

10 August 2017 Minutes

KAYSVILLE CITY PLANNING COMMISSION

August 10, 2017

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

Excused: Gary Bullock, Thomas Wood

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

Others Present: Council Member Larry Page, Ron Houskeeper, Brian Wall, Dino Pasqua, Vicki Pasqua, Carla Whitaker, Dave Whitaker, Lisa Purdie, Dwight Bird

OPENING

The Planning Commission meeting was held on Thursday, August 10, 2017 at 7:00 p.m. in the Municipal Center.

Chairperson Betty Parker opened the meeting by welcoming those present. The minutes of the July 27, 2017 meeting was presented for approval.

Stroh DeCaire made a motion to approve the minutes of the July 27, 2017 meeting. Lorene Kamalu seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", ELECTRICAL CONTRACTOR AT 375 WEST PADDOCK LANE – RONALD HOUSKEEPER

Lyle Gibson explained that Ronald Houskeeper is an electrical contractor and is requesting to use a room in his home as an office to do bookkeeping, schedule appointments and process paperwork. He has arrangements to keep materials and equipment offsite. He does have a work vehicle that will be parked at his home, and employees would never come to his home.

Ron Houskeeper said that his wife does the paperwork for his business and wanted the ability to work from home. The business main office is located in Layton where he has employees, meets with clients, and their equipment is stored.

Matthew Anderson made a motion to grant a conditional use permit for a major home occupation “B”, electrical contractor at 375 West Paddock Lane for Ronald Houskeeper. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 711 EAST CRESTWOOD ROAD – RUSTIN JESSEN

Lyle Gibson explained that Mr. Jessen recently purchased the property at 711 East Crestwood Road and is requesting a conditional use permit in order to keep chickens on his property. The property is 2.04 acres, which would allow him to keep nearly two-hundred chickens, however he currently only has six hens and does not have any plan to keep any more than that. Staff had not received any complaints at Mr. Jessen’s previous location where he had kept the animals before. Mr. Jessen has a coop and enclosed area on the subject property that will appropriately contain the animals on site.

Lorene Kamalu made a motion to grant a conditional use permit for farm animals at 711 East Crestwood Road for Rustin Jessen. Matthew Anderson seconded the motion and it passed unanimously.

CONSIDERATION OF A DEVELOPMENT AGREEMENT AND REQUEST TO REZONE 2.84 ACRES OF PROPERTY AT APPROXIMATELY 701 SOUTH MAIN STREET FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO THE HC (HEALTH CARE) ZONING DISTRICT – DAVE WHITAKER

Lyle Gibson explained that the Planning Commission recently held a Public Hearing for this item, and a motion was made to recommend approval of the requested rezone to the HC zoning district subject to an acceptable development agreement. A development agreement has since been drafted, which is now being presented to the Planning Commission for consideration. In previous discussion, there was a general support for the HC zone and an assisted living center, however concerns were brought up relating to the use of this property and the street network connectivity in the area, specifically 550 East Street. Because the road configuration of 550 East Street is not part of this portion of the development, it will not be reviewed until the rest of the subdivision is developed. The Commission needs to review the development agreement and consider if it is adequate. Items to consider might include if there is adequate landscaping shown, as well as sufficient parking for the seventy-five bed facility being proposed. The city ordinance does not specifically outline how many parking stalls should be required, but rather leaves it up to the discretion of the Planning Commission to decide. There are currently thirty-four stalls being shown on the draft layout of the property. The developer will also need to demonstrate that their design demonstrates compliance with the International Fire Code, and that fire apparatus be able to access all points of the facility so that a fire truck would be able to park within one hundred and fifty feet from all points of the building.

Betty Parker said that she would like to see something in the development agreement restricting the type of use on this property so it cannot be changed should the property be sold.

Lorene Kamalu commented that when the Commission reviewed this development previously the concept layout showed a small parking lot on the northeast side of the property taking access off 550 East Street. Neighbors expressed concern about that parking lot, and Ms. Kamalu commented that she is glad to see that it has been removed from the layout.

Lyle Gibson said that the developer plans to plant trees along the northern property line to help mitigate the impact on neighboring properties.

Dave Whitaker said that he had shown the current plat to some of the neighbors and was given positive feedbacks about the revisions. He has also been working with UDOT regarding access onto Main Street, and was given verbal approval to have access as long as the driveway lines up directly across from Burton Lane. Because of this approval, public access onto 550 East Street is no longer needed. Mr. Whitaker indicated that he has an interested buyer that did not want to purchase the property until it was rezoned to the HC zone. That interested buyer develops and manages these types of assisted living facilities, and therefore while he is applying for the rezone he will not be the one to build the facility.

Stroh DeCaire asked about the property directly south of Mr. Whitaker's.

Dave Whitaker responded that the property owner no longer wants to live on busy Main Street and therefore is selling the property. As part of the purchase, Mr. Whitaker has made a deal to help relocate her to another location. Once the property is purchased there will be sufficient room to build the access road for the assisted living facility. The home will need to also take access off of that new driveway. The facility will look similar to what has been built by the purchaser previously because they know the layout will work well and will be aesthetically pleasing.

