

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, November 30, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of minutes from the meeting of October 26, 2017.
2. Conditional use permit for a major home occupation "B":
 - a. Landscaping & snow removal office at 1698 South 300 East – Zachary Nash.
3. Conditional use permit for farm animals at 836 West Charles Drive – Kevin Munson.
4. Amendment of the conditional use permit for Mountain High School at 490 South 500 East to remodel the school and site – Davis County School District.
5. Public hearing and preliminary and final plat approval for Baer Creek Hollow Subdivision Amended at 1643 South 150 West (adjusting a shared lot line) - Spencer Prince.
6. Public hearing and preliminary and final plat approval for Whisper Creek PUD Subdivision at 689 South 550 East – Dave Whitaker.
7. Final plat approval for Whisperwood Subdivision at 650 East 100 North – Spencer Prince.
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 Monday, November 27, 2017.


Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Landscaping and Snow Removal. November 30, 2017

Applicant/Owner: Zachary Nash
Location: 1698 South 300 East
Zone: R-1-8 (Single Family Residential)

Description:

Mr. Nash is requesting a conditional use permit for Major Home Occupation B at the above listed address. The request is for use of his home for his landscaping and snow removal business. Mr. Nash has a truck that he uses for his work vehicle and a trailer which he will park along the side of his home which stores his tools and equipment.

Because of the nature of the business, no customers come to the property, all work is done on location. The home becomes a place to keep equipment and do paperwork.

Recommendation:

Staff has visited with the applicant and based on the understanding of the business and review of the ordinances recommends approval of the Major Home Occupation B, landscaping and snow removal, at the above listed address without additional conditions.

Reasoning:

With the restrictions already imposed by Chapter 17-26, the use as proposed appears to be able to operate without need for additional conditions to mitigate reasonably anticipated detrimental impacts.

Attachment 1: Area Map

1698 South 300 East





Planning Commission Staff Report

Conditional Use Permit for Farm Animals November 30, 2017

Applicant/Owner: Kevin Munson
Location: 836 West Charles Drive
Zone: R-1-20

Description:

The applicants are requesting a conditional use permit for farm animals, specifically for keeping chickens. The subject property is 0.46 acres or 20,000 square feet, allowing up to twenty five (25) fowl, rabbits, or similar animals.

The city was originally made aware of animals on the property due to concerns from the area regarding roosters. When the applicant was made aware of the issue the roosters were promptly removed and the soon thereafter applied for a conditional use permit to keep hens. The rear yard is enclosed and there is a coop/run on site for the chickens..

Recommendation:

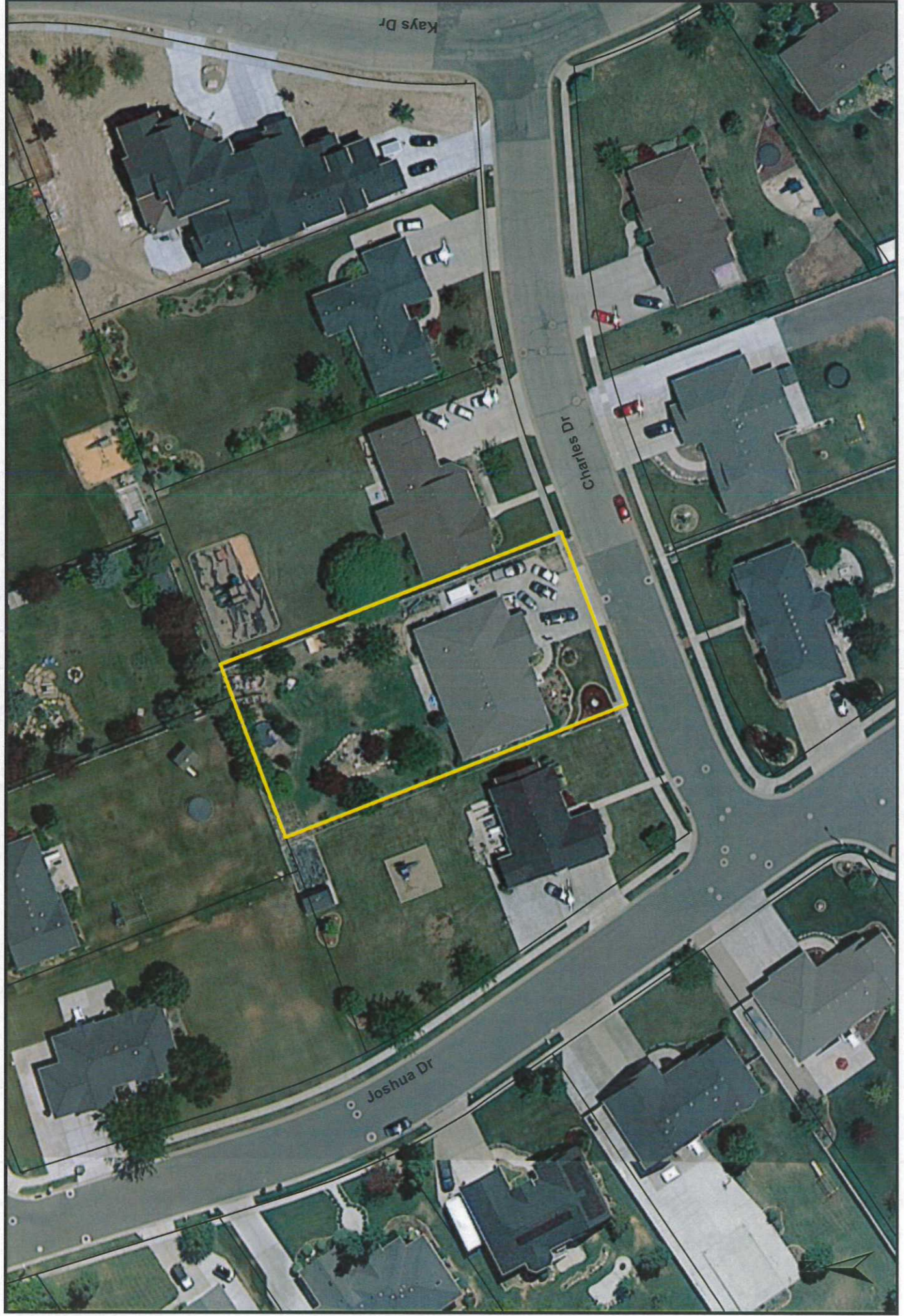
Staff has met with the applicant on site and reviewed the site conditions and the proposed coop location and is recommending approval of the proposed conditional use permit for farm animals subject to compliance with the provisions of Chapter 17-24 Farm Animals.

Reasoning:

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

Attachment 1: Area Map

836 West Charles Drive





Planning Commission Staff Report

Amending Conditional Use Permit for Mountain High School for a major remodel. November 30, 2017

Applicant/Owner: Davis School District – MHTN Architects
Location: 490 South 500 East
Zone: R-1-8 (Single Family Residential)

Description:

Mountain High School is an alternative high school serving 11th and 12th grade students in the Davis School District. The high school has been in operation for many years along 500 East Street between Davis High School and Davis Tech.

Currently the classrooms at the school are all within portable or temporary buildings. The district is proposing improvements to the site to create permanent classroom facilities for the students. The proposed project is to remove the temporary classrooms and demolish the front portion of the existing building along 500 east then add 2 wings of classrooms to the west where the existing temporary buildings exist. The project is not for the purpose of creating more classrooms but to provide better classrooms and an improved learning environment for the students. The school's student capacity will remain the same.

In addition to the changes to the building the district is proposing adding an additional 39 parking stalls to the existing 56 stalls on site. This will bring the total on-site parking to 95 parking stalls.

Recommendation:

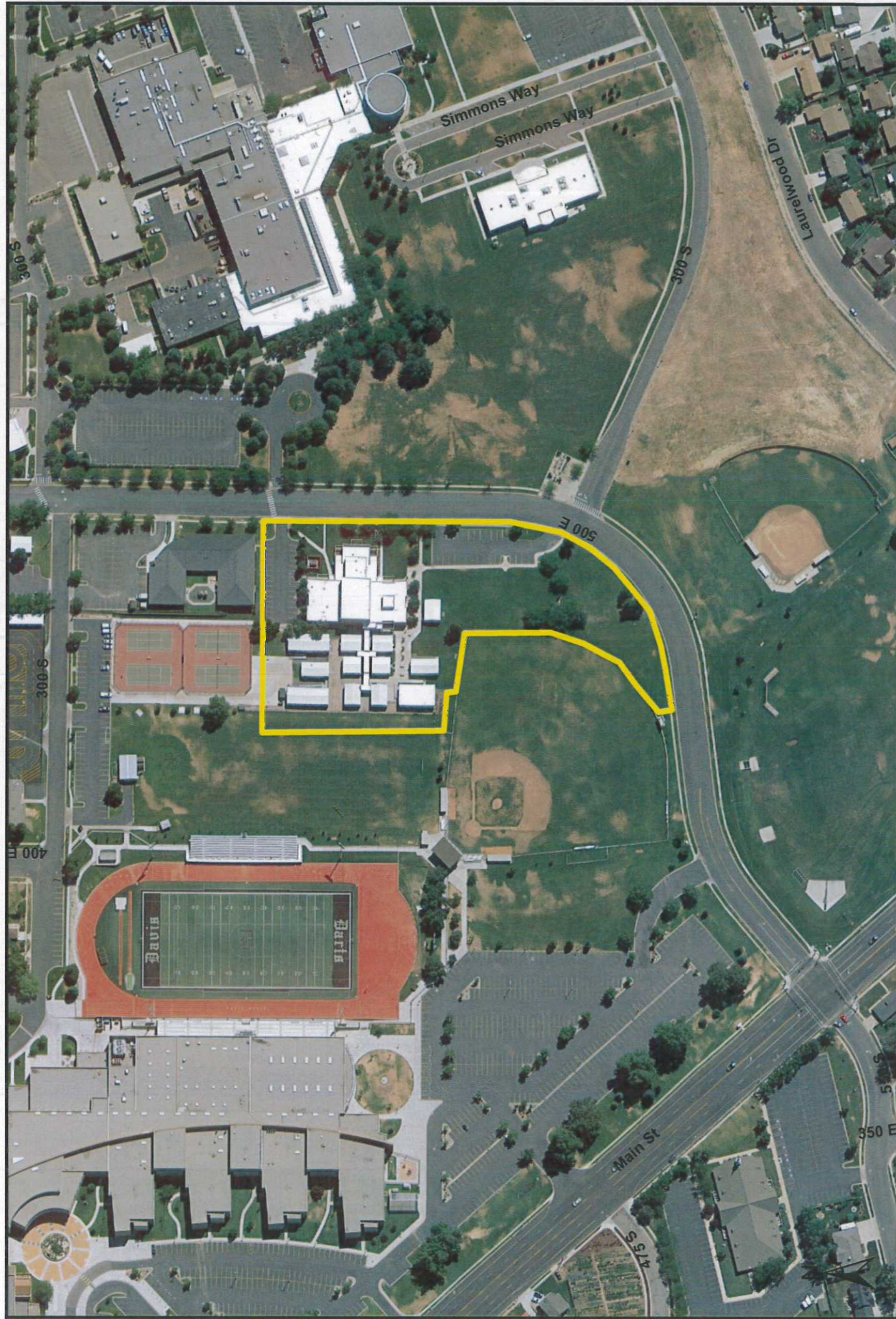
Staff recommends that the Planning Commission approve the amendment to the conditional use permit for the building remodel and site improvements at Mountain High School as proposed. The project will still be subject to meeting applicable codes and ordinances to be verified through the building permit review process.

