

8 September 2016 Minutes

KAYSVILLE CITY PLANNING COMMISSION

September 8, 2016

Members Attending: Chairperson Matthew Anderson, Gary Bullock, Stroh DeCaire, Betty Parker, Joshua Sundloff, Thomas Wood

Excused: Lorene Kamalu

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

Others Present: Councilman Larry Page, Mike Hardin, Keesha Hardin, J.R. Brown, Debra Brown, Craig Taylor

OPENING

The Planning Commission meeting was held on Thursday, September 8, 2016 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the August 11, 2016 meeting was presented for approval.

Stroh DeCaire made a motion to approve the minutes of the August 11, 2016 meeting. Betty Parker seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO VACATE A PORTION OF LOT 215 OF HESS FARM ESTATES NO. VIII SUBDIVISION AT 1561 SOUTH HAIGHT CREEK DRIVE – JEFF CLARK

Lyle Gibson explained that in July the City Council approved the adjustment of the common municipal boundary with Farmington City to remove approximately 0.077 acre of property at this location from Kaysville City and annex it into Farmington City. Because of this adjustment, the property needs to be vacated to finalize the annexation to Farmington City. Without vacating the property to the new city boundary, the parcel will cross jurisdictional boundaries.

Chairperson Matthew Anderson opened the Public Hearing.

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

Stroh DeCaire made a motion to recommend approval of the vacation of a portion of Lot 215 of Hess Farm Estates No. VIII Subdivision at 1561 South Haight Creek Drive for Jeff Clark. Gary Bullock seconded the motion and it passed unanimously.

**PUBLIC HEARING AND PRELIMINARY AND FINAL PLAT APPROVAL FOR
BROWN SUBDIVISION AT 373 EAST SHEPARD LANE – DEBRA AND J.R. BROWN**

Lyle Gibson explained that the Browns have submitted a proposed plat subdividing their property located at 373 East Shepard Lane into two total lots. Lot 1 is 0.75 acres in size, and Lot 2 measures at 0.91 acre and has an existing home on the property. This property is zoned R-1-20 and the proposed lot meet the requirements of the zone. There is currently curb and gutter installed along 350 East Street, but no sidewalk. The frontage along Shepard Lane does not have any street improvements installed as of yet. Kaysville Ordinance 19-6 requires that curb, gutter and sidewalk be installed by the Subdivider in front of all frontages along dedicated streets. The proposed plat does not show full street improvements being installed and therefore Staff is recommending approval of the proposed subdivision subject to all street improvements being installed as part of this development.

Chairperson Matthew Anderson opened the Public Hearing.

J.R. Brown said that they would like to not be required to install sidewalk along the frontages of their property as there are other properties along 350 East Street that do not have sidewalk and it won't be as aesthetically pleasing. Also, if they are required to install sidewalk along Shepard Lane they will have to remove the existing trees along that frontage and do not want to see those cut down.

Lyle Gibson commented that while the homes directly to the north of the Brown's property are existing and do not have sidewalk on them yet, there are homes further north that do. Eventually the city would like to see a sidewalk all along 350 East Street. The Browns are being required to install the street improvements as they develop their property because it is currently a requirement of the ordinance, and only the City Council can approve a deviation from those development standards.

Mike Hardin stated that he is interested in purchasing Lot 2 of the proposed subdivision from the Browns and would also prefer to not have sidewalk installed along the frontage of 350 East Street as it would not blend in with the surrounding properties.

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

Josh Sundloff asked what kind of discretion the Planning Commission had in regards to requiring or not requiring street improvements of a developer.

Lyle Gibson responded that because the street improvement requirements are part of the city ordinances only the legislative body, the City Council, would be able to approve an exception to those requirements.

Andy Thompson added that the Planning Commission could make a recommendation to the Council, but it would ultimately be the Council's decision.

