

1. Planning Commission Meeting Materials

Documents:

[23 FEBRUARY 2017 PACKET.PDF](#)  
[23 FEBRUARY 2017 AGENDA.PDF](#)

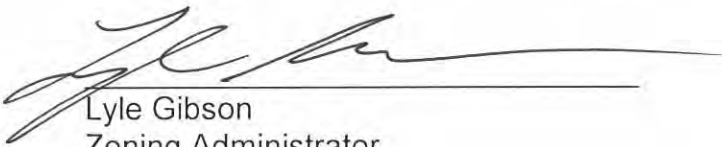
**KAYSVILLE CITY PLANNING COMMISSION  
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, February 23, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of minutes from the meetings of January 26, 2017 and February 9, 2017.
2. Conditional use permit for farm animals at 625 East 1500 South – Milas Howe.
3. Conditional use permit for farm animals at 584 South Teresa Street – Sharon and Ryan Rowley.
4. Public hearing and request to rezone 1.08 acres of property from A-1 (Light Agriculture) to R-A (Residential Agriculture) at 1053 South Roueche Lane – Scott Terry.
5. Public hearing and request to rezone 0.18 acre of property from PB (Professional Business) to HC (Health Care) at 579 South Main Street – Lush Enterprises, LLC.
6. Public hearing and preliminary plat approval for Crestwood Subdivision at 85 East Crestwood Road, and PRUD (Planned Residential Unit Development) overlay zone – Dan Stephenson.
7. Final plat approval for 40 Crestwood PUD Subdivision at 40 East Crestwood Road – Brian Neville.
8. Call to the public.
9. Other matters that properly come before the Planning Commission:
  - a. Reports.
  - b. Correspondence.
  - c. Calendar.
10. 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, February 17, 2017.

  
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Lyle Gibson  
Zoning Administrator



## **Planning Commission Staff Report**

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### **Conditional Use Permit for Farm Animals February 23, 2017**

Applicant/Owner: Milas Howe  
Location: 625 East 1500 South  
Zone: R-1-8

#### **Description:**

The Howes are requesting a conditional use permit for farm animals, specifically for keeping chickens. Their property is 0.2 acres or 8,300 square feet, allowing up to five (5) fowl, rabbits, or similar animals.

This application was made in response to a complaint made to the city regarding rats that had been spotted in the neighborhood. Multiple addresses were listed as possible locations where chickens may be on site with the thinking that the rodents may be eating chicken feed.

The Howes have had the chickens for nearly a year with no other complaints made to the city. There are currently 4 chickens on site kept in a chicken coop with a run around it. The rear yard is also fully fenced in. The on-site fencing, run, and coop are all in good condition. The coop and yard are very clean and appear to function well as is. It does not appear that this property is the cause of any rat problems.

#### **Recommendation:**

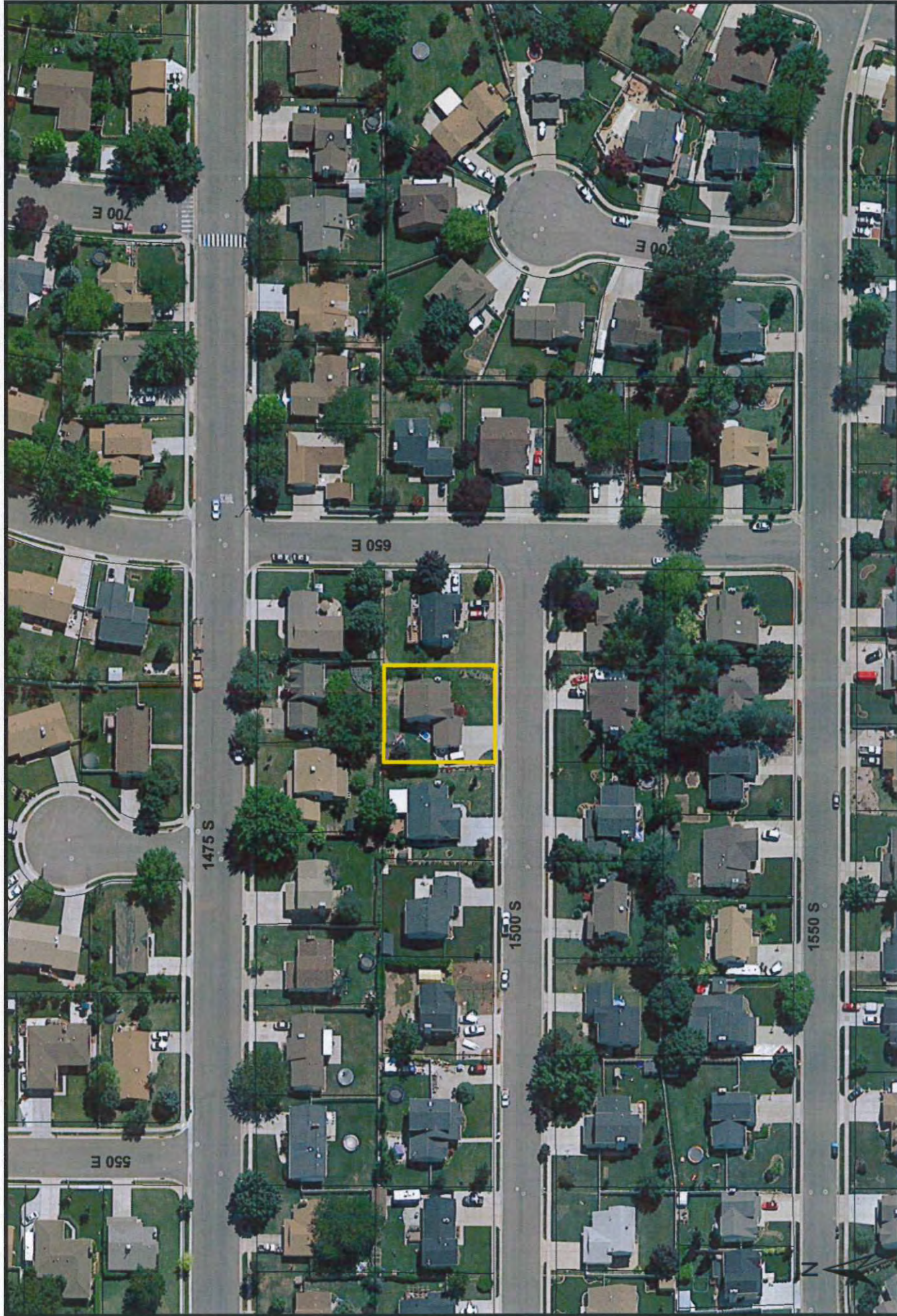
Staff is recommending approval of the proposed conditional use permit for farm animals subject to compliance with the provisions of Chapter 17-24 Farm Animals.

#### **Reasoning:**

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

Attachment 1: Area Map

## 625 East 1500 South





## **Planning Commission Staff Report**

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### **Conditional Use Permit for Farm Animals February 23, 2017**

Applicant/Owner: Ryan and Sharon Rowley  
Location: 584 South Teresa Street  
Zone: R-1-20

#### **Description:**

The Rowleys are requesting a conditional use permit for farm animals, specifically for keeping chickens. Their property is 0.50 acres or 22,000 square feet, allowing up to five (50) fowl, rabbits, or similar animals.

There is not currently a coop or chicken run on site, but the rear yard is enclosed with a 6 ft. high vinyl fence. The applicants are working to get the conditional use permit in place before putting a coop/run on site for the animals. Most likely there may be as many as 15 hens at the property at a time. Upon inspection by Staff there is plenty of room to place a coop/run in the rear yard that would be compliant with City Ordinances.

#### **Recommendation:**

Staff is recommending approval of the proposed conditional use permit for farm animals subject to compliance with the provisions of Chapter 17-24 Farm Animals and the following condition:

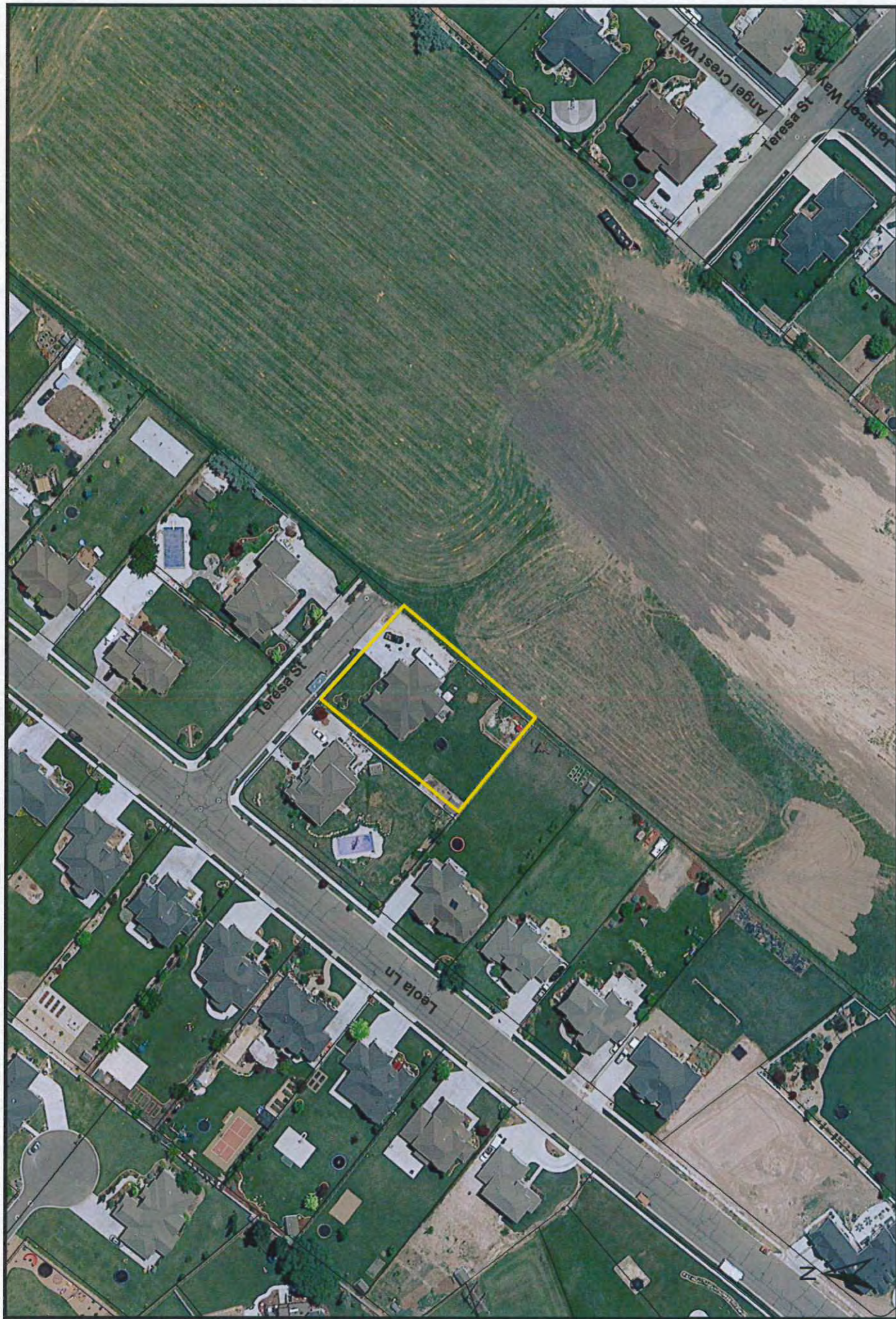
- A chicken coop be installed prior to keeping chickens in the yard.

#### **Reasoning:**

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

Attachment 1: Area Map

584 South Teresa Street





## **Planning Commission Staff Report**

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### **Rezone of 1.08 acres of property from A-1 (Light Agriculture) to the R-A (Residential Agriculture) zoning district February 23, 2017**

Applicant/Owner: Scott Terry  
Location: 1053 South Roueche Lane

#### **Description:**

The applicant is requesting to rezone the property at the subject address to allow a possible subdivision or property line adjustment in the future.

The R-A zoning district allows lots to be as small as 21,780 sq. ft. or ½ an acre. This would potentially allow the property to be divided to create one additional lot.

In regards to housing, the General Plan states that West of I-15 to allow zero to two units per acre with some higher density housing along the major streets.

There is one lot adjacent to the subject property which is already zoned R-A, with much of the bordering area being zoned A-1.