Reasoning:

The proposed changes do not increase capacity and therefore it is reasonable to expect no new impacts, yet additional parking is being added which will help mitigate some of the parking issues which already exist in the area.

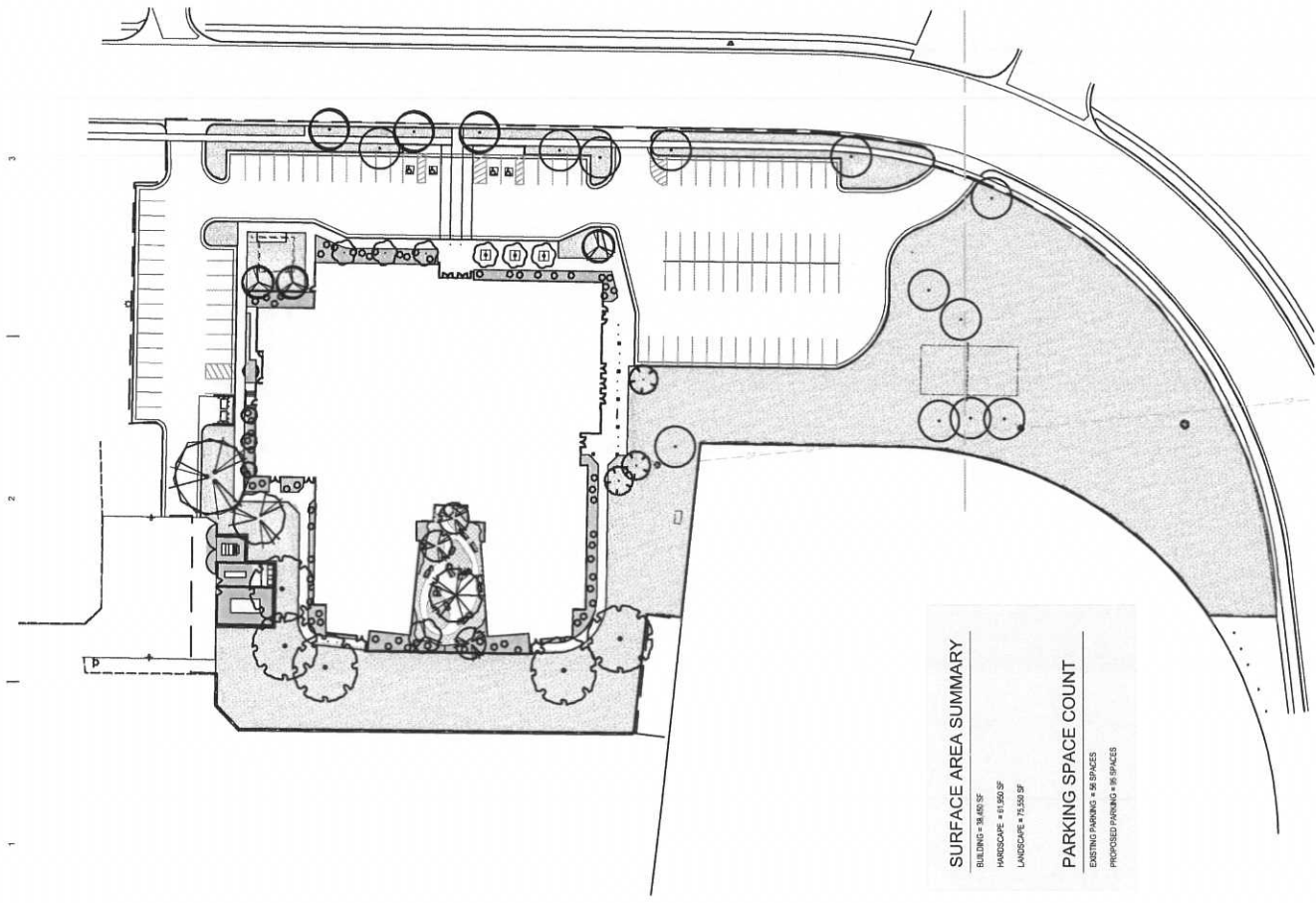
Attachment 1: Location Map
Attachments 2-9: Plans and Renderings.

Mountain High School - 490 South 500 East



PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE
[Symbol]	Acer glaberrimus 'Crimson Sentry'	Crimson Sentry Maple	2" CAL
[Symbol]	Cercidiphyllum japonicum 'Red Fox'	Red Fox Katsura Tree	2" CAL
[Symbol]	Fagus sylvatica 'Fastidiosa'	European Beech	2" CAL
[Symbol]	Prinoscenus Sentry 'Ginkgo'	Prinoscenus Sentry Ginkgo	2" CAL
[Symbol]	Quercus macrocarpa 'Imperial'	Imperial Honeylocust	2" CAL
[Symbol]	Pyrus calleryana 'Redspire'	Redspire Callery Pear	2" CAL
[Symbol]	Sophora japonica 'Regent'	Japanese Pagoda Tree	2" CAL
[Symbol]	Ulmus parvifolia 'Avalon'	Avalon Littleleaf Elm	2" CAL
	GROUND COVERS	BOTANICAL NAME	COMMON NAME
[Symbol]	Agrostis Canadensis 1/2" - 1-1/2"	1/2" - 1-1/2" Crushed Aggregate	3" DEEP
[Symbol]	Lawn (Soil)	Lawn (Soil)	8000



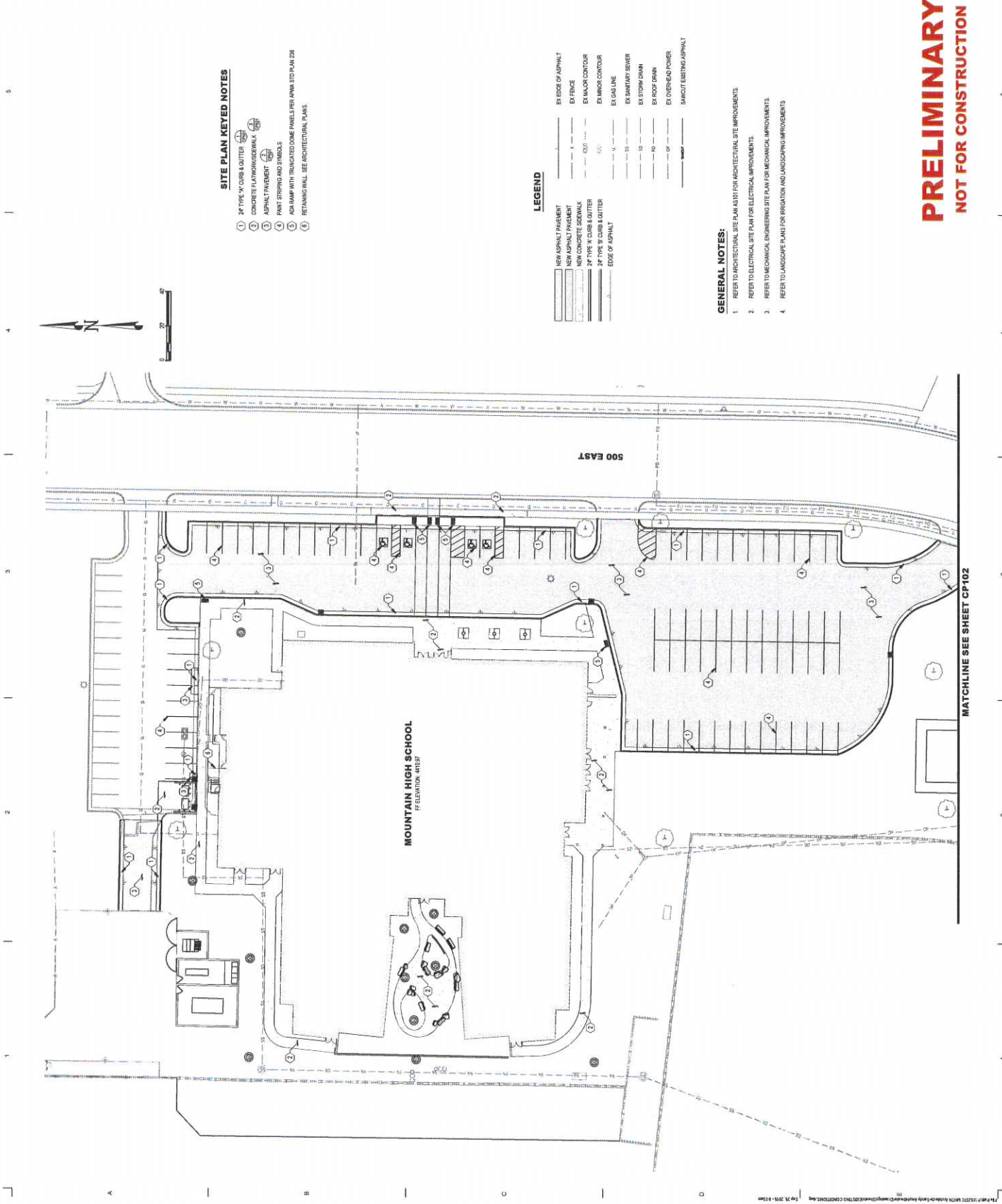
SURFACE AREA SUMMARY

BUILDING = 38,455 SF
 HARDSCAPE = 41,950 SF
 LANDSCAPE = 73,550 SF

PARKING SPACE COUNT

EXISTING PARKING = 46 SPACES
 PROPOSED PARKING = 96 SPACES





SITE PLAN KEYED NOTES

- 24" TYPE "X" CURB & GUTTER
- CONCRETE LANDSCAPE BENCH
- ASPHALT PAVEMENT
- PAINT STRIPING AND SYMBOLS
- ADA RAMP WITH TRUNCATED CONE PANELS PER ADA STD PLAN 206
- RETAINING WALL - SEE ARCHITECTURAL PLANS

