, living at 445 South 800 East, said that he supports Mr. Wiser's proposed plan. While he doesn't have any children living in his home, he has many grandchildren come to visit and he would prefer that the amount of traffic be as limited as possible.

Ray Nettleton asked if it was ever in the master plan to connect 800 East to make it a through street.

Gary Bullock said that side streets, such as this, would not be specified on exactly where they'd be planned, but rather would be approved on a case-by-case basis by the city.

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

Jerry Wiser stated that he has spoken with many of his neighbors and has studied traffic patterns of the area. Mr. Wiser says the he feels the addition of four or five homes on a cul-de-sac won't have a detrimental impact and will help keep an open feel.

Matthew Anderson commented that when this came before the Commission previously there were some concerns expressed about providing good traffic flow and access to the area. It seems that this development is small enough that there isn't enough merit to justify requiring a through street.

Betty Parker said that she agrees that children tend to gather in cul-de-sacs, however, the layout of the surrounding area seems to indicate that 800 East would be connected at some point.

Lorene Kamalu said that while cul-de-sacs tend to seem safer, creating another access point for traffic would help with traffic flow. However, the property rights of Mr. Wiser also need to be considered. Drivers tend to take whichever street will give them the quickest route and there is no way to determine if 800 East would be utilized as much or possibly even more than other streets nearby, or if the additional road would improve the flow of traffic in the area at all.

Gary Bullock stated that when this issue was first brought before the Planning Commission he wasn't in favor of having a cul-de-sac on 800 East, because it would cut off access to the north. However, he has recently driven through this neighborhood several times to analyze current traffic flow and concluded that if a cul-de-sac were approved it wouldn't make a negative impact to the surrounding area.

Matthew Anderson made a motion to recommend preliminary plat approval for Jerry Wiser Subdivision at 507 South 800 East for Jerry Wiser. Lorene Kamalu seconded the motion and it passed unanimously.

Chairperson Gary Bullock proposed holding Call to the Public before the next agenda item.

28 July 2016 Agendas

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