#### **Recommendation:**

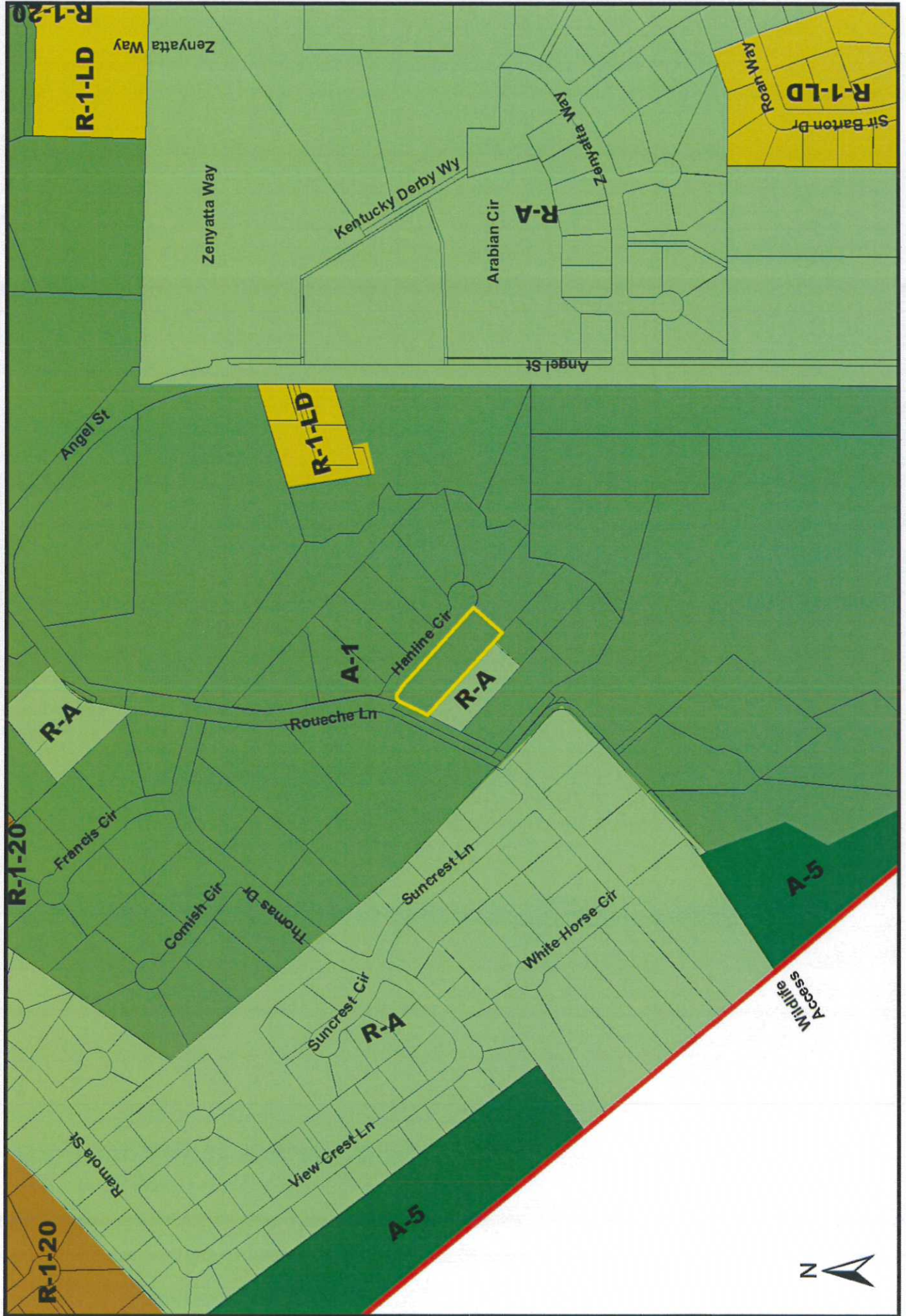
Staff suggests that the Planning Commission forward a favorable recommendation for the requested rezone from A-1 to the R-A zoning district.

#### **Reasoning:**

The request is consistent with the Kaysville City General Plan and similar to properties in the surrounding area.

Attachment 1: Area Map  
Attachment 2: Zoning Map

# 1053 South Roueche Lane



1053 South Roueche Lane





## **Planning Commission Staff Report**

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### **Rezone of 0.18 acres of property from PB (Professional Business) to the HC (Health Care) zoning district February 23, 2017**

Applicant/Owner: Lush Enterprises, LLC / Sun Yong and Mike Manzolini  
Location: 579 South Main Street

#### **Description:**

The applicant is requesting to rezone the property at the subject address for the purpose of running an adult day care business. The property, located just south of the DATC along the east side of Main Street, has been used as a commercial use property for many years. Most recently, the site was used as an accounting office and has been vacant now for many months.

The requested use is primarily for the temporary care of individuals, typically providing assistance for a few hours at a time for someone who may be caring for an aging parent for example. In addition to this service, the applicant has expressed a desire to be able to offer care for overnight stays. If the zoning is acceptable, the applicant is anticipating the need to remodel for a change in occupancy to accommodate the use.

While the existing zoning is commercial in nature, it only permits business and professional office. The specifics of Chapter 17-17 Health Care District are as follows:

#### **17-17-1 Purpose**

To provide areas in appropriate locations where residential health care facilities with various support services for residents may be established, maintained and protected. The regulations of this district are designed to promote and encourage longer-term health care facilities.

#### **17-17-2 Site Plan Review**

A site plan is required and a site plan shall be submitted for all permitted and conditional uses (consult KCC Chapter 18-4).

#### **17-17-3 Permitted Uses**

1. Residential facilities for persons with a disability.
2. Assisted living facilities.
3. Nursing care facilities.

4. Accessory uses and buildings considered incidental and customary to a permitted use, subject to the provisions of KCC 17-31-2.

#### **17-17-4 Conditional Uses**

There are no conditional uses.

#### **17-17-5 Accommodations For Persons With Disabilities**

1. Reasonable accommodations that may be necessary for persons with disabilities to have an equal opportunity to use and enjoy dwellings shall be determined through an interactive process resulting in a development agreement. The rezone to Health Care District will be approved if a development agreement is approved by the developer and City Council. The development agreement shall be in effect before the zone is effective and the zone shall be voided if the provider of the residential health care facility fails to comply with the development agreement.
2. Accommodations for persons with disabilities shall be granted if the requested accommodations are found to be:
  - a. Necessary to afford persons or groups of persons with disabilities, as defined by the Fair Housing Act, an equal opportunity to use and enjoy a dwelling; and
  - b. Reasonable. A requested accommodation is reasonable if it will not:
    - i. Impose an undue financial or administrative burden on a local government; or
    - ii. Create a fundamental alteration in the land use and zoning scheme.

#### **17-17-6 Height Regulations**

1. No building shall exceed thirty feet (30') in height, except as pursuant to KCC 17-25-2.
2. No building shall be less than ten feet (10') in height.

#### **17-17-7 Area, Lot Coverage And Yard Requirements**

There are no lot size or yard requirements except that where a lot in the Health Care District abuts a residential district, the yard abutting the residential district shall be at least twenty feet (20'). An existing building may have the twenty feet (20') yard requirement reduced to the yard requirement of the abutting residential zone if the reduced yard contains only landscaping.

### **Recommendation:**

Staff suggests that the Planning Commission forward a favorable recommendation for the requested rezone from the PB to HC zoning district. If there are specific concerns or issues from the proposed use, the recommendation may also include specific items that should be addressed through a development agreement.

### **Reasoning:**

Staff has reviewed the request and a part from the need to verify the building is up to code for the proposed occupancy, the location and existing site layout allow for adequate access for emergency services if necessary. The location and historic use of the property also seem to justify a fit for the proposed use.

Attachment 1: Area Map

Attachment 2: Zoning Map

Attachment 3: Request/Petition from Applicant

**579 South Main Street**



# 579 South Main Street



Petition:

January 27, 2017

From Lush Enterprises, LLC

To whom it may concern,

We feel that Adult Day Care is much needed, where our generations are living longer, having to work harder and long hours. If all of us live long enough, about 80% of populations, will end up with some kind of diseases or disabilities, just from aging. Therefore, we would like to meet with city council for permission as soon as possible before we start remodeling project.

Sincerely,

Sun Yong and Mike Manzolini

Handwritten signatures of Sun Yong and Mike Manzolini. The signature for Sun Yong is written in a cursive style, and the signature for Mike Manzolini is also in cursive, appearing below the first signature.



## **Planning Commission Staff Report**

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### **Preliminary Plat for the Crestwood Subdivision and Rezone of 0.95 acres of property to include the PRUD (Planned Residential Unit) Overlay Zone.**

**February 23, 2017**

Applicant/Owner: Dan Stephenson / Buffalo Properties LLC  
Location: 85 East Crestwood Road  
Zone: R-1-8 (Single Family Residential)

#### **Description:**

Starting a year ago in February of 2016 the property owner's intentions to subdivide this property were made known with an application for rezone. Originally the request was to rezone the property to the R-4 zoning district in order to construct 12 townhome style dwellings. After multiple meetings changes were made to the original proposal that placed a road on the west side of the property and number of units reduced from 12 to 8. Ultimately the City Council denied the request for the revised R-2 zone change to accommodate 8 dwellings. A new application has been made leaving the property in the R-1-8 zoning district but requesting the PRUD overlay in order to build a private lane subdivision which would include 5 lots.

Along with the request for the overlay zone a preliminary plat has been submitted which shows a private lane along the west side of the property and 5 lots each with at least 8,000 square feet. While the private lane is part of the lot size, each lot includes the frontage and square footage to be in line with the minimums required of a typical lot in the zoning district. The applicant has shown the buildable area of each lot on the preliminary plat and is not requesting any variations from setbacks typical for the zone.

The property is located across the street to the north of Heritage Park. It is located on Crestwood Road between Fairfield Road and Main Street with both commercial and multi-family uses in the area. The properties immediately adjacent to the subject parcel are zoned R-1-8.

The Kaysville City General Plan states in the housing section that east of I-15 the City should allow zero to five units per acre with some areas of higher density housing. It also states that the majority of housing should be single family with about 10 percent being more than one unit per structure, and multiple unit housing should consist of mostly duplexes and some three to six unit structures dispersed throughout the City.

## **Recommendation:**

The Planning Commission should review the proposed project and determine if it is appropriate for this location. If it is determined to be consistent with the general plan and an appropriate use for the site, then the Preliminary Plat and PRUD Overlay Zone may be recommended for approval to the City Council. The PRUD Overlay should be subject to approval and recording of the final plat.

Attachment 1: Area Map

Attachment 2: Zoning Map

Attachment 3: Preliminary Plat

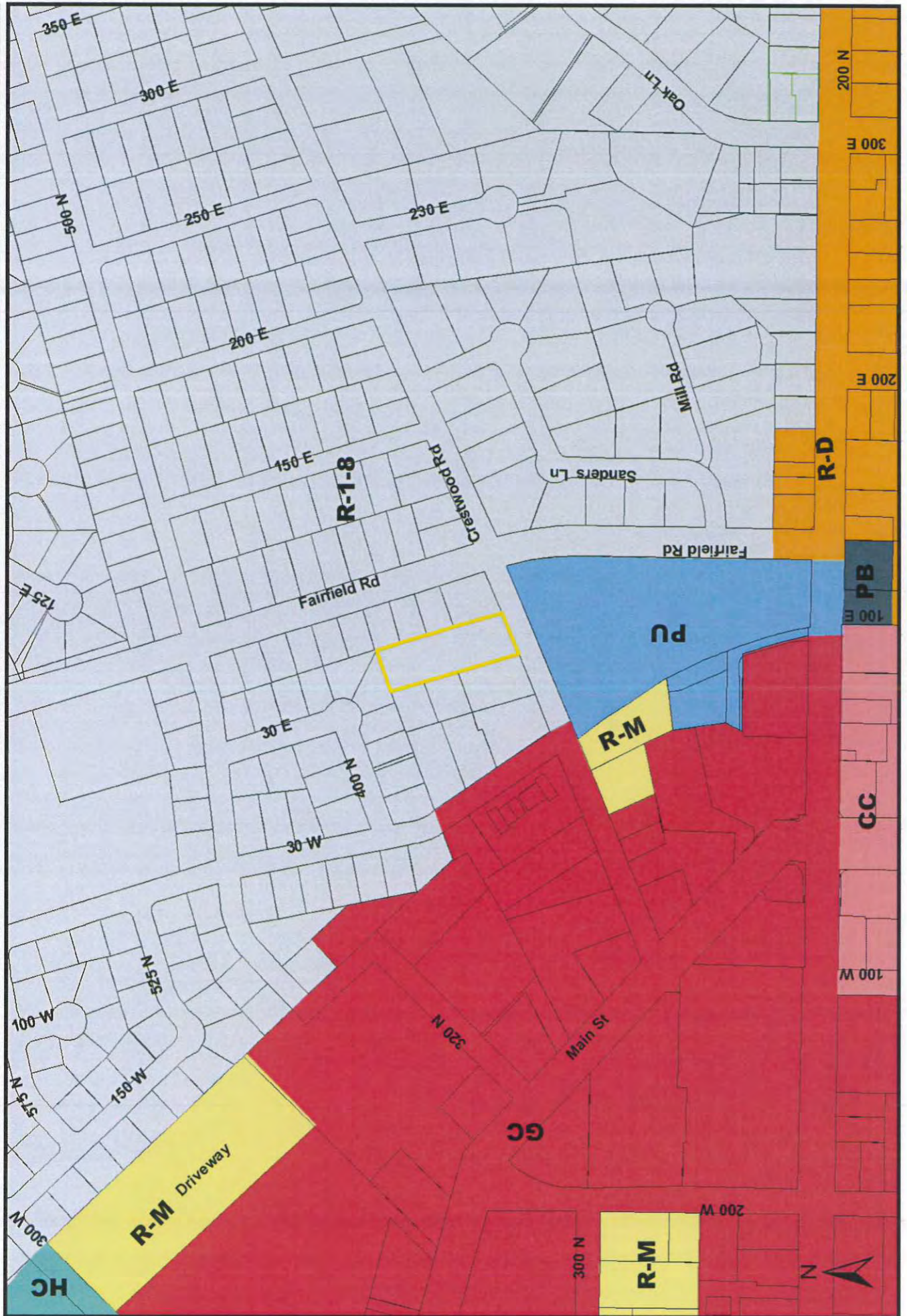
Attachment 4: Proposed home plans (6 pages)