LEGEND

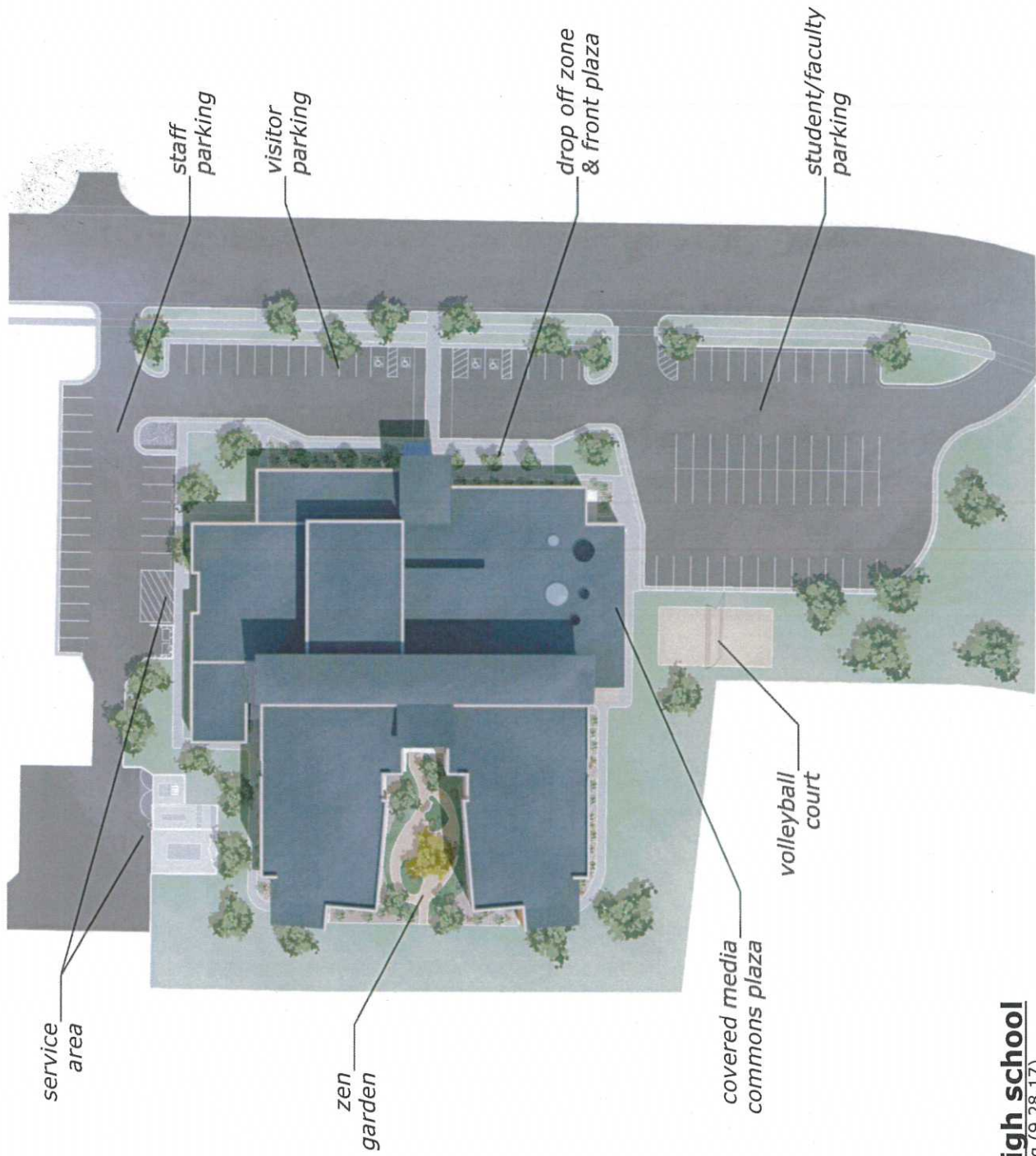
NEW ASPHALT PAVEMENT	EXIST. EDGE OF ASPHALT
NEW ASPHALT PAVEMENT	EXISTENCE
NEW CONCRETE SIDEWALK	EXIST. MAJOR CONTOUR
24" TYPE "X" CURB & GUTTER	EXIST. MINOR CONTOUR
EDGE OF ASPHALT	EXIST. GAS LINE
	EXIST. SANITARY SEWER
	EXIST. STORM DRAIN
	EXIST. ROOF DRAIN
	EXIST. OVERHEAD POWER
	SHOULDER EXISTING ASPHALT

GENERAL NOTES:

- REFER TO ARCHITECTURAL SITE PLAN AS TO FOR ARCHITECTURAL SITE IMPROVEMENTS
- REFER TO ELECTRICAL SITE PLAN FOR ELECTRICAL IMPROVEMENTS
- REFER TO MECHANICAL ENGINEERING SITE PLAN FOR MECHANICAL IMPROVEMENTS
- REFER TO LANDSCAPE PLAN FOR IRRIGATION AND LANDSCAPING IMPROVEMENTS

PRELIMINARY
NOT FOR CONSTRUCTION

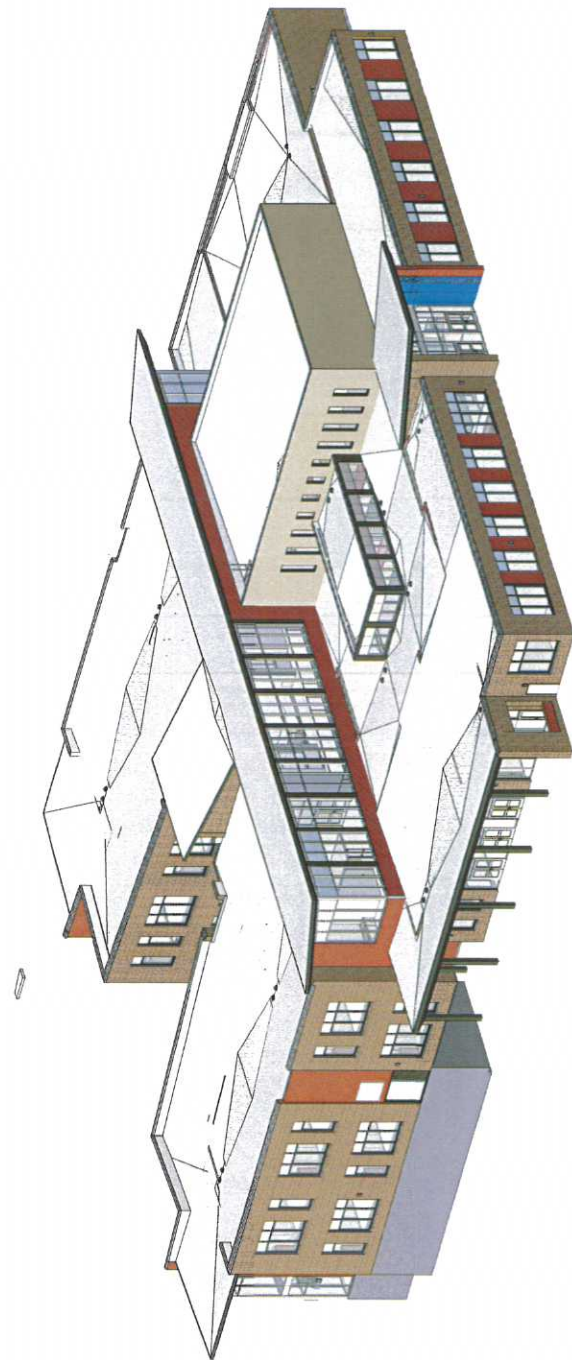
MATCHLINE SEE SHEET CP102



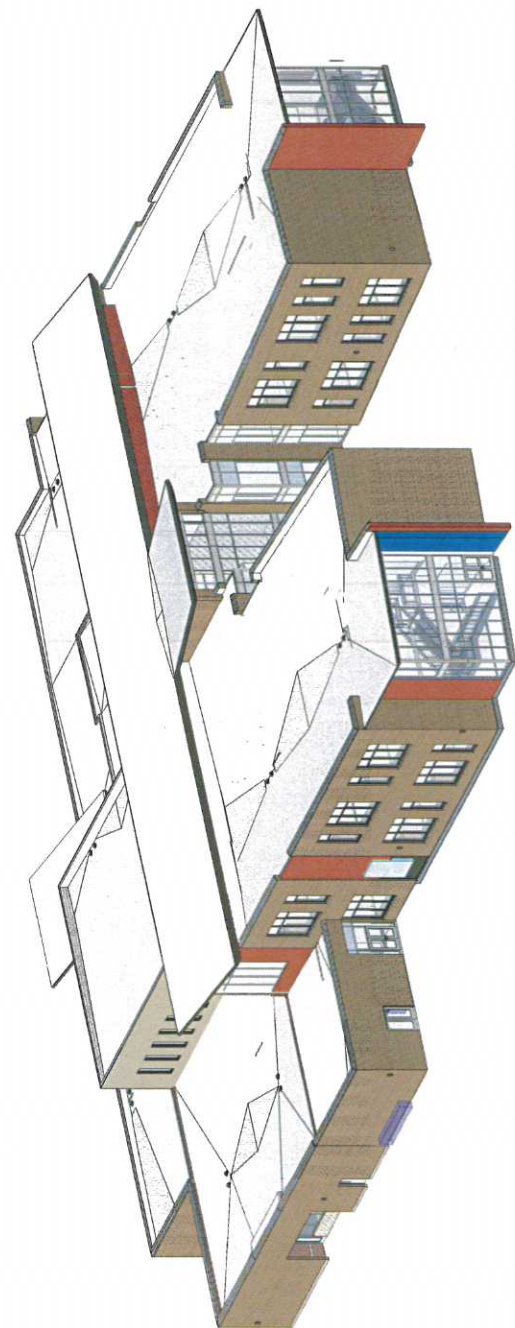
mountain high school district review meeting (9.28.17)



