

13 April 2017 Minutes

KAYSVILLE CITY PLANNING COMMISSION

April 13, 2017

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

Excused: Gary Bullock

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

Others Present: Aaron Mehr, Justin Mehr, Dave Bush, Bryan Thompson, Heidi Thompson, Mike Bowers, Dan Stephenson

OPENING

The Planning Commission meeting was held on Thursday, April 13, 2016 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the March 23, 2017 meeting were presented for approval.

Lorene Kamalu made a motion to approve the minutes of the March 23, 2017 meeting. Betty Parker seconded the motion and it passed unanimously.

Josh Sundloff asked if minutes should be required when there is already a recording for a meeting.

Andy Thompson responded that Utah law requires that minutes be kept for public meetings. It wasn't until recently that the state required that the meetings be recorded and posted as well for public viewing.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", ELECTRICAL CONTRACTOR AT 5 SOUTH WILDON COURT – MICHAEL BOWERS

Lyle Gibson explained that Mr. Bowers is an electrical contractor who would like to have an office from his home at 5 South Wildon Court for his business. His home will be used for

scheduling bids and processing paperwork. Any equipment used will be kept within his truck or trailer, or stored inside the garage.

Matthew Anderson asked about the city regulations regarding trailers.

Lyle Gibson responded that trailers are never allowed to be parked on the street, and the home occupation ordinance regulates the size of the trailer that is used for the business so as to limit large commercial trailers from being used. Mr. Bower's trailer will be parked on his property and is under that size limit.

Stroh DeCaire made a motion to grant a conditional use permit for a major home occupation "B", electrical contractor at 5 South Wildon Court for Michael Bowers. Thomas Wood seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 1130 EAST SHERWOOD DRIVE – HEIDI GREENWAY-THOMPSON

Lyle Gibson explained that Mrs. Greenway-Thompson lives at 1130 East Sherwood Drive and would like to keep chickens on their property. The property is 0.28 acres, which allows them to keep up to seven fowl, rabbits or similar animals. The applicant has been keeping the baby chicks inside their home in anticipation of receiving approval from the Planning Commission. After receiving approval, a coop will be placed in the rear yard of their property for the chickens. The rear yard is currently fenced which will help to contain the animals.

Thomas Wood asked about the configuration of the property and if there is enough space to meet the setback requirement for the coop placement.

Lyle Gibson responded that although the backyard seems small, there is enough space for the coop to placed fifteen feet away from the neighbor's homes. The coop may be placed next to the applicant's home, if needed.

Thomas Wood made a motion to grant a conditional use permit for farm animals at 1130 East Sherwood Drive for Heidi Greenway-Thompson. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A DEVELOPMENT SIGN AT 85 EAST CRESTWOOD ROAD – BUFFALO PROPERTIES LLC

Lyle Gibson explained that the property at 85 East Crestwood Road is planned to be developed into a five-lot subdivision and the developer would like to install a development sign on the property. The sign measures at four by eight feet, and will stand approximately twelve feet high when installed. Staff is recommending approval with the recommendation that the sign be approved for one year or until all lots are sold within the subdivision, whichever is less, and that the sign be placed far enough behind the sidewalk and private driveway so as to not block the view of traffic coming off of the private lane.

Matthew Anderson asked if Staff had spoken with the developer about where the city would like to see the sign placed.

Lyle Gibson responded that they had and the developer is fine with the requested sign location.

Thomas Wood asked how soon the sign would be installed.

Dan Stephenson, with Buffalo Properties LLC, said that they would like to install it as soon as possible to start advertising the development. There is an existing home currently on the property which will eventually be demolished when the tenants move out.

Lorene Kamalu made a motion to grant a conditional use permit for a development sign at 85 East Crestwood Road for Buffalo Properties LLC with the following conditions:

1. The sign be allowed for a period of one year from the date of approval or until all lots within the subdivision are sold, whichever is less.
2. The sign be placed at least five feet behind the sidewalk and fifteen feet from the edge of asphalt of the proposed private street.

Betty Parker seconded the motion.

Voting was as follows:

Lorene Kamalu	yea
Stroh DeCaire	nay
Matthew Anderson	yea
Betty Parker	yea
Josh Sundloff	yea
Thomas Wood	yea

The motion passed with a vote of five to one.

Stroh DeCaire commented that he voted against the motion because he voted against the recommended approval of the preliminary plat for this subdivision and is still not in favor of the configuration of this development.

MODIFICATION OF A CONDITIONAL USE PERMIT FOR DEVELOPMENT SIGNS AT 8 SOUTH FLINT STREET – BRIGHTON HOMES

Lyle Gibson explained that Brighton Homes recently received approval from the Planning Commission for the model home and existing development signs at The Homestead at Hales Farm Subdivision. This recent approval was the second time the model home and development signs had been reviewed and approved by the Planning Commission. The original approval was given for a model home on the northwest corner of Flint Street and Wildon court, as well as some signage on the property. When the home was sold and the model home site moved to Lot 7, an eight by eight foot sign was temporarily taken down from the original model home

site. The new site has been approved, but that approval did not include that sign and Brighton Homes desires to continue using the sign in addition to the existing signs that were recently approved on Lot 7. The sign will sit on Lot 14, abutting Flint Street, to help continue to advertise the development as there are still multiple lots for sale within the subdivision.