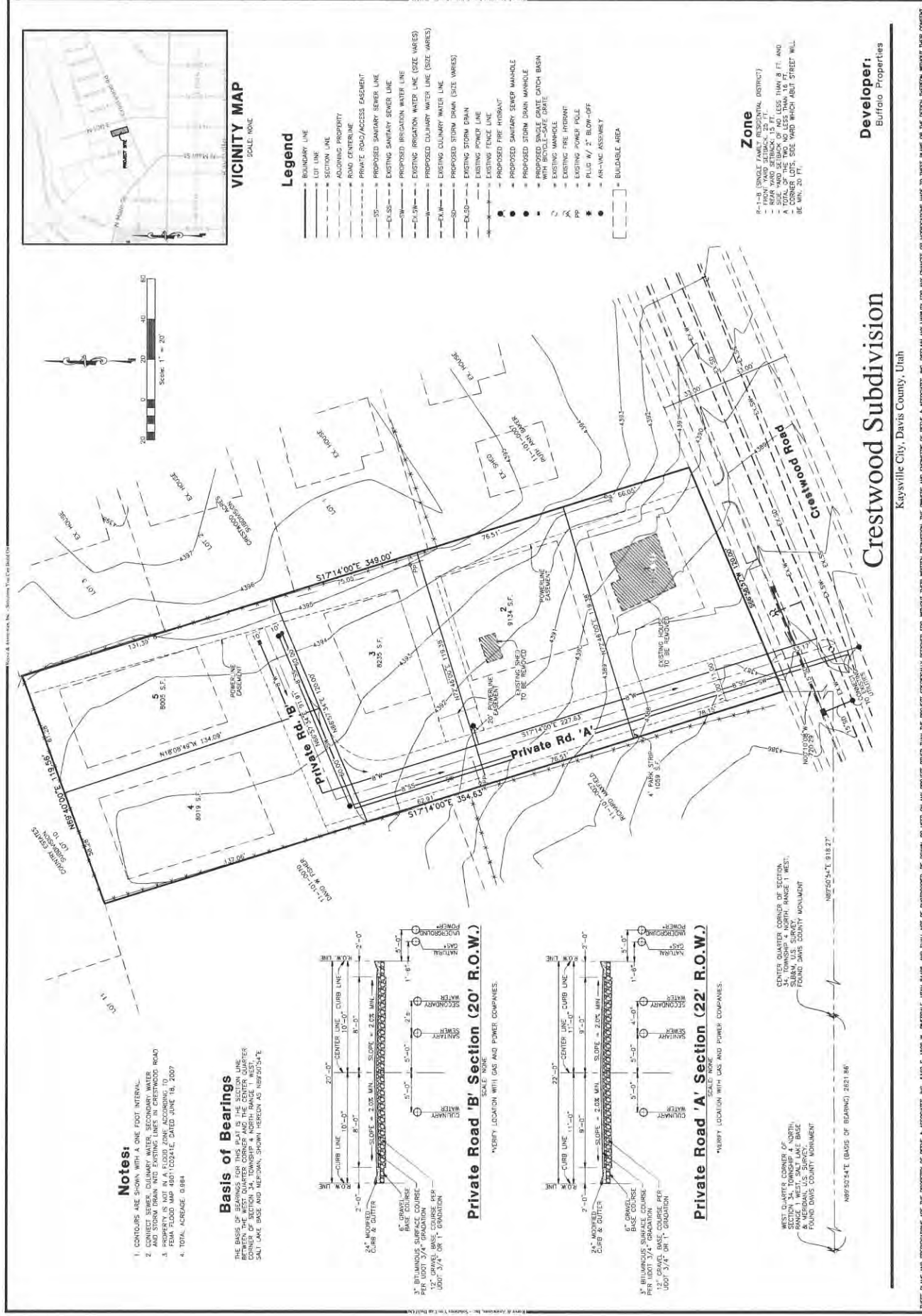
Attachment 5: Minutes of prior meetings (5 pages)

# 85 East Crestwood Road



# 85 East Crestwood Road



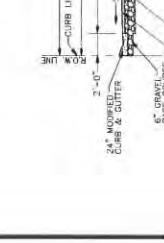


**Notes:**

1. CONTOURS ARE SHOWN WITH A ONE FOOT INTERVAL.
2. EXISTING AND PROPOSED EASEMENTS ARE SHOWN WITH DASHED LINES.
3. PROPERTY IS NOT IN A FLOOD ZONE ACCORDING TO FEMA FLOOD MAP 480110021E, DATED JUNE 18, 2007.
4. TOTAL ACRES: 0.884

**Basis of Bearings**

THE BASIS OF BEARINGS FOR THE LINES BETWEEN THE WEST QUARTER CORNER AND THE CENTER QUARTER CORNER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASIN AND NEIGHBOR, SHOWN HEREIN IS 105.25.54°E.



WEST 1/4 QUARTER CORNER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASIN AND NEIGHBOR, SHOWN HEREIN IS 105.25.54°E.

CENTER QUARTER CORNER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASIN AND NEIGHBOR, SHOWN HEREIN IS 105.25.54°E.

**Developer:**  
 Buffalo Properties

**Crestwood Subdivision**  
 Kaysville City, Davis County, Utah



HENRY WALKER  
HOMES™

## Nabella

2,931 Total Sq. Ft.

2,081 Finished Sq. Ft.

■ ■ ■ □ □ Bedrooms

■ ■ ■ □ Bathrooms

■ ■ □ Garage

■ = Included □ = Optional

A



B



C



801-335-3731

**HenryWalkerHomes.com**

HENRY WALKER HOMES  
1148 W. Legacy Crossing Blvd, Suite 400  
Centerville, UT 84014

See reverse side for floor plan.



## Nabella

2,931 Total Sq. Ft.

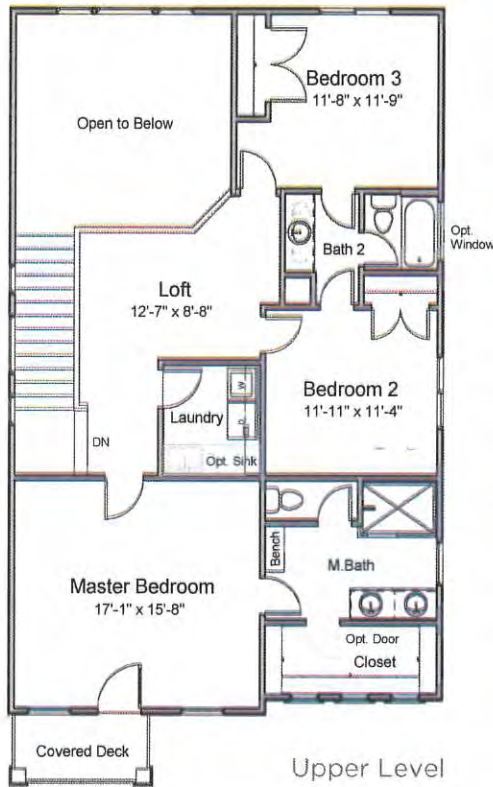
2,081 Finished Sq. Ft.

Bedrooms

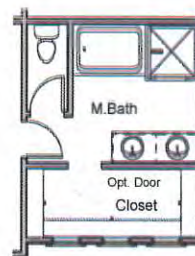
Bathrooms

Garage

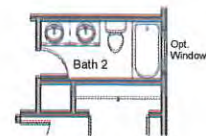
■ = Included □ = Optional



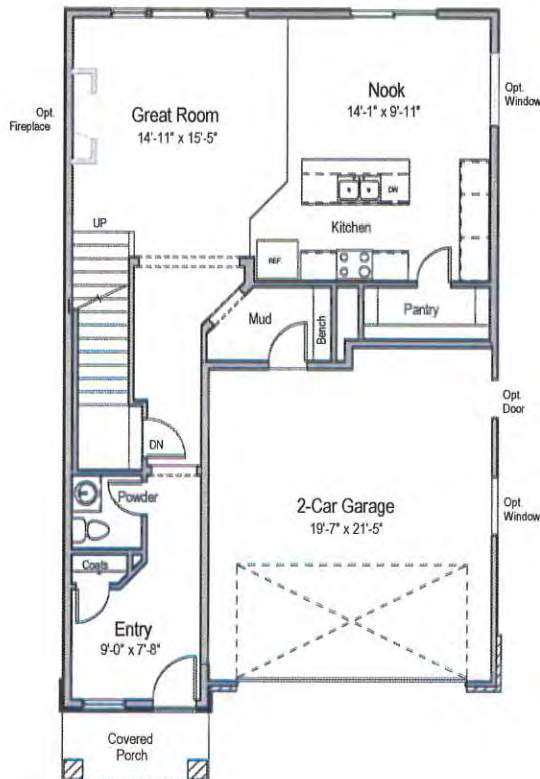
Opt. Grand Master Bath



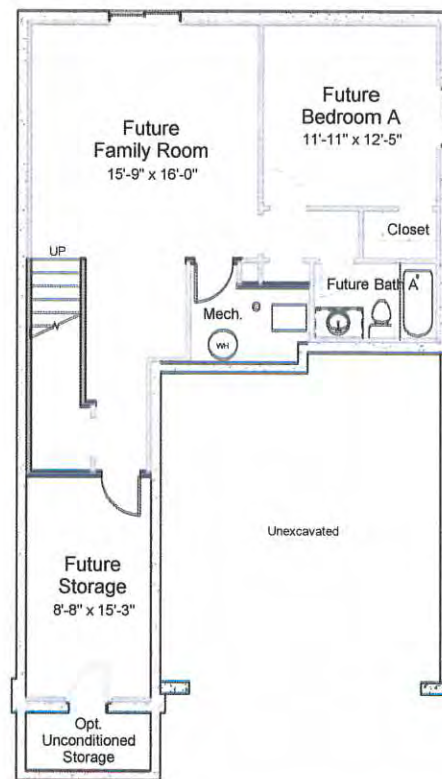
Opt. Bath 2 Layout



Main Level



Basement Level





HENRY WALKER  
HOMES™

## Alder

3,961 Total Sq. Ft.

2,040 Finished Sq. Ft.

■ ■ ■ □ □ □ Bedrooms

■ ■ ■ □ □ Bathrooms

■ ■ □ Garage

■ = Included □ = Optional

A



B



C



801-335-3731

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See reverse side for floor plan.