MHTN
ARCHITECTS



1
 AXONOMETRIC - FOR REFERENCE ONLY
 SCALE



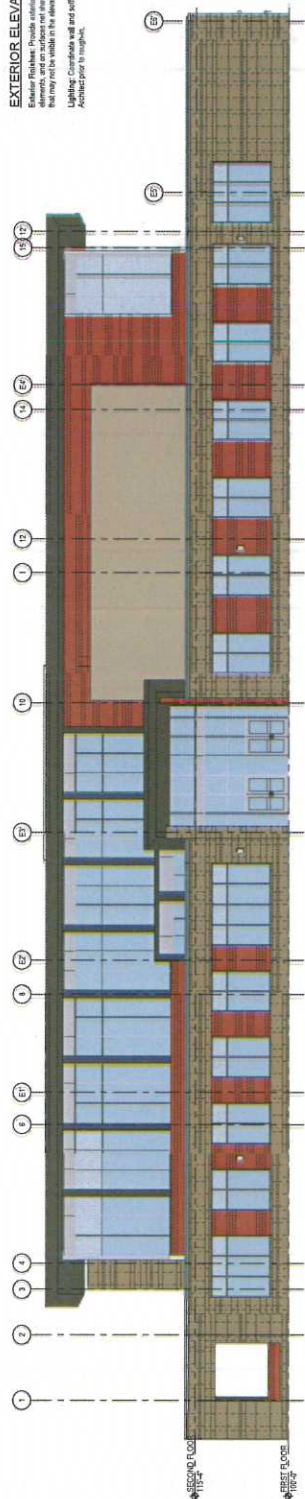
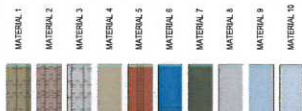
2
 AXONOMETRIC - FOR REFERENCE ONLY
 SCALE

EXTERIOR ELEVATIONS GENERAL NOTES

Exterior Finishes: Provide exterior finishes, continuous until a transition is indicated. Provide on all similar elements, and on surfaces not shown in elevation such as back sides of piers, columns and other surfaces that may not be visible in the elevation view.

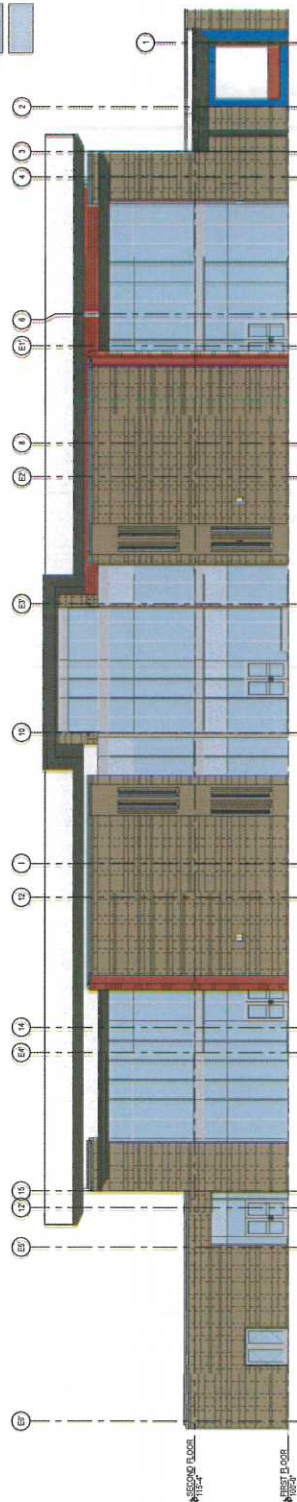
lighting: Coordinate wall and ceiling mounted lighting locations with Electrical drawings and with the architect prior to rough-in.

LEGEND - EXTERIOR ELEVATION



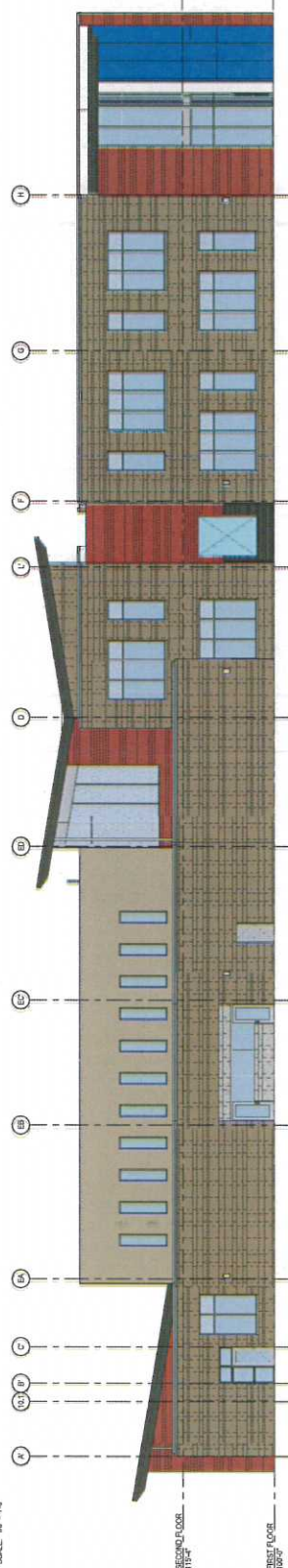
EAST ELEVATION - NEW

1



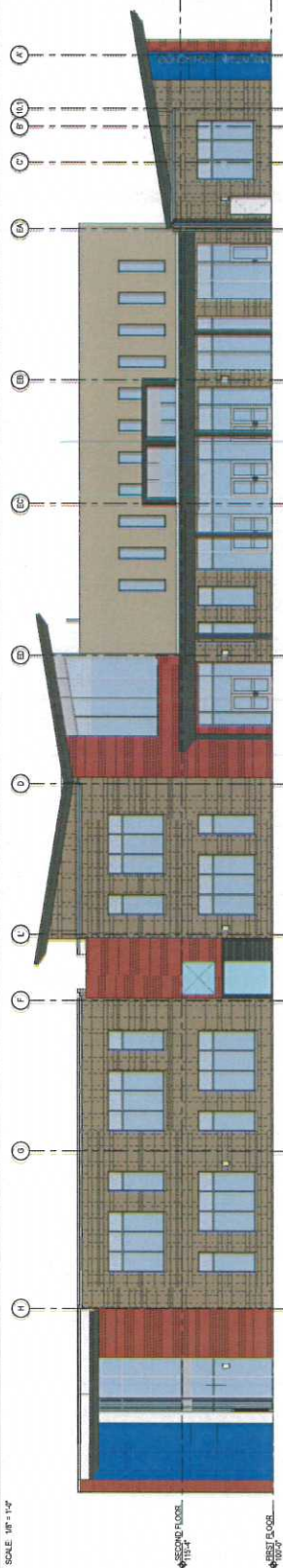
WEST ELEVATION-NEW

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



NORTH ELEVATION - NEW

3



SOUTH ELEVATION - NEW

4



mountain high school
district review meeting (9.28.17)



MHTN
ARCHITECTS



MHTN
ARCHITECTS

mountain high school
district review meeting (9.28.17)



Planning Commission Staff Report

Baer Creek Hollow Cluster Subdivision Amended Preliminary and Final Plat Approval November 30, 2017

Applicant/Owner: Spencer Prince
Location: 1643 South 150 West
Zone: R-1-20 (Single Family Residential)

Description:

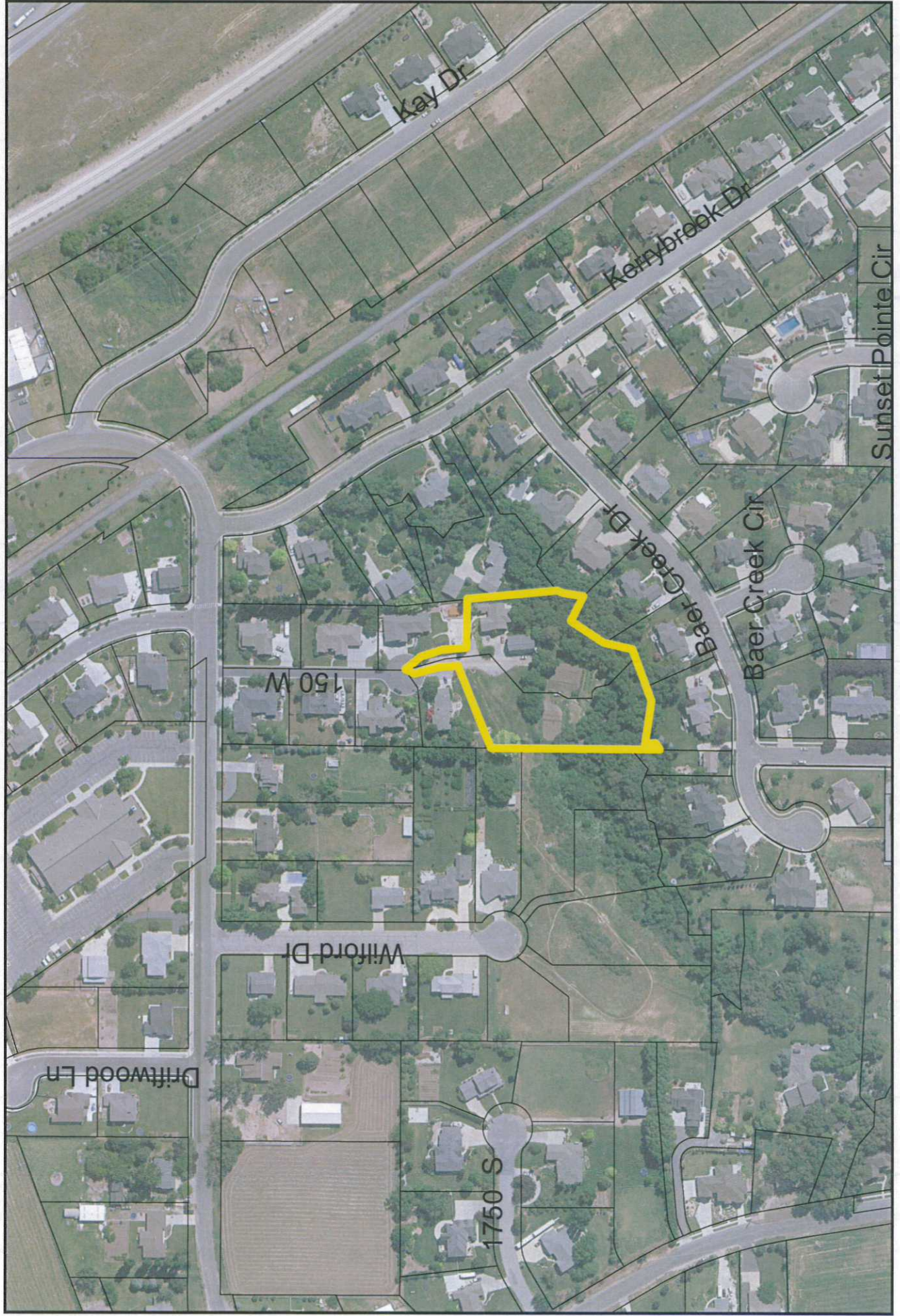
Several years ago the Baer Creek Hollow subdivision was approved and constructed with two large flag lots platted at the end of a cul-de-sac road. The current owners of those lots have agreed to a lot line adjustment taking about 0.4 acres from lot 6 and adding it to lot 5. Lot 6 has an existing home that will remain in compliance with all setback requirements and lot 5 is planning to build a home in the near future. The utilities and street improvements for these lots were installed with the original subdivision.

Recommendation:

Staff recommends that the preliminary and final plat be recommended for approval since the lots comply with zoning regulations and no new lots are being created.

Attachment 1: Area Map
Attachment 2: Plat

Baer Creek Hollow Cluster Subdivision Amended



BAER CREEK HOLLOW CLUSTER SUBDIVISION AMENDED AMENDING LOTS 5 & 6 OF BAER CREEK HOLLOW CLUSTER SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN KANSAS CITY, DAVIS COUNTY, UTAH OCTOBER 2017

CENTER OF SECTION 10
 T.3N., R.1W., S.18.84N.

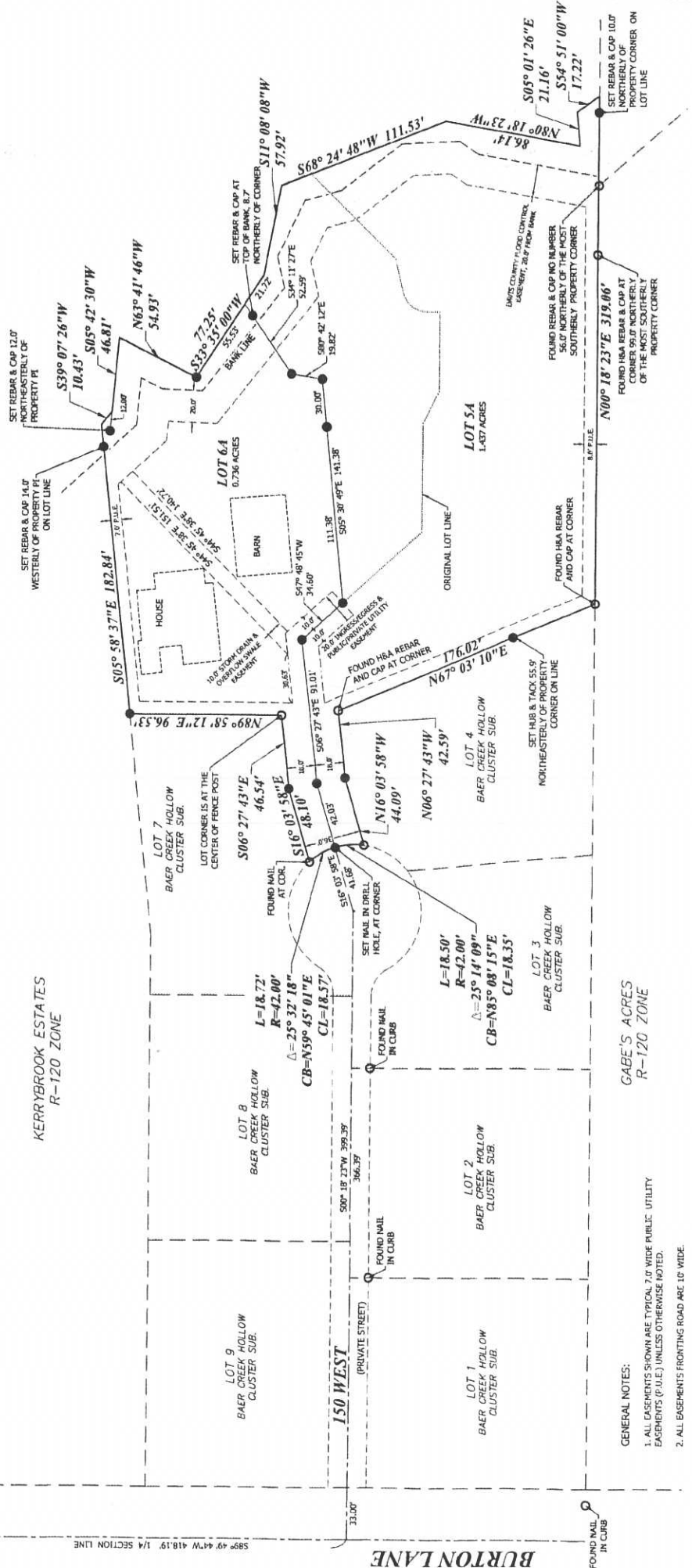
BASIS OF BEARING
 N72° 41' 49"E
 TO RADAR

S89° 49' 44"W 418.19' 1/4 SECTION LINE

BURTON LANE

FOUND NAIL
 IN CURB

LEGEND	
PROPERTY LINE	---
ADJACENT PROPERTY	---
ROAD CENTERLINE	---
SECTION LINE	---
TIE TO MONUMENT	---
EASEMENT LINE	---
EDGE OF PAVEMENT	---
CURB, GUTTER, SIDEWALK	---
CHAIN LINK FENCE LINE	---
WALL	---
RECORD CALLS ()	()
SET 5/8" REBAR WITH H&A ENTELLUS CAP, L.S. #16385, AT CORNER (UNLESS OTHERWISE NOTED)	●
FOUND PROPERTY MARKER (UNNOTED)	○



GENERAL NOTES:

1. ALL EASEMENTS SHOWN ARE TYPICAL 7.0' WIDE PUBLIC UTILITY EASEMENTS (P.U.E.) UNLESS OTHERWISE NOTED.
2. ALL EASEMENTS FRONTING ROAD ARE 10' WIDE.



Planning Commission Staff Report

Whisper Creek PUD Subdivision Preliminary and Final Plat Approval November 30, 2017

Applicant/Owner: Davis Whitaker
Location: 689 South 550 East
Zone: R-1-8 (Single Family Residential)

Description:

Several weeks ago the Planning Commission approved a request for an assisted living center at about 680 South Main Street. At that time it was indicated that the remainder of the property would be subdivided into residential building lots. This project is that subdivision.

The request is to create seven lots, including the existing home, on a private lane. While the lots all well exceed the R-1-8 zoning requirements, Staff is concerned with the proposed private lane. The lane is proposed to connect 550 East Street to Whisper Creek Drive, with a 34 foot wide surface and a gate in the middle with turn around areas on each side of the gate. This is proposed to address the concerns of the residents regarding traffic.