Stroh DeCaire made a motion to grant the modification of a conditional use permit for development signs at 8 South Flint Street for Brighton Homes with the condition that the signs be allowed for one year from the date of approval or until all lots within the subdivision are sold, whichever is less. Thomas Wood seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 1.66 ACRES OF PROPERTY AT 1450 SOUTH BURTON LANE FROM R-1-20 (SINGLE FAMILY RESIDENTIAL) TO THE LI (LIGHT INDUSTRIAL) ZONING DISTRICT – JIM PUFFER

Lyle Gibson explained that many years ago this property was part of the open space area for the Old Mill Village Subdivision. However, this property, along with much of the originally anticipated common areas, was never improved by the developer despite much effort by the City as well as the subdivision's Homeowners Association. In an effort to find an alternative way to have the common areas of the subdivision improved, it was discovered that less open space area is now required of than what was originally required because not as many homes as originally planned had been built. As this area, located at 1450 South Burton Lane, is somewhat separated from the rest of the subdivision, it was the HOA's desire to sell this piece of property and use those funds to focus on improving their other common areas. Mr. Puffer purchased the vacant property as a place to store bines used for mulch, gravel, pavers, etc. for his landscaping business. Ultimately, Mr. Puffer would like to have a building on site to store certain materials that are more prone to theft. Under the existing R-1-20 zone, only homes and accessory buildings to a home are allowed to be built. The proposed LI zone would allow for construction of a storage building and would better fit the evolving use of the site. The property is surrounded by the R-1-20 zone to the north, R-A zone to the west and south, and the LI zone to the east. The property is at the end of the Burton Lane overpass and abuts the Denver & Rio Grande Western trail to the west. Mr. Gibson commented that he had received a phone call from Mr. Puffer earlier who informed him that he would not be able to attend tonight's meeting and asked if the item could be tabled. However because a public hearing for this item has been noticed it still will need to be held tonight.

Matthew Anderson asked if the neighbors abutting this property had been notified of this requested rezone.

Lyle Gibson responded that a mailer was sent to the property owners directly adjacent to the property. Mr. Puffer has also made an effort to contact those owners to inform them of his intentions. A public notice sign has also been posted on the property over the past week, and information about it has been on the city's website.

Matthew Anderson asked about access to this site because this property is directly adjacent to the Burton Lane overpass and it has a difficult layout. There seems to be a lot of blind corners.

Andy Thompson commented that Mr. Puffer is in the process of purchasing a piece of land from the property owner to the south in order to create a better access to this property. In the past access has been taken off of Burton Lane on the very south end of the property. Right now the property is being used as private storage, but when they license it as a commercial use they will have to submit a site plan to the city, showing the improved access point.

Matthew Anderson asked when the property was purchased.

Andy Thompson responded that he believes it was about a year ago.

Lyle Gibson said that recently Mr. Puffer had approached the city about his plans to install landscaping to further buffer the site and he made Staff aware of his future intentions for the property. Staff informed Mr. Puffer that there shouldn't be a problem with it, but that a rezone to the LI zone would be more appropriate to meet the potential use of the property.

Matthew Anderson asked about the Burton Lane right-of-way.

Andy Thompson responded that because Burton Lane is at a higher elevation than Mr. Puffer's property, the right-of-way includes the fill area and is larger here than what is standard.

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 table the request to rezone 1.66 acres of property at approximately 1450 South Burton Lane from R-1-20 (Single Family Residential) to the LI (Light Industrial) zoning district for Jim Puffer until Mr. Puffer can be present. Betty Parker seconded the motion and it passed unanimously.

Thomas Wood asked if a public hearing could be held at the next meeting where this is discussed.

Lyle Gibson responded that although it is not required to hold another public hearing, the Planning Commission can decide to hold another one if they feel it necessary.

FINAL PLAT APPROVAL FOR CRESTWOOD SUBDIVISION AT 85 EAST CRESTWOOD ROAD – BUFFALO PROPERTIES

Andy Thompson explained that in March of this year the City Council approved the preliminary plat and PRUD overlay zone for the Crestwood Subdivision at 85 East Crestwood Road. The preliminary plat was approved with the condition that a fence be installed along the western property line, and that the developer meet with adjacent property owners to discuss fencing options. The final plat for this subdivision has been submitted and is consistent with the approved preliminary plat. The applicant has affirmed the intention of installing fencing as requested.

Dan Stephenson, with Buffalo Properties, said that they plan to install a fence along the western edge as requested, and have spoken with many of the neighbors. The fence that will be installed will be a vinyl fence with air gaps so as to help ensure it will not be destroyed by the east winds. It will be installed after the private lane is completed. Some of the other adjacent properties have asked him to not install fence along their properties because they have existing hedges that they would like to keep along their fence lines, and installing a fence might destroy that.

Matthew Anderson commented that Mr. Stephenson was not required to install fencing along the northern and eastern property lines because they are comparable uses.

Thomas Wood made a motion to recommend final plat approval for Crestwood Subdivision at 85 East Crestwood Road for Buffalo Properties. Lorene Kamalu seconded the motion.

Voting was as follows:

Lorene Kamalu	yea
Stroh DeCaire	nay
Matthew Anderson	yea
Betty Parker	yea
Josh Sundloff	yea
Thomas Wood	yea

The motion passed with a vote of five to one.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Lorene Kamalu asked about the 200 North overpass and asked if more lanes could be added to help with traffic congestion.

Andy Thompson responded that the city is aware of the traffic flow problems of the overpass and has discussed options for it many times. The overpass was built with federal money which required that the city adhere to certain stipulations. Eventually the overpass will be restriped to allow for more lanes, but there are some things that have to be resolved and approval given by the federal government before that can be done.

Lorene Kamalu asked if there was enough space on the overpass to add another sidewalk or a bike lane.

Andy Thompson responded that there is not room for another sidewalk.

Stroh DeCaire asked when Mr. Puffer's item is anticipated to be on the agenda again.

Lyle Gibson responded that it will probably be on the Planning Commission's April 27, 2017 agenda.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, April 27, 2017 at 7:00 p.m.

ADJOURNMENT

Thomas Wood made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 7:45 p.m.