## Alder

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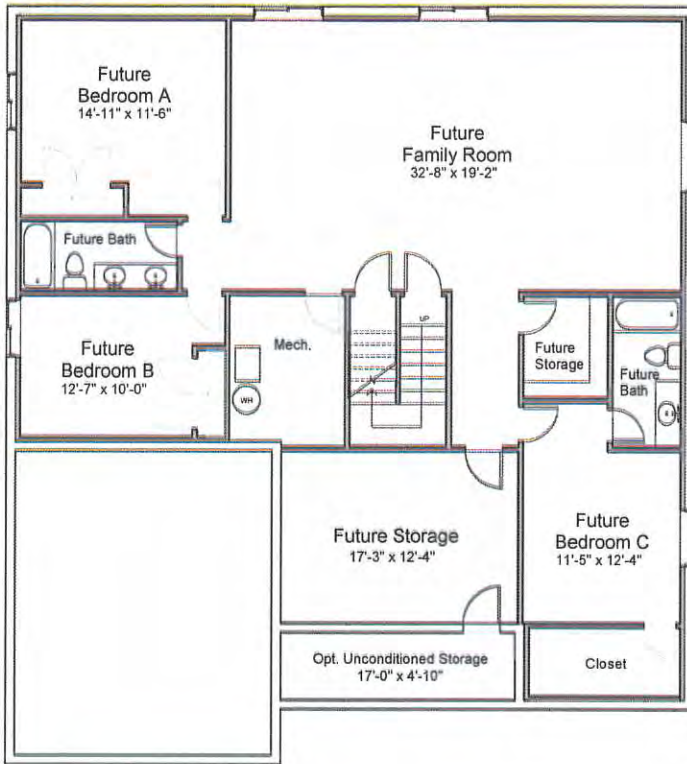
2,040 Finished Sq. Ft.

■ ■ ■ ■ ■ Bedrooms

■ ■ ■ ■ ■ Bathrooms

■ ■ ■ ■ ■ Garage

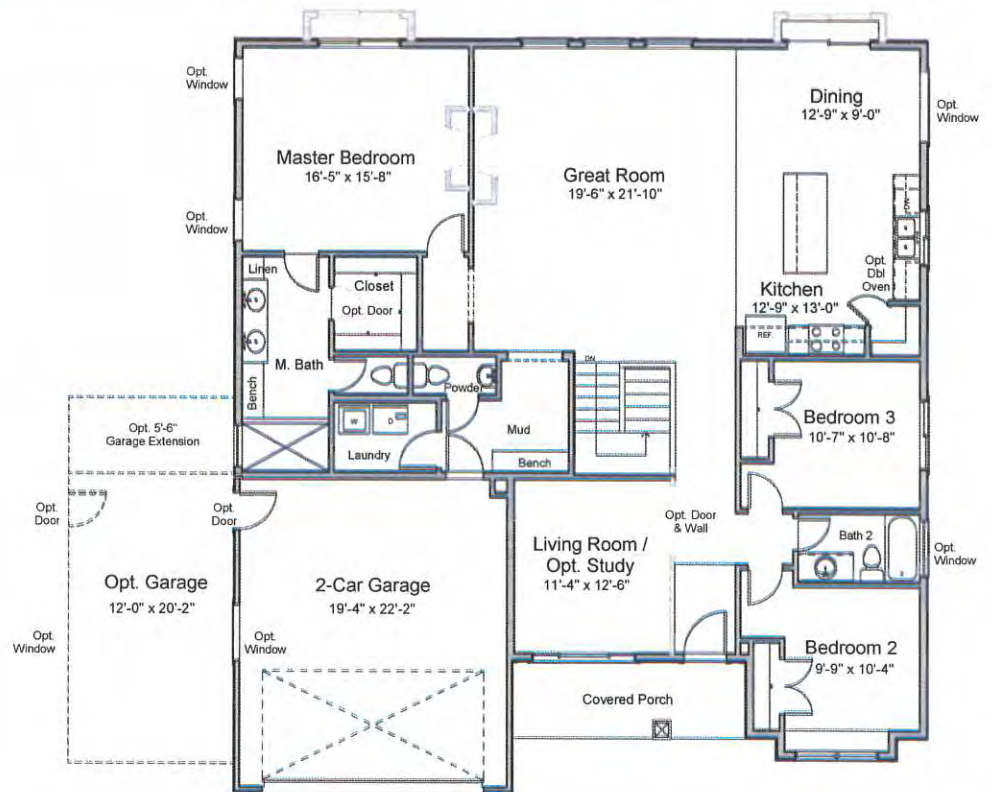
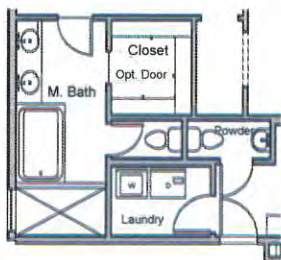
■ = Included □ = Optional



Basement Level

Main Level

Opt. Grand Master Bath





HENRY WALKER  
HOMES™

## Willow

4,173 Total Sq. Ft.

2,874 Finished Sq. Ft.

■ ■ ■ ■ □ □ □ Bedrooms

■ ■ ■ □ Bathrooms

■ ■ □ Garage

■ = Included □ = Optional

A



B



C



801-335-3731

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1148 W. Legacy Crossing Blvd, Suite 400  
Centerville, UT 84014

See reverse side for floor plan.



## Willow

4,173 Total Sq. Ft.

2,874 Finished Sq. Ft.

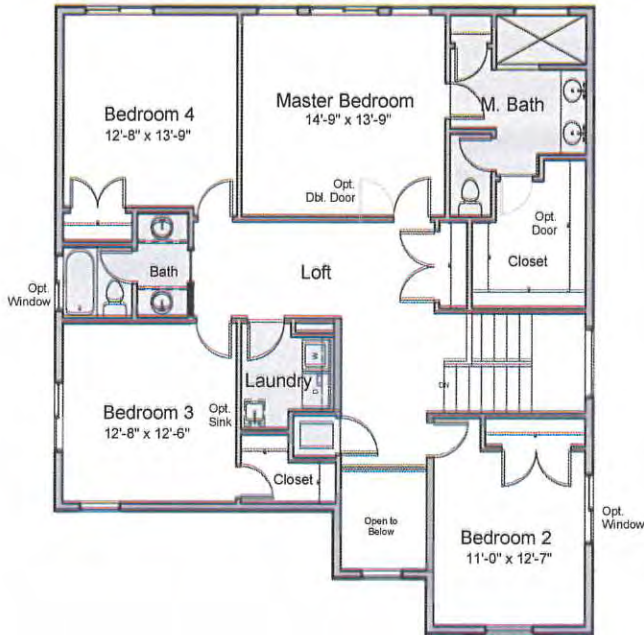
■ ■ ■ ■ ■ Bedrooms

■ ■ ■ Bathrooms

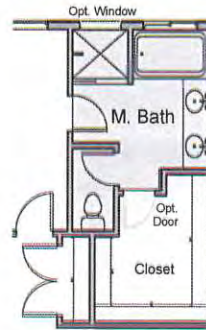
■ ■ ■ Garage

■ = Included □ = Optional

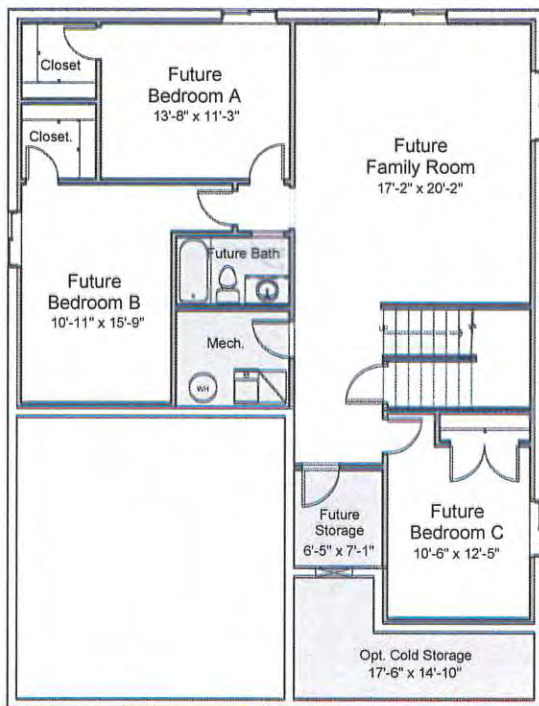
Upper Level



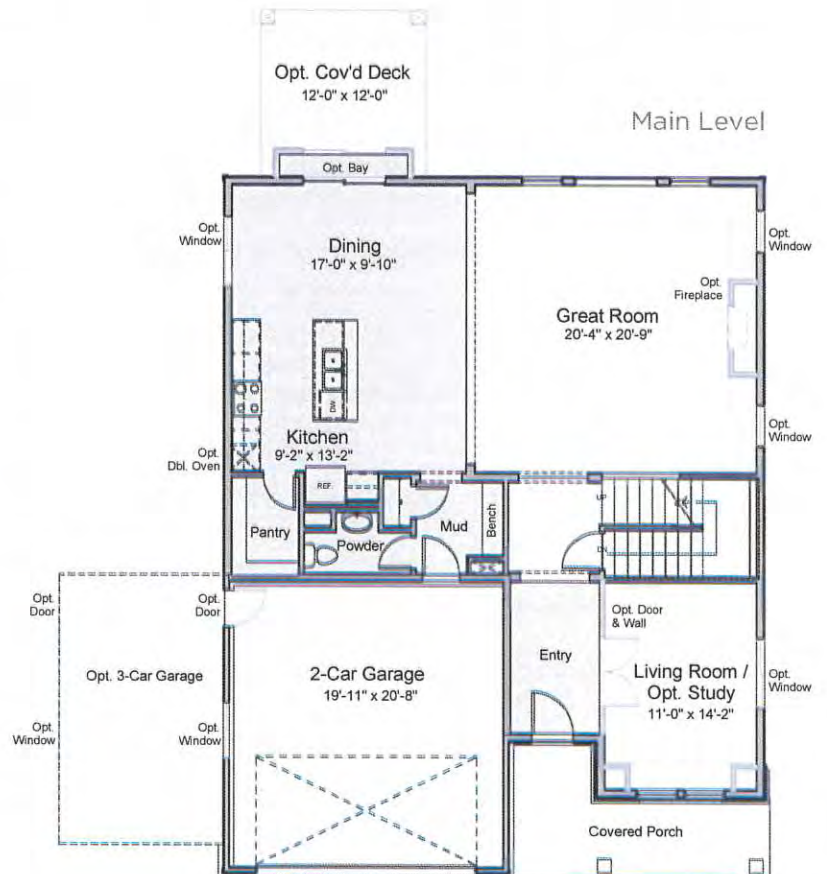
Opt. Grand Master Bath



Basement Level



Main Level



## **KAYSVILLE CITY PLANNING COMMISSION**

September 22, 2016

### **PUBLIC HEARING AND REQUEST TO REZONE 0.95 ACRE OF PROPERTY AT 85 EAST CRESTWOOD ROAD FROM R-1-8 TO R-2 AND A PRUD OVERLAY ZONE – DAN STEPHENSON**

### **PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR CRESTWOOD ROAD SUBDIVISION LOCATED AT 85 EAST CRESTWOOD ROAD – DAN STEPHENSON**

Andy Thompson explained that the Planning Commission reviewed this property at 85 East Crestwood Road earlier this spring with a request for R-4 zoning to accommodate a twelve unit townhome type development. After much discussion, the Planning Commission recommended denial of the request because of concerns with the overall density of the proposed twelve units. The applicant then elected to not proceed to the City Council for a final determination at that time. Mr. Stephenson has recently submitted a new request showing an eight unit configuration, meeting the density allowed in the R-2 zone. The configuration of the project is similar to the previously proposed plat, with the exception of four less units and additional open space. The remaining units are now slightly larger than on the twelve unit plan. The R-2 zoning allows for up to ten units per acre. The PRUD overlay zone is requested to accommodate the private street and open space subdivision proposed. The lots are individually platted, allowing for separate ownership with the private drive and common open space. The Kaysville City General Plan states that east of I-15 the City should allow zero to five units per acre with some areas of higher density housing. It also states that the majority of housing should be single family with about ten percent being more than one unit per structure, and multiple unit housing should consist of mostly duplexes and some three to six unit structures dispersed throughout the city.

Chairperson Matthew Anderson opened the Public Hearing.

Steven Burke said that he has lived in his current home located near this property for over twenty years now, and is concerned that approving this rezone request would set a precedence for the properties to the west of this subject property. Much of the subdivision has been lost to the encroachment of higher density and commercial uses, and the existing residents feel overburdened by it. The General Plan states that high density housing should be dispersed throughout the city, and the neighbors feel that it's not. We need to look at the current density, and the potential for it. While the reduced number of proposed units helps, it is still too many and will be a detriment to the area. There is also a safety concern regarding pedestrians crossing the street from this development to Heritage Park.

Devin Smith said that he had done his own research about the number of high density units in this area and recently presented his findings to the City Council. At that meeting he also suggested to the Council that the city do further research regarding high density housing within Kaysville and if there is ten percent of multi-family housing and if it's dispersed throughout the city. The city may be unintentionally confining high density housing to certain areas of the city. This area seems to already be a high density area, and exceeding the ten percent recommendation. Recently neighbors were informed that the property directly to the west of Mr. Stephenson's was sold, and that the new owner would like to possibly develop that land as well. The existing neighbors are concerned that the new owner is looking to tie their development into Mr. Stephenson's, and that they will have to continue to fight to maintain the area as single family residential which was established many years ago. Mr. Smith said that he was also asked by his neighbor,

Eric Hopper, to represent him tonight and wanted to state that he has concerns that this project would add to the transience of the area.