Josh Sundloff commented that he feels that while the curb and gutter should be installed along Shepard Lane, the sidewalk should not be required so as to preserve the trees on the property and to make it more aesthetically pleasing.

Lyle Gibson said that in some cases the city will defer installation of improvements depending on the circumstances. The developer would pay the street improvement fees to the city so that the improvements would be installed when the rest of the street is developed.

Matthew Anderson said that it is generally best to have sidewalk installed to help keep pedestrians off the road.

Gary Bullock said that the city should be consistent in their development requirements. If we required the adjacent properties to install full street improvements, the Brown's should also be required the same. Also, if the Brown's don't want to install a sidewalk, they should be the ones to make that request to the Council, not the Planning Commission.

Matthew Anderson said that because of the nearby church house and school it would seem even more vital that sidewalks be installed for the safety of pedestrians.

Thomas Wood said that the Commission is being asked by the Brown's to save their existing trees, but the Commission doesn't have the jurisdiction to do so.

Josh Sundloff responded that the Commission may not be able to make the final decision, but could make a recommendation to the Council.

Gary Bullock made a motion to recommend preliminary and final plat approval for Brown Subdivision at 373 East Shepard Lane for Debra and J.R. Brown, subject to full street improvements being installed to meet city requirements. Betty Parker seconded the motion.

Voting was as follows:

Matthew Anderson yea

Betty Parker yea

Josh Sundloff nay

Thomas Wood yea

Gary Bullock yea

Stroh DeCaire yea

The motion passed with a vote of five to one.

Josh Sundloff commented that he voted against the motion because he feels that sidewalk installation should be deferred at this time.

**FINAL PLAT APPROVAL FOR AMANDA’S PLACE PHASE 2 SUBDIVISION
LOCATED AT 472 AND 482 NORTH MAIN STREET – REVA TAYLOR**

Andy Thompson explained that this property at 472 and 482 North Main Street was rezoned from General Commercial to R-1-8 in January and then received preliminary plat approval. Phase 1 of the subdivision was approved in April and now Phase 2 is being requested for approval. Phase 2 consists of three new lots with a private road. Since preliminary approval the plat has been modified from a double flag lot configuration to a private lane for access to the two back lots.

Stroh DeCaire made a motion to recommend final plat approval for Amanda’s Place Phase 2 Subdivision located at 472 and 482 North Main Street for Reva Taylor. Thomas Wood seconded the motion and it passed unanimously.

**FINAL PLAT APPROVAL FOR STREAM’S EDGE SUBDIVISION LOCATED AT
APPROXIMATELY 750 NORTH KAYS CREEK ROAD – SYMPHONY HOMES**

Andy Thompson explained that this property, located at approximately 750 North Kays Creek Road, was reviewed by the Planning Commission in June when it was annexed and assigned the R-1-LD zone. The Commission recommended preliminary plat approval at that time with the conditions that a connection be made to the rail trail and that some type of easement be provided to assure that the stub road would eventually be brought out to Phillips Street. Symphony Homes has provided the rail trail connection, however after much discussion the City Council decided to approve the preliminary plat with no requirement for the road easement. The final plat consists of twenty lots ranging in size from just over 14,000 square feet to over 30,000 square feet, which complies with the existing R-1-LD zoning.

Matthew Anderson commented that he was glad to see that a rail trail connection was created, and asked about the proposed road easement.

Andy Thompson responded that the neighbors of this property asked the City Council to table this request until they could speak with the property owner to the south of the proposed subdivision about obtaining permission to put a road easement on his property. The Council tabled the request twice to give the neighbors adequate time, but permission was never obtained. The Council didn’t feel that there was enough reason to require that road easement and therefore approved it without that recommendation.

Josh Sundloff made a motion to recommend final plat approval for Stream's Edge Subdivision located at approximately 750 North Kays Creek Road for Symphony Homes. Gary Bullock 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, September 22, 2016 at 7:00 p.m.

ADJOURNMENT

Thomas Wood made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 7:30 p.m.