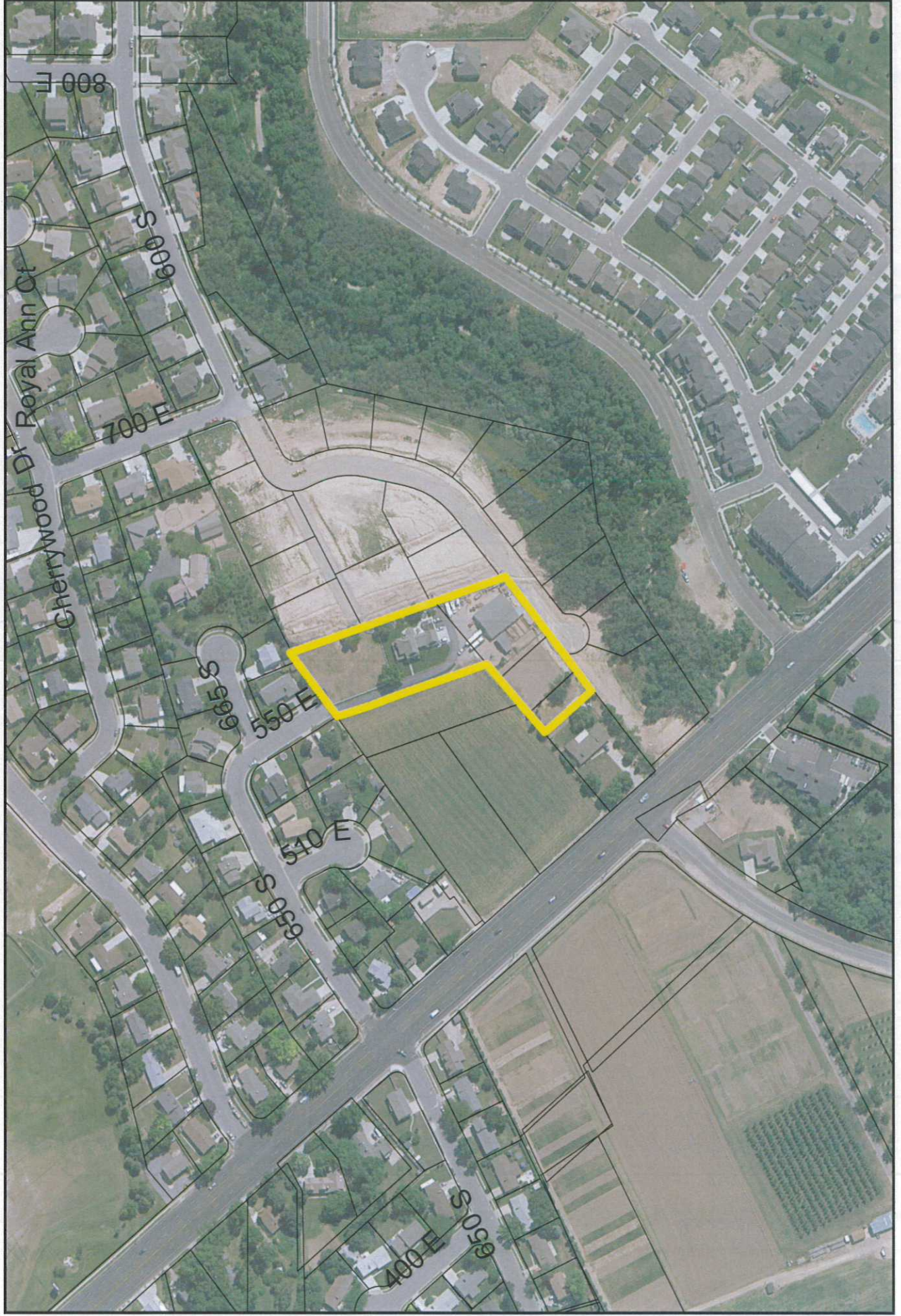
The City Fire Department has indicated that this proposal would not meet minimum fire code requirements for the assisted living center and has ask for an unobstructed public street in this location. The City engineering department agrees that the road should be a public street with no gate. They do not believe that traffic will exceed acceptable rates in this area. The roads were clearly planned to be connected when the adjacent subdivisions were constructed and the City's policy is to provide as much connectivity as reasonable in the street patterns.

Recommendation:

Staff recommends that only the preliminary plat be approved at this time with the condition that the street be shown as a public street with no obstructions.

Attachment 1: Area Map
Attachment 2: Plat

Whisper Creek PUD Subdivision



VON R. HILL, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 166385 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE JUDGES I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREWITH AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS WHISPER CREEK PUD AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN.

VON R. HILL, P.L.S., UT #166385

CURVE TABLE					
CURVE	LENGTH	RADIUS	Δ	CH CHANGING	CH LENGTH
C1	22.64	16.202	0.0925233	0.2631315°	22.641
C2	44.41	13.007	0.0909257	0.4972333°	44.412
C3	66.05	10.247	0.0791333	0.6791333°	66.04
C4	27.32	13.007	0.1144614	1.0401851°	27.328
C5	97.88	10.247	0.0718521	1.3434510°	97.89
C6	62.47	15.605	0.0351387	0.5791333°	62.462
C7	50.09	15.605	0.0692333	0.6792333°	50.09
C8	62.20	15.605	0.0423367	0.5114233°	61.762
C9	10.88	42.007	0.2631315	0.5796381°	10.885
C10	26.80	42.007	0.2631315	0.3120240°	26.80
C11	18.01	42.007	0.2631315	0.3120240°	17.986
C12	41.81	16.705	0.0249257	0.1624354°	41.79
C13	11.95	16.705	0.0952333	0.1624354°	11.94
C14	16.19	16.705	0.0952333	0.2633003°	16.09
C15	12.86	16.705	0.0952333	0.2633003°	12.827
C16	56.93	16.705	0.0911147	0.4972333°	56.81
C17	56.93	16.705	0.0911147	0.4972333°	56.81
C18	41.40	16.705	0.0911147	0.4972333°	41.29
C19	16.44	24.00	0.0952333	0.2649333°	15.86
C20	16.44	24.00	0.0952333	0.2649333°	15.86
C21	22.66	25.00	0.1519527	0.8971457°	21.61
C22	14.89	25.00	0.1519527	0.8971457°	14.35
C23	35.57	25.00	0.0911147	0.4972333°	35.51
C24	4.31	133.00	0.0155374	0.6064589°	4.3
C25	50.81	20.00	0.0915127	0.1279351°	50.84
C26	36.54	20.00	0.0940167	0.7593510°	36.5

LEGEND

PROPERTY LINE
ADJACENT PROPERTY
INTERIOR PROPERTY LINE
ROAD CENTERLINE
TIE TO MONUMENT
EASEMENT LINE

RECORD CALLS ()

5/8" REBAR WITH H&M ENTELLUS
CAP, L.S. # 1663285, AT CORNER
(UNLESS OTHERWISE NOTED)

FOUND PROPERTY MARKER
(AS NOTED)

OWNER'S DEDICATION

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED TO BE SUBDIVIDED INTO PRIVATE LOTS, HEREAFTER TO BE KNOWN AS WHISPER CREEK PUD, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAN AS INTENDED FOR PUBLIC USE, INCLUDING STREETS AND ALLEYS, AND ANY OTHER EASEMENTS OR RIGHTS NECESSARY TO THE PROPER OPERATION OF SAID DEVELOPMENT, AND ANY OTHER ENCUMBRANCE WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREETS AND SAID EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____ 20____
AT _____ IN BOOK _____ OF _____
COUNTY RECORDER: _____
BY: _____ DEPUTY _____

CITY ATTORNEY'S APPROVAL

APPROVED ON THIS _____ DAY OF _____, 20____ BY THE
KANSAS CITY ATTORNEY, _____
KANSASVILLE, KENTUCKY

PLANNING COMMISSION APPROVAL

APPROVED BY THE PLANNING COMMISSION OF KATYVILLE CITY,
 (ITS) DAY OF _____, 20____

CITY ENGINEER'S APPROVAL

APPROVED BY THE KANSASVILLE CITY ENGINEER, THIS _____ DAY _____ 20____

CITY COUNCIL'S APPROVAL.

APPROVED THIS _____ DAY OF _____, 20____
KANSVILLE CITY.

CITY RECORDER ATTEST: _____

11 May 2006 11:24

11/09/2017, 10:51 AM





Planning Commission Staff Report

Final Plat for the Whisper Hollow Subdivision (previously reviewed as Wisperwood Subdivision) November 30, 2017

Applicant/Owner: Spencer Prince
Location: 650 East 100 North
Zone: R-1-8 (Single Family Residential)

Description:

The requested subdivision is located at the east end of 100 North Street and is proposed as a Private Lane subdivision. The proposed development includes 5 new lots ranging in size from 9,491 sq. ft. to 11,260 sq. ft.

This project received preliminary plat approval last summer with several conditions (see attached minutes). The Planning Commission also recommended approval of the PRUD Overlay Zone to allow the private lane. The proposed final plat is similar to the approved preliminary plat with the exception that the access to the property to the east has been moved one lot to the south. This change is proposed to better accommodate the utilities and the access to the adjacent property.

Recommendation:

Staff is satisfied that this project meets the applicable requirements including the conditions placed by the Planning Commission at preliminary approval. The Planning Commission should review the proposed plat and assure that these conditions have been adequately from their prospective.