Jennifer Standridge said that she lives two houses west of this project, on the corner of Crestwood Road and 30 West Street, and was also told that property directly west of this project is being considered for development. Many are concerned that if we allow too many homes into a small area it will feel cramped and change the feel of the neighborhood. Any new construction should fit into what already exists, which this project does not. There are too many concerns and questions because of this project, and many residents feel that their rights and property values aren't being protected.

David Moore stated that he is also a neighbor and while the number of units being proposed has decreased, there is still concern that there are too many units. These units seem more like apartment units, Mr. Moore suggested that the units be separated to make them look more like single family homes. Mr. Moore asked if the developer would consider less units on the property, and who would maintain the open space areas.

Steven Spencer said that he lives northwest of this property and has been there about eighteen years. This is a quiet neighborhood and they never anticipated needing to worry about high density housing being built in their backyard. This proposed development doesn't fit within the neighborhood and the neighbors already feel burdened by the nearby commercial uses.

Terry Messerly commented that he has lived here for about twenty-five years and it seems that traffic gets worse every year, especially at peak hours. Cars speed in the area, and adding more homes will just add to the problem. The infrastructure isn't in place to handle more homes in the area.

Mark Dyson said that his back property line abuts this development and he is concerned about the number of units on the property because they will be an intrusion upon neighbor's privacy. Adding more traffic to the area is a huge concern as there are many kids that live in the area. How will this, and other potential developments, impact neighboring property values?

Bruce Howard commented that while he doesn't live near Mr. Stephenson's property, there are some obvious negative impacts this could have on the neighborhood. Just because something could be done, doesn't mean that it should be. High density housing seems to take away from the hometown feel and values. This development will not be an improvement to the neighborhood, but rather will only benefit the developer.

Tony Coombs said that he is working with the owner, Dan Stephenson, on this project and they have looked into many different options for this property. They have taken into account the comments and concerns made at the previous meetings, and feel that what they are proposing is a great option for the property. The units are bigger than before and will be quality units. The open space will be maintained by the homeowners association. Kaysville is a great place to live and there is a demand for these types of units.

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

Lyle Gibson commented that he had received a phone call earlier from David Fisher who lives to the west of this property who would like to see a fence or sound wall installed.

Josh Sundloff asked Mr. Coombs if they had purchased the property directly west of this development, or if the new owner had made contact with them.

Tony Coombs responded that they hadn't been in contact with the property owner to the west and was unaware until tonight that it had been purchased.

Josh Sundloff commented that with the current zoning, the developer could propose a plan with five homes on this piece of property and would be in compliance with the zoning requirements. It doesn't seem that the impact on surrounding properties would be much different between five units allowed in the current zoning, and the proposed eight units.

Betty Parker said that she feels that the additional three units would be detrimental enough to justify a negative recommendation.

Gary Bullock said that the developer has made an effort to try to make this development fit better within the neighborhood. By increasing the size of the units, their value has also increased. Mr. Bullock said that he would prefer to see these units separated so they are individual units because they will better fit into the surrounding neighborhood. While there are still concerns and questions to address, these units could potentially enhance and contribute to the neighborhood depending on how they are developed.

Andy Thompson added that there is a powerline easement running through the middle of the property that the units will have to be planned around.

Josh Sundloff suggested that the unit closest to Crestwood Road face the street.

Matthew Anderson commented that while he feels that the developer has been responsive to the comments and concerns of the neighbors, the proposed number of units seem to be too dense for this area.

Thomas Wood said that single family homes seem to be the core of what Kaysville is made of and is what gives the city it's hometown feel. Mr. Wood said that he is also concerned with the current language of the General Plan, and how it's being applied. It seems like high density housing is only located on the east side of the city. This might not have been the city's intent as it's been developed, but it's become our reality. There needs to be a better balance with where high density housing is being developed.

Josh Sundloff commented that concerns about rental properties seem to be anecdotal. There is multi-family housing located on the south side of Crestwood Road near here that does not seem to have the negative impacts that people think go with multi-family housing. While traffic safety is a concern, the infrastructure currently in place seems to be adequate to bear the traffic load of the area.

Thomas Wood responded that the difference between those referenced multi-family units across the street and this property is this proposed development is changing the current use to a more dense use. The property itself and the properties surrounding it are zoned for single family uses. This is not what the existing residents planned for.

Matthew Anderson commented that anything more than just a single home will change the character of the neighborhood. Mr. Anderson asked Staff if the city had any data in regards to meeting the suggest ten percent multi-family housing within the city limits, as mentioned in the General Plan.

Andy Thompson said that the information the city has is based on the number of building permits issued

since 1998. The City is required to have a low income housing plan, which we have. Our information is not complete, but it appears that the city is below ten percent multi-family housing.

Betty Parker commented that not only does the city probably not have enough multi-family housing, there's always the question of where to allow it.

Josh Sundloff said that he agrees there is a need for multi-family housing within the city, and that the housing needs to be dispersed throughout the city. This property seems to be better suited for multi-family housing because of its location close to arterial roads and commercial areas.

Gary Bullock commented that he feels that with some redesign this development could better conform to the neighborhood and feels that this fits within the parameters of the General Plan.

Josh Sundloff made a motion to recommend approval of the request to rezone 0.95 acre of property at 85 East Crestwood Road from R-1-8 to R-2 and a PRUD overlay zone for Dan Stephenson. Gary Bullock seconded the motion.

Voting was as follows:

|                  |     |
|------------------|-----|
| Betty Parker     | nay |
| Josh Sundloff    | yea |
| Thomas Wood      | nay |
| Gary Bullock     | yea |
| Stroh DeCaire    | nay |
| Matthew Anderson | yea |

The motion was lost for lack of a majority vote.

Gary Bullock made a motion to forward the request to rezone 0.95 acre of property at 85 East Crestwood Road from R-1-8 to R-2 and a PRUD overlay zone for Dan Stephenson to the City Council with the split vote recommendation for the Council's review. Stroh DeCaire seconded the motion and it passed unanimously.

Betty Parker made a motion to table the request for preliminary plat approval for Crestwood Road Subdivision located at 85 East Crestwood Road for Dan Stephenson. Gary Bullock seconded the motion and it passed unanimously.

**REZONE OF 0.95 ACRES OF PROPERTY FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO R-2 WITH A PRUD OVERLAY ZONE.**

Andy Thompson, City Engineer, noted that this property was reviewed by the Planning Commission earlier this spring with a request for R-4 zoning to accommodate a 12 unit townhome type development. He explained that after much discussion, the Planning Commission denied the rezone with a 6-1 vote. The applicant elected not to proceed. He explained that the Developer has now submitted an eight unit proposal which would meet the density allowed in an R-2 zone. The general configuration of the project is still the same but there are four less units and more open space. The individual units would be slightly larger.

Council Member Garn stated that the Planning Commission was split three to three. He noted that his understanding is that density and compatibility are issues. He explained that it effects the homes surrounding it, and doesn't fit with the surrounding area. He stated that he would vote no to the rezone.

Dan Stevenson, Developer, noted that several professionals in the area wanted something close to the park, no yardwork and close to shopping. He explained that the area is superb with the development of the park and the homes would be similar in price to those surrounding it.

Dan Stevenson explained that each unit is approximately 1900 sq. ft.

Andy Thompson noted that under the existing R-1-8 zone all five single family units could fit on this property.

Council Member Adams stated that private property needs to be respected and he feels that he needs to support the residents.

Council Member Lee noted that residents need to feel assured that zoning will stay the same. She noted that she would not support changing it.

Council Member Snell made a motion to deny the request to rezone .95 Acres of Property from R-1-8 to R-2 with a PRUD overlay zone, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Snell, Yea  
Council Member Page, Yea  
Council Member Adams, Yea  
Council Member Garn, Yea  
Council Member Lee, Yea

Motion passes unanimously



## **Planning Commission Staff Report**

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### **40 East Crestwood PUD Subdivision Final Plat February 23, 2017**

Applicant/Owner: Brian Neville  
Location: 40 East Crestwood Road  
Zone: R-M (Residential Multi-Family)

#### **Description:**

This property is located on the south side of Crestwood Road between Main Street and Heritage Park. The property is roughly 0.44 acres or just over 19,000 sq. ft. in size. The property is zoned R-M and has recently received the PRUD overlay zone and preliminary plat approval.

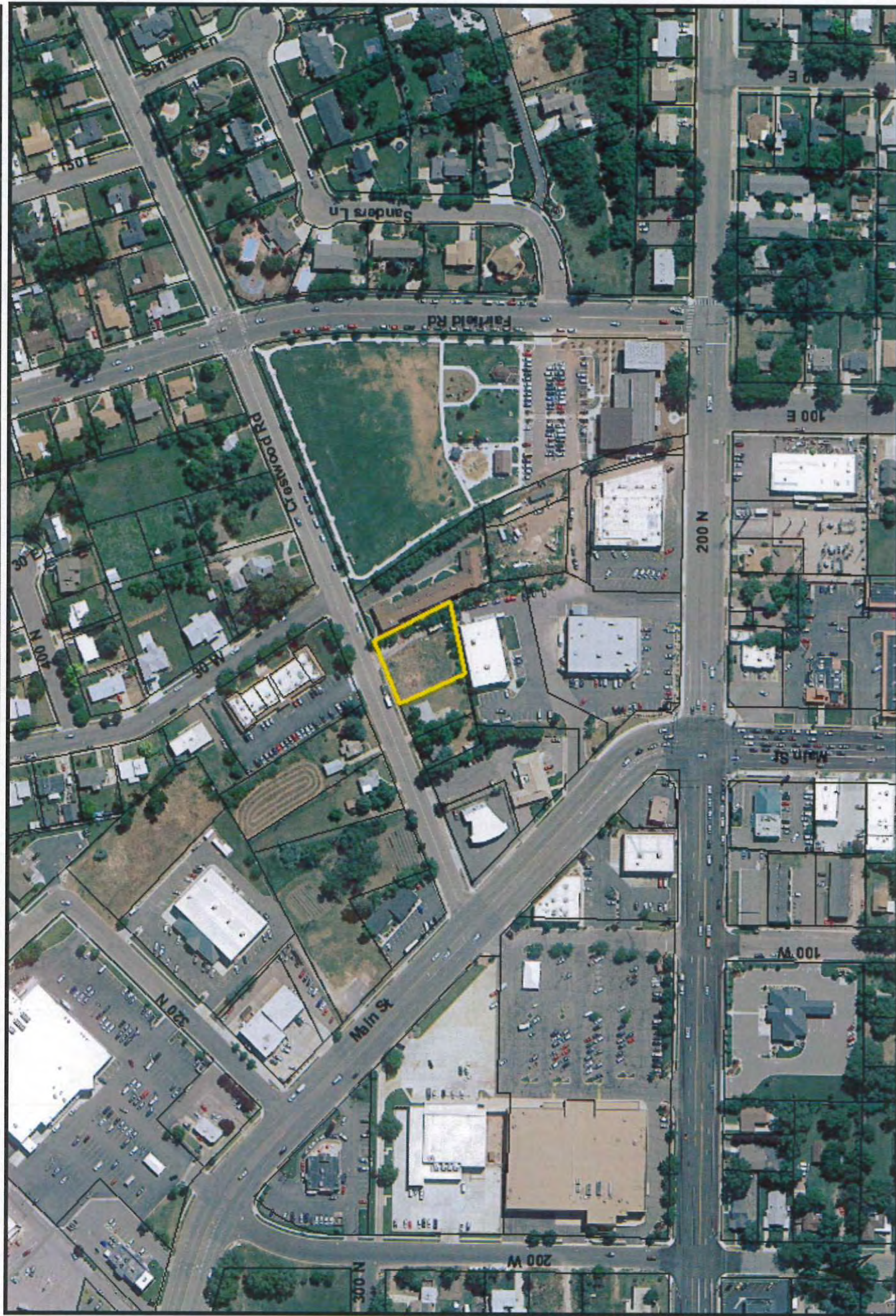
The plat consists of two three-unit buildings on pads with the remainder of the property as common area. The units are proposed as two story with a double garage and three bedrooms.

#### **Recommendation:**

The final plat complies with the zoning and with the preliminary plat. Staff recommends that the Planning Commission recommend approval of the Final Plat for 40 East Crestwood PUD Subdivision with the condition that the buildings be similar to what has been represented.