Lisa Purdie said that she lives directly behind the Whitaker's and feels that the sixty beds this was originally presented with was already too many for this facility. Ms. Purdie said that she has visited similar sized facilities and there is always a lot of traffic. Allowing more beds will bring more traffic and noise. Ms. Purdie said that while she appreciates seeing how much landscaping is already planned, she feels there still needs to be more.

Dave Whitaker responded that while they are willing to put in what landscaping is needed, they don't want to put in too many trees so it looks overcrowded or cluttered.

Josh Sundloff asked about future development for the rest of the property.

Andy Thompson responded that Mr. Whitaker is consolidating three separate parcels to create one lot for the assisted living facility. Sometime in the future he has also indicated plans to subdivide the rest of his land and create a few single family lots. He will have to come back through a separate approval process for that development and at that point the extension of 550 East Street will be considered.

Josh Sundloff commented that the configuration of the proposed driveway might be difficult for cars to maneuver if there are more than a couple cars waiting to turn onto Main Street. Mr.

Sundloff pointed out that the northern and southern elevation drawings had been mislabeled in the development agreement and will need to be fixed before it is approved. The design of the building is aesthetically pleasing and will fit well into the area. Mr. Sundloff also added that if this property were to be developed into residential homes, more traffic would be generated by those homes than by this type of use.

Dave Whitaker said that UDOT has said that if this property were to be developed as residential then they would not allow access onto Main Street. It is likely that this facility will not impact traffic along 550 East Street because no traffic will take access off of it. If it were to be developed for residential use then all of those homes would be using interior streets, including 550 East Street. Mr. Whitaker added that they hope to have the assisted living facility opened before the end of 2018.

Andy Thompson added that when the Whisper Creek Subdivision was first proposed there was a lot of discussion about having 550 East Street connect to Whisper Creek Drive and there were many residents who expressed the desire to have another road connection to Main Street. The City feels that a public street should be created connecting these two roads. When 550 East Street and Whisper Creek Drive were approved it was under the stipulation that they would be connected in the future. Currently, if either road were to be finished as a cul-de-sac the city would be creating an illegal cul-de-sac and provisions might need to be made to change the ordinance or create a variance. Those options will be reviewed when the rest of the property is developed.

Matthew Anderson asked about the fire code requirements.

Dave Whitaker said that the plans will be reviewed by the Fire Department and Building Department to ensure it meets the requirements of the fire code.

Josh Sundloff asked about landscaping requirements.

Lyle Gibson said that they are required to have a minimum of ten percent of landscaping on the site, and trees must be planted every thirty feet along Main Street.

Josh Sundloff asked that evergreen trees not be planted along Main Street.

Dwight Bird said that he lives just north of the property and would also like to see some kind of assurance that the use will remain the same on the property.

Dino Pasqua said that he would prefer to see an assisted living facility built rather than more residential rooftops because if it does remain residential then it is very likely that a connecting street will be built.

Josh Sundloff said that he feels that not much additional traffic would be created by creating a road connection here because it's not a direct through street to Main Street. It seems more likely that most traffic would continue to use Laurelwood Drive because it is more direct.

Vicki Pasqua said that the connecting road shouldn't be built if it's not wanted by those who live here. The city needs to consider the safety of the residents.

Lorene Kamalu commented that she had recently been contacted by the Dark Sky Association who works to protect the night sky from light pollution. Ms. Kamalu asked what kind of exterior lighting is planned.

Dave Whitaker said that they have lighting engineers who will assure they meet federal, state and city ordinances to protect from light pollution. They want the residents of the facility to be able to live comfortably, as well as not impact the surrounding neighborhood. They want to keep it as much of a residential feel as possible.

Lorene Kamalu said that when Smith's Marketplace was built specific requirements were outlined in their development agreement about what type of lighting can be used and asked that this development have similar requirements.

Stroh DeCaire made a motion to recommend approval of the development agreement and request to rezone 2.84 acres of property at 701 South Main Street from R-1-8 (Single Family Residential) to the HC (Health Care) zoning district for Dave Whitaker with the condition that exterior lighting and appropriate fire service access be included in the development agreement. Matthew Anderson seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Lyle Gibson said that the Utah League of Cities and Towns is holding their Annual Convention on September 13-15, 2017 in Salt Lake City. Thursday is considered "Planners Day" and it would be beneficial for the Planning Commission to attend.

Lorene Kamalu commented that she had a neighbor of Mr. Whitaker contact her with concerns about noticing for his proposed development.

Lyle Gibson responded that mailed notice was sent to property owners within five-hundred feet of Mr. Whitaker's property for the Public Hearing for Mr. Whitaker's rezone request. Mailed notice was not sent for tonight's meeting because no Public Hearing was scheduled.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, August 24, 2017 at 7:00 p.m.

ADJOURNMENT

Lorene Kamalu made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:00 p.m.