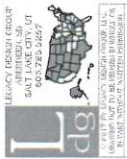
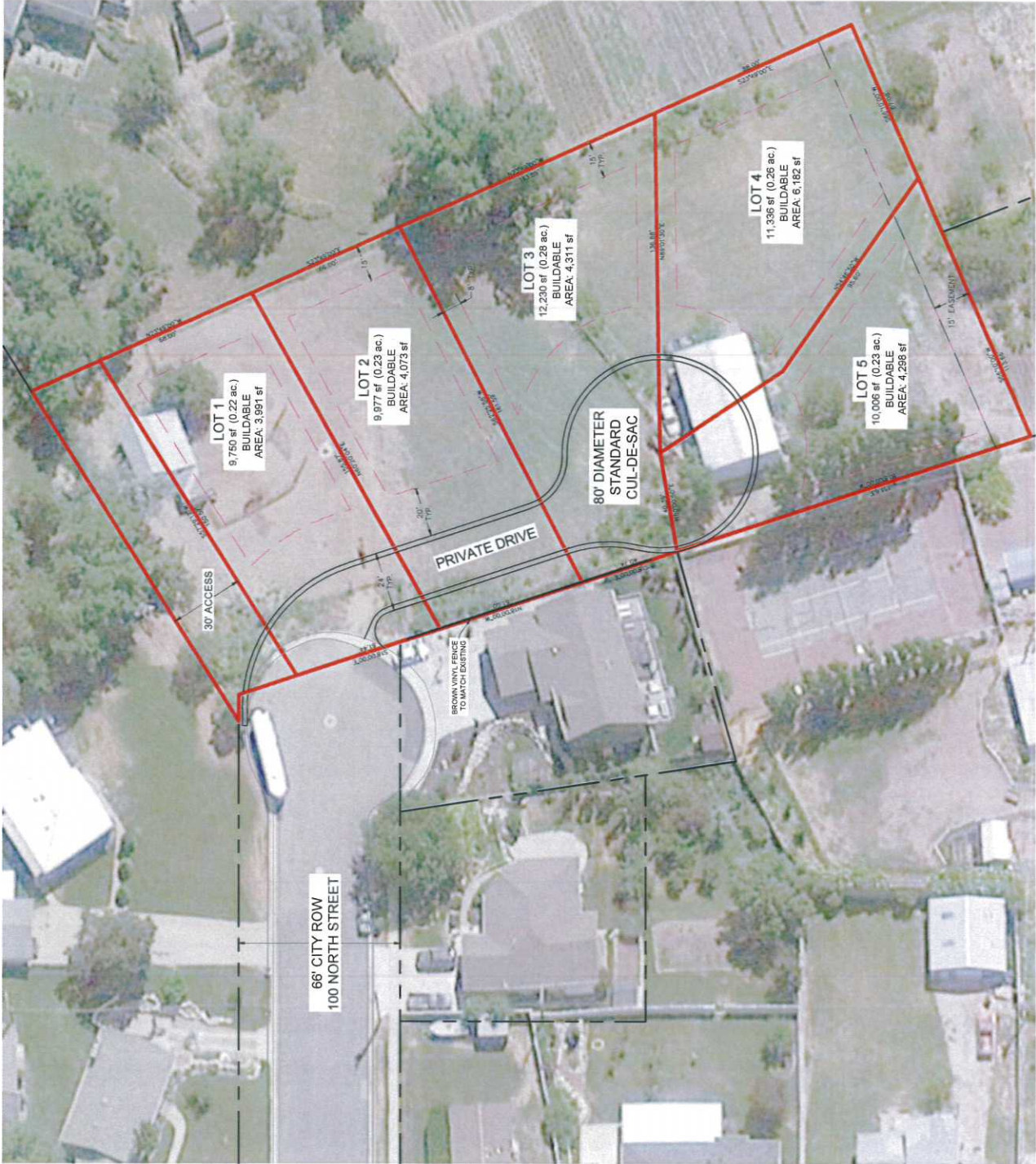
Attachment 1: Area Map
Attachment 2: Final Plat
Attachment 3: Approved Preliminary Plat
Attachment 4: Minutes from May 25, 2017, Planning Commission

Whisper Hollow Subdivision



LEGEND:

PROPERTY LINE OF INTEREST
 BUILDING SETBACK RIGHT
 BUILDING SETBACK LEFT
 PROPOSED EASEMENT



KAYSVILLE, UTAH

PRELIMINARY PLAT w/CIRCLE OPTION: WHISPERWOOD SUBDIVISION

KAYSVILLE CITY PLANNING COMMISSION

May 25, 2017

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

Excused: Gary Bullock, Betty Parker

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

Others Present: Council Member Susan Lee, Council Member Dave Adams, Gary Pierce, Michael Smith, Alan W. Auger, Ann Pritt, Tom Pritt, Kami R. Cox, Curtis A. Cox, Amy Taylor, Ashley Taylor, Rock Schutjer, Cailey Strain, Louise Nelson, Ron Nelson, Brent Major, Kevin Blamires, Dean Wall, Jim Harrison, Carole Harrison, Neal Slade, Carole Walker, Ramona Porter, Racquel Couch, David Couch, Eric Wood, Scott Cannon, Doug Cary, Karen Russell, Damon Bowcut, Spencer Prince, Michael Hennessy, James Bateman, Jordan Cammack, Nathan Easthope, Aaron Lock, Erika Lock, Sue Tice, Michael Allen, Dave Woolston, Jerry Tice, Ellen Carle, Martin Carle, Neal Hart, Karen Hart, Schuyler Allart, Sam Miles, Daniel Hash, Melissa McIntyre, Nancy M. Villamizar, Kathy Kay Brewer, Nancy Sanders, Ryan Blocker, Wendy Blocker, Brad Barker, Caden Hall, David R. Woolley, Scott Arbon, Dave Bush, Taylor Puffer, Jill Puffer, Jim Puffer, Kelly Macfarlane, Terrell Rohm, Claron Alldredge, Jeff Peterson, Gil Miller, Matt Briggs, Valerie Briggs, Pam Hunsaker, Rustin Jessen, Matt Butterfield, Jodie Butterfield, Jaiden Olsen, Joshua Clark, Craig Larsen

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR WHISPERWOOD SUBDIVISION LOCATED AT APPROXIMATELY 650 EAST 100 NORTH, AND PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE – SPENCER PRINCE

Andy Thompson explained that recently the City Council considered the vacation of the 100 North right-of-way which would be necessary for this subdivision as proposed. The Council stated that they would approve the vacation of the street subject to final plat being approved for this Mr. Prince's project. The right-of-way used to run east to the Fruit Heights city border, but as properties have developed it's been vacated down to this point. Mr. Spencer Prince is working with the owners of the property to request a private lane subdivision at approximately 650 East 100 North. The private lane would run along the west side of the property, with a turn-around near the south end of the drive. The proposed development includes five new lots. There is an existing home on the south side of the property, taking access off of Center Street. That home would remain on site and would be included as the sixth lot in the subdivision. The new lots would range in size from 9,744 square feet to 14,165 square feet. The largest lot on the far north end would have a thirty-foot easement platted in favor of access to the property to the east. That access is required so as to not land lock the vacant property to the east. The homes on the property will face to the west and take access off the newly created private lane. The Planning Commission needs to determine if this development is an appropriate use for the area and if the layout is compatible.

Chairperson Matthew Anderson opened the Public Hearing.

Curtis Cox said that he lives on Center Street, but a portion of the back of his property, where he has a tennis court, will be directly adjacent to where the private road is being proposed. If approved, Mr. Cox said that he would like to see that an opaque fence installed along the edge of the property to mitigate the impact it will have to his property. Any snow being removed will likely be deposited along his property line and could easily get pushed onto his tennis court. There is also a grade that runs down to the Taylor property to the north of his and water runoff has been a big issue here for many years. If the snow does get pushed into the fence and it's damaged, Mr. Cox said that it should be replaced by the new subdivision's HOA. Having this assurance in place beforehand will help protect both his and the Taylor's properties.

Tom Pritt said that he lives on Center Street and has been there for forty years. There has been an ongoing battle in regards to Center Street and the proposed connection to Fruit Heights. The issue has come up over and over again until recently when the right-of-way was vacated by Kaysville, and the neighbors are happy that the problem has finally been resolved. This is a small street with many homes on it and there should not be any more additional traffic added to it. Mr. Pritt asked if the proposed private lane could potentially be extended to take access off of Center Street.

Andy Thompson responded that the existing home along Center Street would remain and therefore there is not enough room to allow an extension of the proposed private lane to Center Street. All of the homes would take access off of 100 North Street.

Gil Miller said that he owns a home next to the Pritt's, along Center Street, and asked if the PRUD overlay zone could be approved to not include Lot 6 where the existing home is because it seems unnecessary to. Mr. Miller said that he is concerned that by including it in the PRUD, a future property owner could tear down the existing home and use the PRUD approval to extend the private lane onto Center Street. The street is already too narrow and congested.

Andy Thompson responded that it's possible that Lot 6 could be removed from the rest of the subdivision because only the lots that take access off of the private lane are required to have the PRUD approval. Lot 6 is only being included in the subdivision plat because it's part of the original parcel.

Sue Tice said that she lives on 100 North, directly across from the subject property and was glad to see many of the Planning Commission members visit the property before this meeting. There has been major water runoff issues in this area for many years. Even as recently as December of this last year they had been keeping horses in an area just east of their home, and they have had to go out in waders to help unplug the drain on the property. They have been working with the city for years to try to help fix the problem and in response the city has installed a berm and a water gate. While it has helped, there are still a lot of water problems. Ms. Tice said that she is not against development, but wants to see that it is done responsibly and addresses the issues. While technically five lots can fit on the property, it might not be the most appropriate layout for the land. City ordinances state that developments need to be the best use for the neighborhood, and the developer needs to provide evidence of that fact. A development needs to encourage a better living environment and meaningful open space should be provided. The character of the area should be preserved and there should be a greater compatibility for the existing neighborhood. There should also be an avoidance of any disrupting elements to the neighborhood. How will the privacy of adjacent properties be affected? Also, it doesn't seem appropriate that when a city vacates a street that the right-of-way is given to a developer to gain financial benefit.

Valerie Briggs said that she lives at 775 East 80 North and owns two small vacant properties just to the west of theirs. There has always been extreme water issues in this area and they have had to deal with them for many years. The only person who stands to gain from this development is the developer. By vacating that right-of-way on 100 North they will end up incurring cost and will be financially damaging to them. The city shouldn't give over land that a developer will profit off of. The neighbors will not gain anything by this development. Mrs. Briggs said that she doesn't want to see her property landlocked because of a development and fears that they won't be able to do anything with their property because they'll have no access. There is a creek that runs along the north side of the property and contributes to the water concerns in the area as well. The development needs to be done so as to not be detrimental to surrounding properties.

Amy Taylor said that she lives in the home on 100 North just directly to the west of the subject property and without a geotechnical study or storm drain engineering nobody really knows if the five proposed lots would fit with the lay of the land and not contribute to the existing water runoff issues. We don't know if the topography of the land would fit the proposed configuration

of the five lots, and how the grade transitions to neighboring properties. There seems to be a significant difference in elevation from the neighboring properties and this one. The property is full of remnants of the city's attempts over the years to deal with the water problems. The city has spent lots of money to put in a basin to collect the water. Ms. Taylor said that they've had to have a drain installed on both the east and west sides of their property, as well as piping under their driveway to help to drain the water. When they purchased their property they knew that the city would have to vacate that right-of-way at some point, and believed they would be at the end of a cul-de-sac or near the end of one. Had they'd known they would end up on a corner lot they probably would not have bought the property. There will be more traffic to their street, and she will have to deal with headlights shining into her house. The Commission needs to consider the impact this will have on adjacent properties. There are a lot of unknowns at this point.