Attachment 1: Area Map  
Attachment 2: Plat Map  
Attachments 3-6: Conceptual Site Plan, Elevation, and Floor Plans

## 40 East Crestwood Road



## 1



**WILDING  
ENGINEERING**

14778 KAYWOOD AVENUE SUITE 200  
KAYSVILLE, UTAH 84037  
PHONE: 801.226.8111  
WWW.WILDINGENGINEERING.COM

DESIGNED BY: [blank]  
 DRAWN BY: [blank]  
 CHECKED BY: [blank]  
 PROJECT NO.: 16199  
 DATE: 11/21/16

PROJECT INFORMATION  
**KNOWLTON GENERAL  
40 CRESTWOOD**  
 GRADING AND DRAINAGE PLAN  
 KAYSVILLE, UTAH

PROJECT NO.: 16199  
 DATE: 11/21/16  
 SCALE: 1" = 10'  
 SHEET: C202

ENGINEER'S STAMP

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 DATE: 11/21/16  
 SCALE: 1" = 10'  
 SHEET: C202

ENGINEER'S STAMP

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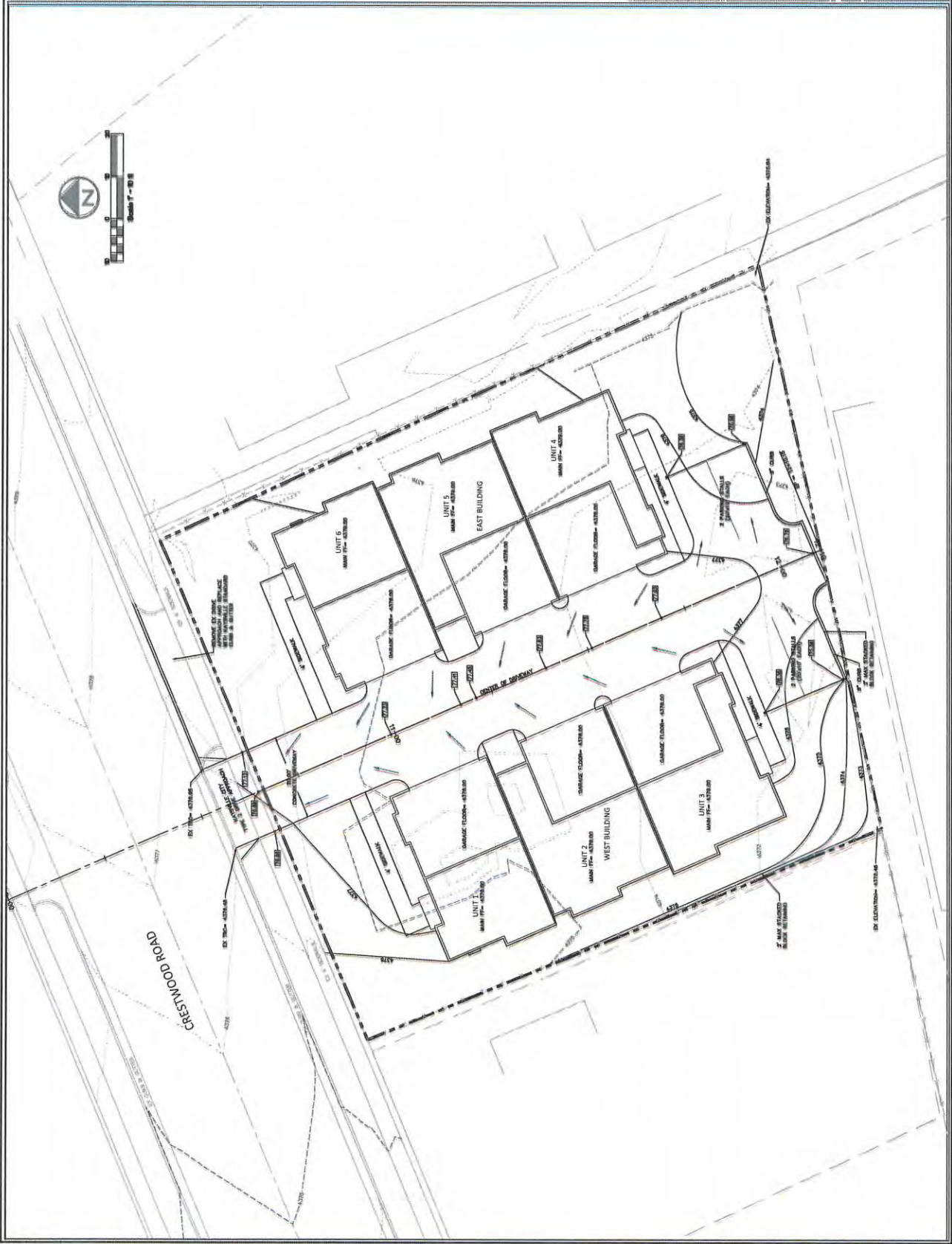
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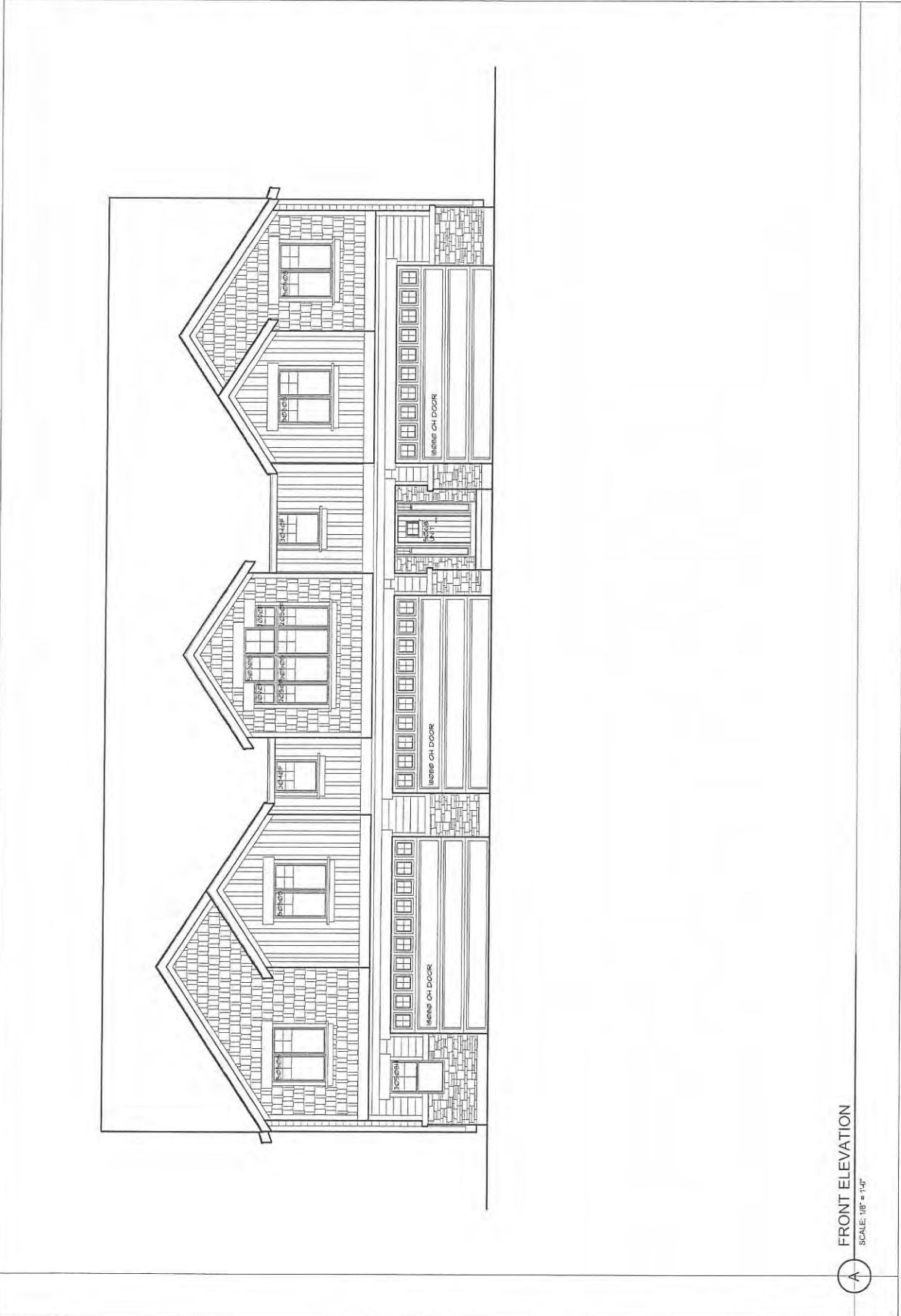
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 SHEET: C202

ENGINEER'S STAMP

PROJECT NO.: 16199  
 DATE: 11/21/16  
 SCALE: 1" = 10'  
 SHEET: C202

ENGINEER'S STAMP





FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



DESIGN  
1438 S. LEGEND HILLS DR. #320  
CLEARFIELD, UTAH 84015  
801.317.3727

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RTL DESIGN MAINTAINS THE  
INTEGRITY OF ITS DESIGN  
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OR TRANSMITTED IN ANY FORM  
OR BY ANY MEANS, ELECTRONIC  
OR MECHANICAL, WITHOUT  
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RTL DESIGN.

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FOR THE CONSTRUCTION OF ANY  
BUILDING WITHOUT THE WRITTEN  
CONSENT OF RTL DESIGN. ANY  
VIOLATION OF THIS AGREEMENT  
WILL BE PROSECUTED TO THE  
FULL EXTENT OF THE LAW.

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PROJECT NAME:  
NEVILLE PLEX

LOCATION INFO:  
LOT #  
SUBDIVISION  
SUBNAME  
SUBNAME  
CITY  
CITYNAME  
STATE  
UTAH

CLIENT NAME:  
MR. AND MRS.  
CLIENT

PLAN NAME:  
PLANNAME

ORIGINAL RELEASE:  
JAN 1, 2007

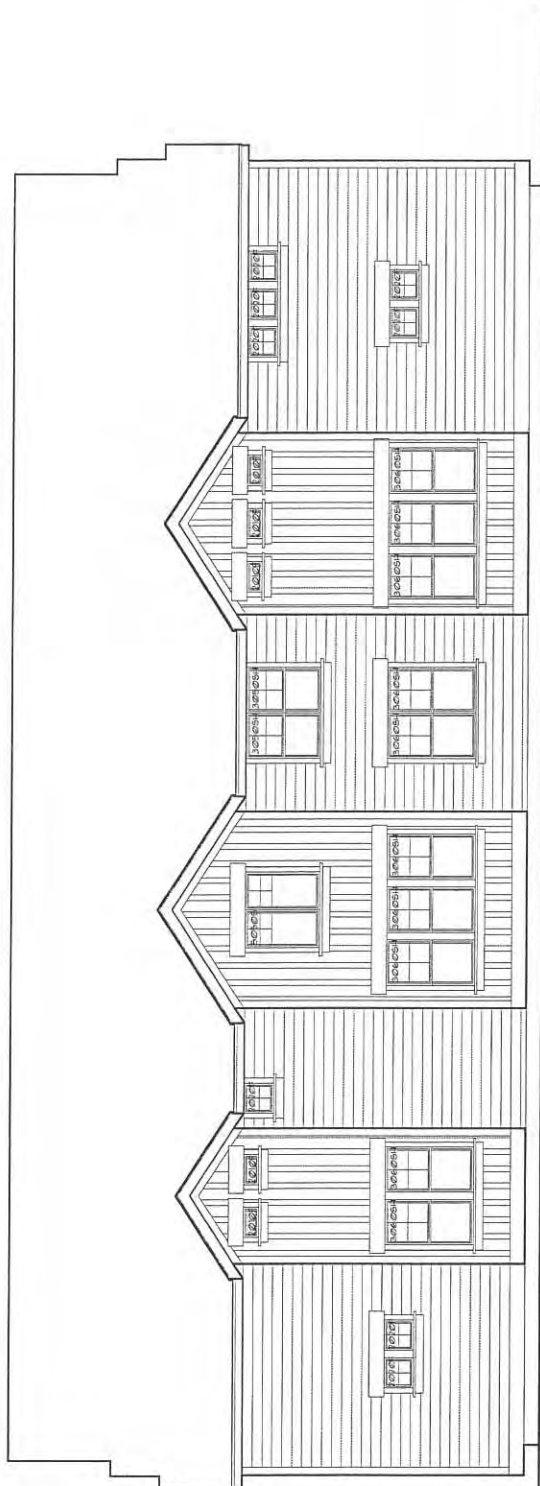
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XXXX/XXXX  
XXXX/XXXX  
XXXX/XXXX

SCALE: 1/8" = 1'-0"

REAR  
ELEVATION

A2 | 2

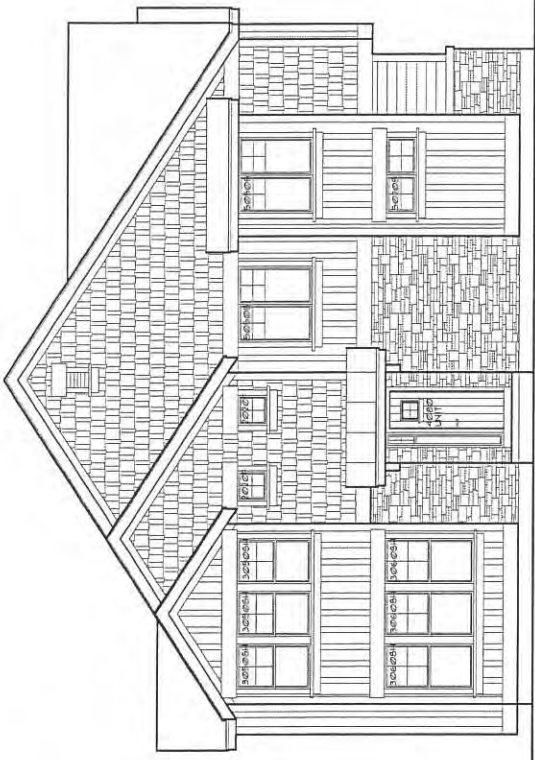
PAGE 5 OF 23



REAR ELEVATION

SCALE: 1/8" = 1'-0"

A



A LEFT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

**ATTENTION**  
P.L. DESIGN MAINTAINS THE  
PROPERTY AND SUBMITTALS  
THESE PLANS OR ANY PART  
HEREOF ARE NOT TO BE  
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P.L. DESIGN.  
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FOR THE CONSTRUCTION OF ANY  
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ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 01/01/2007 BY 60322  
© ALL RIGHTS RESERVED

**PROJECT NAME:**  
40 CRESTWOOD  
3 PLEXS

**LOCATION INFO:**  
LOT #  
101  
SUBDIVISION  
SUBNAME  
SUBNAME  
CITY  
CITYNAME  
STATE  
UTAH

**CLIENT NAME:**  
MR. AND MRS.  
CLIENT

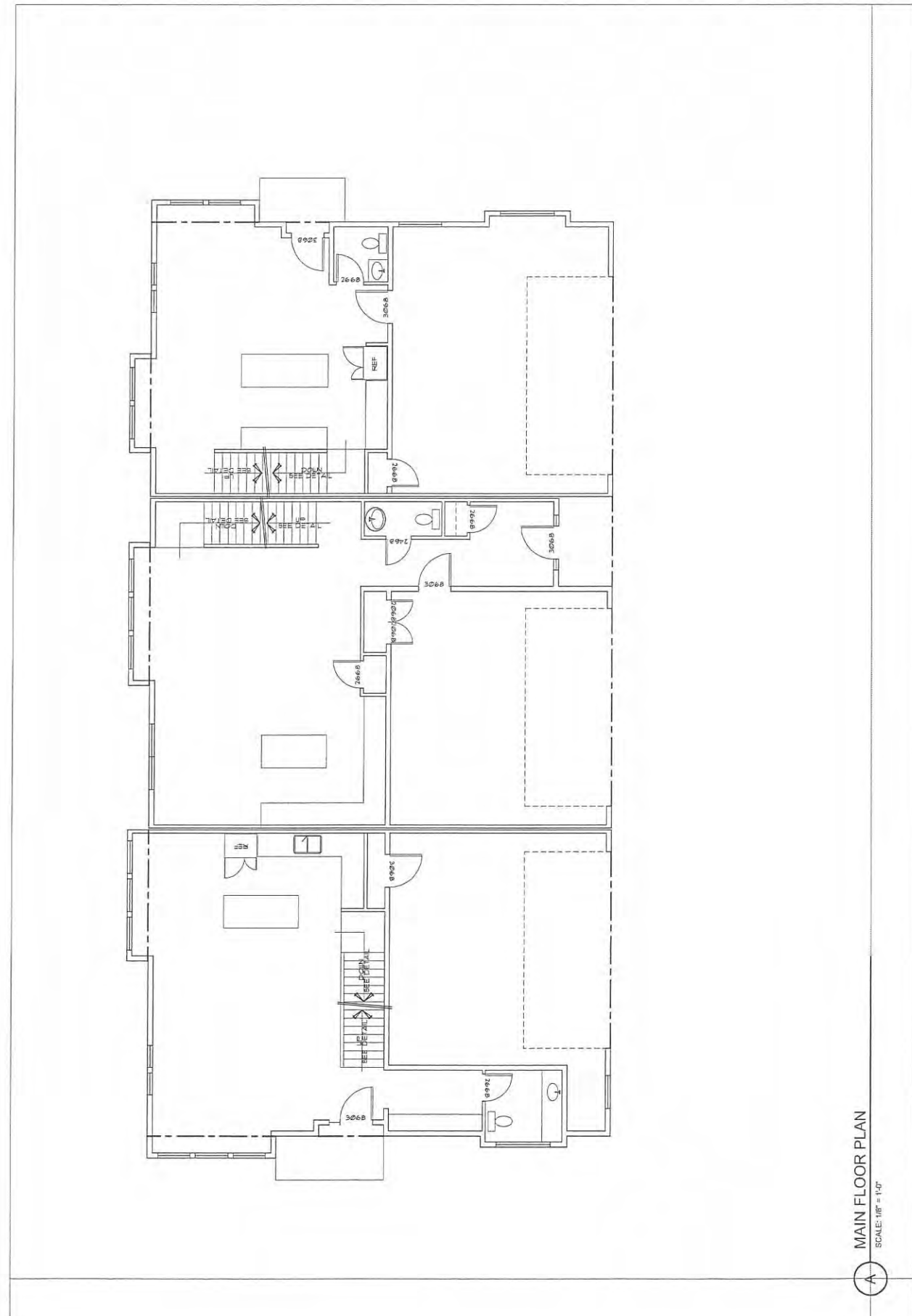
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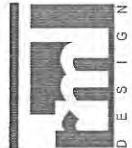
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JAN 1, 2007

**REVISION DATES**  
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XXXXXXXXXX

**MAIN FLOOR PLAN**

**A3 | 3**





1409 S. LEGION HILLS DR #330  
SALT LAKE CITY, UT 84115  
801.217.3727

ATTENTION  
LEGAL  
NOTICE: THIS  
DRAWING IS THE  
PROPERTY OF THE  
DESIGNER. IT IS  
TO BE USED ONLY  
FOR THE PROJECT  
AND SITE SPECIFIC  
USE. ANY OTHER  
USE WITHOUT THE  
DESIGNER'S  
CONSENT IS  
PROHIBITED.  
UNDER PENALTY OF PERSECUTION

THIS PLAN HAS NOT BE USED  
FOR CONSTRUCTION. FOR  
BUILDING PERMITS, SEE THE  
LOCAL BUILDING DEPARTMENT  
FOR THE LATEST REQUIREMENTS  
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PROJECT NAME:  
40 CRESTWOOD  
3 PLEXS

LOCATION INFO:

LOT #  
101  
SUBDIVISION  
SUBNAME  
SUBNAME  
CITYNAME  
STATE  
UTAH

CLIENT NAME:  
MR. AND MRS.  
CLIENT

PLAN NAME:

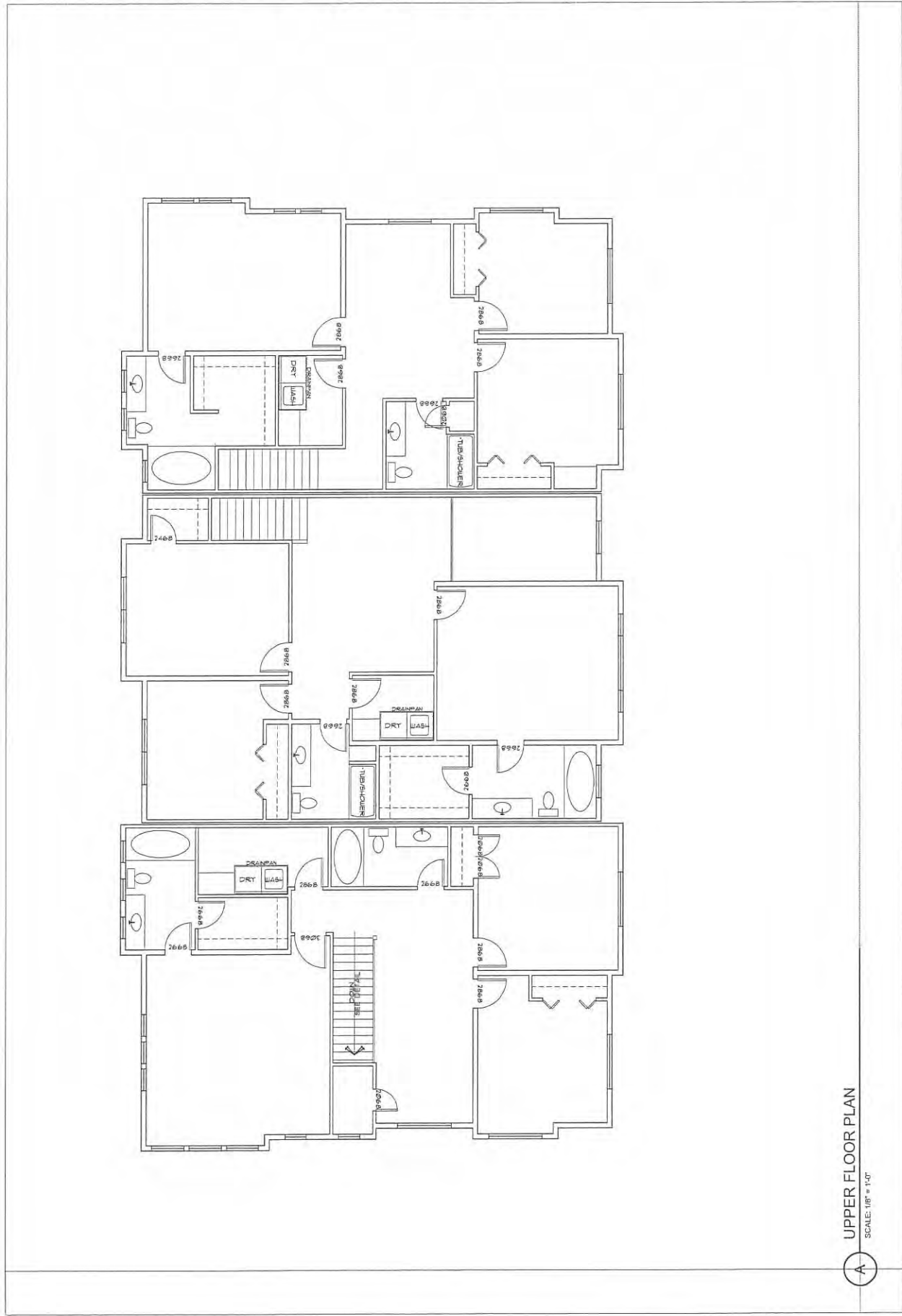
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JAN. 1, 2007

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XX/XX/XXXX

UPPER FLOOR PLAN

A3 | 5

PAGE 12 OF 23



A UPPER FLOOR PLAN  
SCALE: 1/8" = 1'-0"

## KAYSVILLE CITY PLANNING COMMISSION

January 26, 2017

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

Excused: Gary Bullock

Staff Present: Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Councilman Larry Page, David Vitek, Blair Hill, Chelsea Perkins, Robert Wood

### **OPENING**

The Planning Commission meeting was held on Thursday, January 26, 2016 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the December 8, 2016 meeting were presented for approval.

Stroh DeCaire made a motion to approve the minutes of the December 8, 2016 meeting. Thomas Wood seconded the motion and it passed unanimously.

### **CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", CLOTHING FITTING AT 478 EAST 1650 SOUTH – COURTNEY KILLPACK**

Lyle Gibson explained that Ms. Killpack has previously worked in department stores where she was a bra-fitting specialist, and would now like to be able to provide the same service from her home at 478 East 1650 South. She anticipates doing fittings about two days a week, from around noon to about 5:00 p.m. She plans to have about ten clients per week. Clients will come by appointment only, with appointments generally taking about thirty minutes per person. Appointments are for individuals but it is not uncommon for a group of friends to come at one time, but they often carpool together. Ms. Killpack said that she does have a small inventory of product that customers could purchase at the time of appointment, but it is a secondary part of her business. The property has a couple of parking spaces in the driveway and there is a church parking lot across the street where clients could park if needed.

Betty Parker asked if Ms. Killpack has her inventory delivered to her home.

Lyle Gibson responded that Ms. Killpack has indicated that she purchases the bras directly from a store locally.

Thomas Wood made a motion to grant a conditional use permit for a major home occupation

“B”, clothing fitting at 478 East 1650 South for Courtney Killpack. Lorene Kamalu seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B” MICROBLADING AT 341 NORTH AUTUMN CHERRY WAY – CHELSEA PERKINS**

Lyle Gibson explained that Ms. Perkins lives at 341 North Autumn Cherry Way and is requesting a conditional use permit to provide eyebrow microblading services from her home. Clients would come by appointment only and there is a large driveway with room for several cars on her property. Ms. Perkins plans to schedule only two appointments a day because each appointment lasts about three hours. Clients would come between the hours of 10:00 a.m. and 5:00 p.m. Staff did receive a phone call from one of Ms. Perkin’s neighbors who stated that while they are not opposed to the business use itself, they are concerned with the clientele that the business might bring. However, Staff does not feel that the complaint is substantiated.

Chelsea Perkins said that she does not have any employees and will be doing this as a side business. She has a large driveway that could fit at least two extra cars along the side of her home.

Lorene Kamalu asked about the training required.

Chelsea Perkins responded that she went through training courses to receive her certification, and has already had the health department inspect the area where she will be doing the microblading.

Stroh DeCaire made a motion to grant a conditional use permit for a major home occupation “B”, microblading at 341 North Autumn Cherry Way for Chelsea Perkins. Betty Parker seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR A MODEL HOME, DEVELOPMENT SIGNS AND FLAGPOLE GREATER THAN THIRTY FEET IN HEIGHT AT 2152 SOUTH PARKWOOD LANE – JACK FISHER/HENRY WALKER HOMES**

Lyle Gibson explained that Henry Walker Homes has started construction of homes in the first phase of the Parkwood Subdivision and would like to use the home at 2152 South Parkwood Lane as a model home. The model home, flagpole, and associated signage are permitted as a conditional use in the R-1-LD zone. The signage requested include a 5’x 10’ map of the community, a 3’x 5’ model home sign and a small 2’x 2’ sign indicating the sales office entrance. The flagpole measures at fifty feet tall, and the applicant desires to put a large American flag on it as well as a smaller Henry Walker Homes flag. However, it is Staff’s opinion that the Henry Walker Homes flag is considered a sign by definition and therefore should not be allowed. The first phase of the development includes forty lots, and Staff is recommending that these conditional uses be approved for a period of twenty-four months, or until the model home is no longer in use, whichever timeframe is shorter.

David Vitek, the president of Henry Walker Homes, said that the future phases of this

subdivision will also have about forty lots and they hope to use this model home throughout the entire project. Therefore, they would like to receive approval for the model home for at least two years, and then they come back for an extension if needed.

Betty Parker asked about the Henry Walker Homes flag.

David Vitek said that he understands Staff's concerns and has agreed not to fly the Henry Walker Homes flag.

Josh Sundloff made a motion to grant a conditional use permit for a model home, development signs and flagpole greater than thirty feet in height at 2152 South Parkwood Lane for Jack Fisher/Henry Walker Homes with the following conditions:

1. The flagpole not exceed fifty feet in height.
2. All development signs meet the minimum requirements of Chapter 17-33 Sign Regulations.
3. Only governmental flags be flown from the flagpole.
4. Approval of the conditional use permit expires in two years, or until the model home is no longer in use, whichever is less.

Stroh DeCaire seconded the motion and it passed unanimously.

#### **FINAL PLAT APPROVAL FOR CLIFTON SUBDIVISION AT 42 NORTH ANGEL STREET – PAUL CLIFTON**

Lyle Gibson explained that in October 2016 the Clifton Subdivision at 42 North Angel Street received preliminary plat approval, along with the approval of a PRUD overlay zone. The layout of the subdivision has not changed since preliminary approval. It includes a standard lot and two additional flag lots. The plat meets the city's requirements for a subdivision.

Matthew Anderson asked about the shed located on the property.

Lyle Gibson responded that Mr. Clifton has indicated that he will remove the shed by the time Lot 2 is developed. It is his intent to give the two flag lots to his children to build homes on.

Betty Parker made a motion to recommend final plat approval for Clifton Subdivision at 42 North Angel Street for Paul Clifton. Lorene Kamalu seconded the motion and it passed unanimously.

#### **FINAL PLAT APPROVAL FOR MEADOW MANOR SUBDIVISION AMENDED AT 1512 SOUTH DRIFTWOOD LANE – ROBERT WOOD**

Lyle Gibson explained that the owners of two adjacent lots in the Meadow Manor Subdivision would like to adjust their common property line at 1512 South Driftwood Lane. The newly configured lots both comply with the current zoning. This plat received final approval in August 2014, but it was never recorded. City ordinance indicates that the original approval for a plat expires if not recorded within one year of approval. The proposed plat has not changed from

what was originally approved and is now ready to be recorded.

Betty Parker asked about the frontage of the lots.

Lyle Gibson responded that both lots meet the minimum frontage requirements.

Robert Wood commented that these lots were poorly designed and by adjusting the lot line it will give both neighbors a better layout of their properties. After they received final plat approval in 2014, they were under the impression that the plat would be recorded soon after but they did not follow through with the city to ensure that it had.

Stroh DeCaire made a motion to recommend final plat approval for 1512 South Driftwood Lane for Robert Wood. Lorene Kamalu seconded the motion and it passed unanimously.

#### **FINAL PLAT APPROVAL FOR LOT 9 KINGSVIEW ESTATES AMENDED AT 278 EAST SHEPARD LANE – WENDELL PEERY**

Lyle Gibson explained that Wendell Peery owns about 1.2 acres of property on Shepard Lane and would like to subdivide his property into two lots, which includes a flag lot. Both lots conform to the existing R-A zoning. A PRUD overlay zone was previously approved. This subdivision received final plat approval in July of 2015 but it was never recorded. City regulations require that subdivision plats be recorded within one year of final plat approval or the approval expires. Because of this, Mr. Peery must receive final plat approval again to record the plat. No changes have been made to the plat since the original approval.

Betty Parke asked if the PRUD overlay zone would need to be reapproved as well.

Lyle Gibson explained that the PRUD overlay was approved per the subdivision plat approval, and therefore it does not need to be approved again.

Thomas Wood made a motion to recommend final plat approval for Lot 9 Kingsview Estates Amended at 278 East Shepard Lane for Wendell Peery. Stroh DeCaire seconded the motion and it passed unanimously.

#### **CALL TO THE PUBLIC**

Robert Wood asked what the next step would be to get his subdivision plat approved and recorded.

Lyle Gibson responded that the subdivision plat would be on the next City Council agenda to receive final plat approval. Once approved, the mylar copy of his plat will be signed and sent to the County to be recorded.

### **CALENDAR**

The next regularly scheduled meeting will be held on Thursday, February 9, 2017 at 7:00 p.m.

### **ADJOURNMENT**

Stroh DeCaire made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 7:27 p.m.

## KAYSVILLE CITY PLANNING COMMISSION

February 9, 2017

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

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

Others Present: Jamie Lee, John Irvine, Tom Thackeray, Beauregard J. Bell, Elizabeth Carrier, David Carrier, Emily Carrier, Andrea Carrier

### **OPENING**

The Planning Commission meeting was held on Thursday, February 9, 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 12, 2017 meeting were presented for approval.

Stroh DeCaire made a motion to approve the minutes of the January 12, 2017 meeting. Lorene Kamalu seconded the motion and it passed unanimously.

### **CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", HAIR SALON AT 520 EAST 200 SOUTH – ELIZABETH CARRIER**

Lyle Gibson explained that Elizabeth Carrier is a cosmetologist and would like to run a hair salon from her home at 520 East 200 South. Her customers would come by appointment only for cuts, colors and other related work.

Lorene Kamalu made a motion to grant a conditional use permit for a major home occupation "B", hair salon at 520 East 200 South for Elizabeth Carrier. Gary Bullock seconded the motion and it passed unanimously.

### **CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B" CONTRACTOR AT 259 EAST SHEPARD LANE – BEAU BELL**

Lyle Gibson explained that Mr. Bell lives at 259 East Shepard Lane and would like to run a contractor office from his home. He will use his home as an office to schedule bids, appointments, and to process paperwork. Any materials or equipment will not be stored on-site.

Matthew Anderson asked about Mr. Bell's work equipment.

Beau Bell responded that he rents most of his equipment so there will never be any equipment at his home.

Gary Bullock made a motion to grant a conditional use permit for a major home occupation "B", contractor at 259 East Shepard Lane for Beau Bell. Betty Parker seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR RESIDENTIAL CHILD CARE AT 480 EAST LAURELWOOD DRIVE – KATHRYN IRVINE**

Lyle Gibson explained that Kathryn Irvine lives at 480 East Laurelwood Drive and would like to provide child care services from her home. She plans to have groups of up to eight children at a time, although Kaysville City ordinance would allow Mrs. Irvine to have up to twelve. She is also allowed to have one non-resident employee in the home, but does not plan to do so. A room in her home has been designated for the use of the daycare. Mrs. Irvine has previously run an in-home daycare before moving to her current address in Kaysville.

Thomas Wood asked if there would be any signage on the property.

John Irvine responded that they had not planned to put up a sign, but will if the State requires them to have one as part of their licensure.

Stroh DeCaire made a motion to grant a conditional use permit for residential child care at 480 East Laurelwood Drive for Kathryn Irvine. Thomas Wood seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR A MODEL HOME AND DEVELOPMENT SIGNS AT 6 SOUTH WILDON COURT – BRIGHTON HOMES**

Lyle Gibson explained that Brighton Homes has been selling lots in the Homestead at Hales Farm Subdivision for just about a year. The original model home, which was located on the northwest corner of Wildon Court and Flint Street, has been sold and Brighton Homes has set up a new model home at 6 South Wildon Court. Brighton Homes plans to use two 4'x 4' development signs, and two banner signs that measure at about ten feet in height. These signs meet the size and location requirements of the city regulations. However, Brighton Homes has also set up some flag signs on the property that are not permitted and will need to be removed. Staff is recommending that the conditional use permit be approved for a period of twelve months or until all lots are sold in the subdivision, whichever is shorter.

Gary Bullock made a motion to grant a conditional use permit for a model home and development signs at 6 South Wildon Court for Brighton Homes with the following conditions:

1. The flag signs currently on site be removed permanently.
2. The conditional use permit be approved for a period of one year or until such time as all lots are sold in the Homestead at Hales Farm Subdivision, whichever timeframe is shorter.

Stroh DeCaire 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, February 23, 2017 at 7:00 p.m.

**ADJOURNMENT**

Gary Bullock made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 7:15 p.m.

# 23 February 2017 Agenda

## KAYSVILLE CITY PUBLIC HEARING NOTICE

Notice is hereby given that the Kaysville City Planning Commission will hold a public hearing on Thursday, February 23, 2017, at 7:00 p.m., in the Council Room of the Kaysville City Municipal Center, 23 East Center, Kaysville, to consider:

Rezone of 0.95 acres of property at 85 East Crestwood Road to include the PRUD (Planned Residential Unit Development) Overlay Zone.

Rezone of 0.18 acres of property at 579 South Main Street from PB (Professional Business) to the HC (Health Care) zoning district.

Rezone of 1.08 acres of property at 1053 South Roueche Lane from A-1 (Light Agriculture) to the R-A (Residential Agriculture) zoning district.

I hereby certify that I posted a copy of the foregoing Public Hearing notice on the municipality's official website by February 3, 2017.

Lyle Gibson, Zoning Administrator

## KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, February 23, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of minutes from the meetings of January 26, 2017 and February 9, 2017.
2. Conditional use permit for farm animals at 625 East 1500 South – Milas Howe.

3. Conditional use permit for farm animals at 584 South Teresa Street – Sharon and Ryan Rowley.
4. Public hearing and request to rezone 1.08 acres of property from A-1 (Light Agriculture) to R-A (Residential Agriculture) at 1053 South Roueche Lane – Scott Terry.
5. Public hearing and request to rezone 0.18 acre of property from PB (Professional Business) to HC (Health Care) at 579 South Main Street – Lush Enterprises, LLC.
6. Public hearing and preliminary plat approval for Crestwood Subdivision at 85 East Crestwood Road, and PRUD (Planned Residential Unit Development) overlay zone – Dan Stephenson.
7. Final plat approval for 40 Crestwood PUD Subdivision at 40 East Crestwood Road – Brian Neville.
8. Call to the public.
9. Other matters that properly come before the Planning Commission:
10. Reports.
11. Correspondence.
12. Calendar.
13. 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, February 17, 2017.

Lyle Gibson, Zoning Administrator