Stroh DeCaire commented that because this is only a preliminary plat proposal, any engineering is not required to be shown at this time.

Dean Wall said that snow removal needs to be addressed so it's not dumped into the neighbor's yards. The city should sell the right-of-way to the neighboring property owners, rather than give it to them.

Dave Woolston said that he lives on 100 North next to the Taylor's and has been there for eleven years. When he moved into his home he was told about the flooding issues in this area, and while the city has tried to address them, the neighbors still have problems during heavy rainstorms. The area just fills up with water and the neighboring homes are affected. Oftentimes the neighbors have to go out and clean the drains out from debris. The problem hasn't been corrected yet. The creek runs to the north of this property and building a home right next to it is just asking for problems.

Michael Allen said that he also lives along 100 North and as always had to put up with a lot of water and snow. Their street snow removal has always been a problem because they plow onto the north side of the street and he is constantly having to dig his driveway out. The same thing will happen along the private lane and the snow will be pushed into the neighbor's fences. Flooding is a problem here, although it has been better since the city has stepped in and helped to install better draining systems, but there is still a lot of ground water. Allowing for five more homes to the area could potentially put twenty more cars on their road. There is enough space along the side of the Stewart's home to extend the private lane onto Center Street. The residents on 100 North shouldn't have to take on the whole burden created by this development.

Ann Pritt said that Center Street is so narrow that it would be dangerous to add any more traffic to the road. It is one of the reasons why it wasn't opened to connect to Fruit Heights.

Craig Larsen said that he is a professional civil engineer and has been working with Spencer Prince on this project to help to remedy the water concerns. There is no question that there is a water problem here, but it can be solved through appropriate design and construction. The right water drainage system will help to remedy the neighbor's water problems as well.

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

Spencer Prince said that he is the developer and is representing the owners of the property as well. Mr. Prince said that he met with the surrounding property owners and has tried to understand the issues going on, and is sensitive to the concerns of the neighbors. This particular property is long and narrow, and if it were developed just taking access from 100 North you would end up with two lots extending over 200 feet to the south, which are not very desirable lots. Neither of the Brigg's vacant lots are large enough to be developed on their own, and Mr. Prince said that he has tried to discuss different options with them, all of which have been turned down. Mr. Prince says that as part of the development they are proposing a thirty foot easement on the north side of the Stewart's property, which would connect to the Brigg's property giving them access to 100 North Street. They have offered to gravel and pave that private drive for a flag lot, and then deed that easement over to the Briggs. The Briggs have indicated that they do not want to have to join a HOA to have access to his property, but they also don't want to have to drive on someone else's property to get to their own. Mr. Prince said that they have tried to work with the Briggs to help mitigate any impact on their property and feel they have been generous in their offers. There is no question that there are water issues on this property. The creek is open from the Haight's Creek reservoir. The city piped the creek which helped a great deal. However, there is a grate at the end of the culvert which gets full of debris and has to be cleaned out from time to time. A retention basin was put in to help, but it also didn't solve the problem. Their engineers will design a water runoff system and will figure out what to do with the culvert and reservoir to make an appropriate and adequate drainage system. Currently the Taylor's property is the most affected. Mr. Prince says he feels that by developing the property it will help to resolve many of the issues. They will have a topography survey done to see what will be the best layout for their lots. They plan to put a land drain on each lot. They understand privacy is important as well and will keep to the R-1-8 zoning regulations to ensure the setback is met. The homes will add to the neighborhood and will bring value to the existing properties.

Karen Russell asked about the right-of-way vacation.

Andy Thompson said that state statute states that if a public right-of-way is vacated by the city, that land goes to the adjacent property owners.

Josh Sundloff asked about what had been done to address water problems in the area.

Andy Thompson responded that the water is mostly coming from the creek which feeds from the Hights Creek Irrigation reservoir to the east. It is captured into a city storm drain system. The inlet, however, frequently gets clogged and has to be cleaned out. The city has also installed an overflow drainage system, a bypass pipe and a berm on the right-of-way to help with water overflow when the inlet pipe is not draining correctly.

Matthew Anderson commented that this developer has to bring in engineers to help create a drainage system that will work and it might be that kind of process that has to be completed so that we can help to solve the water issues in this area. It seems that the developer has also tried

to address the concerns of not land locking the Briggs property.

Valerie Briggs said that there is an elevation difference between their property and the Stewart's property.

Josh Sundloff said that the elevation would have to be addressed anyway, regardless what type of roadway access is installed. The Briggs will be given a piece of that vacated ground making it a more buildable property. Mr. Prince seems to be giving a very viable solution to help bring access to those properties. It also seems there has been presented a solution to potentially resolve drainage issues. This property is less dense than what the R-1-8 zoning allows and therefore is not adding more traffic to the roads than what is allowed. Grading issues will be addressed before final plat approval. Mr. Sundloff said there has been some very valid concerns made tonight and while the ultimate solution may not have been presented because we don't have all of the information yet, this is a good step in the right direction. All of these concerns would have to be addressed before final plat approval.

Lorene Kamalu asked if Mr. Prince had considered any other configuration in regards to the private lane.

Spencer Prince responded that he looked at many options but because of the natural slope of the land which slopes to the west, it made more sense to put the roadway on the west side so water would drain to the road and underneath the street into a retention basin rather than to the homes. Mr. Prince said that he has also considered placing a fence along the road and would work with the adjacent homeowners to see what would work best.

Thomas Wood said that while there are still a lot of concerns to be addressed, by approving the preliminary plat it would give Mr. Prince a chance to go see if he can solve the issues before presenting the final plat.

Josh Sundloff made a motion to recommend preliminary plat approval for Whisperwood Subdivision located at approximately 650 East 100 North, and PRUD (Planned Residential Unit Development) overlay zone for Spencer Prince with the following provisions:

1. Before requesting final plat approval, access to the Briggs property be resolved.
2. Storm water problems be addressed.
3. Privacy concerns be addressed along the western property line.
4. Work with Staff to determine if a geotechnical report is needed.
5. Lot 6 not be included in the PRUD overlay zone.

Stroh DeCaire seconded the motion.

Voting was as follows:

Lorene Kamalu	nay
Stroh DeCaire	yea
Matthew Anderson	yea

Josh Sundloff	yea
Thomas Wood	yea

The motion passed with a vote of four to one.

Lorene Kamalu commented that she voted against the motion because she felt that the because of the typography of the property that there could be a better layout of the subdivision proposed.

CALL TO THE PUBLIC

Valerie Briggs asked how Spencer Prince could offer to deed a portion of property that he doesn't own yet.

Stroh DeCaire commented that the vacation of the right-of-way is contingent on the final plat being approved.

KAYSVILLE CITY PLANNING COMMISSION

October 26, 2017

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

Excused: Joshua Sundloff

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

Others Present: Council Member Larry Page, Todd Hilton, Pam Hilton, Debby Walden

OPENING

The Planning Commission meeting was held on Thursday, October 26, 2017 at 7:00 p.m. in the Municipal Center.

Chairperson Betty Parker opened the meeting by welcoming those present. The minutes of the September 28, 2017 meeting were presented for approval.

Lorene Kamalu asked that her comment on page 11 in the minutes be changed to read "Lorene Kamalu said that *discussing* the item would give the developer the opportunity to speak...".

Stroh DeCaire made a motion to approve the minutes of the September 28, 2017 meeting with the aforementioned revision. Lorene Kamalu seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR HILTON HOMES SUBDIVISION AT 289 NORTH 700 EAST – TODD HILTON

Andy Thompson explained that the final plat of the Hilton Homes Subdivision located at 289 North 700 East is consistent with the preliminary plat received and reviewed in September. The plat consists of three lots, including the existing home near the corner, and two additional lots. The property is already improved with curb, gutter and sidewalk along all sides, and takes access off of existing streets. The R-1-8 zoning district requires that all lots be at least 8,000 square feet in size. The smallest proposed lot is 8,964 square feet, and therefore meets the minimum requirements. A standard lot is also required to have a minimum of sixty feet of width along the property frontage. The smallest frontage in the proposed plat is 64.5 feet in width, which exceeds the minimum requirements.

Stroh DeCaire made a motion to recommend final plat approval for Hilton Homes Subdivision at 289 North 700 East for Todd Hilton. Gary Bullock seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Andy Thompson commented that early this year, the Planning Commission had recommended approval of a request to rezone a property owned by Mr. Jim Puffer at approximately 1450 South Burton Lane. The request went on to City Council who later approved the rezone request. Afterwards, the neighbors filed a referendum which is allowed by state law. Because a referendum was filed, the approved LI zone is not put into effect yet until forty-five days has passed in which either, if enough signatures have been collected that the property will remain in the R-1-20 zone until this issue can be put on the next municipal election ballot which won't be until 2019, or if there were not enough signatures collected then the property automatically is changed to the LI zone as approved previously. Because Mr. Puffer's property is currently in the R-1-20 zone until the forty-five days have passed, the city received a complaint by the neighbors that Mr. Puffer's property is not in compliance with the R-1-20 zone and Staff was demanded to get it in compliance. Staff sent Mr. Puffer a letter in regards to the complaint of his non-compliance and Mr. Puffer responded with an appeal against Staff's interpretation of city ordinance regarding his non-compliance. Mr. Thompson explained that Kaysville City's Attorney Felshaw King has reviewed this situation, as well as the appeal submitted and is ready to write a response to it if that is what the City asks. As the appeal body, the Planning Commission can decide in which form they would like to review this appeal, whether it be in writing or to hold a meeting where the applicant could present their case in person. The City Attorney is willing to be at that meeting as well.

Gary Bullock commented that while he understands it is allowed per state law, it seems inappropriate to have a referendum so that this issue to go to a public vote when this issue is in regards to private lands. This issue does not deal with public land or funds, and won't impact city funds or taxpayer funds. It seems this issue would be better dealt with between neighbors and the property owner. Mr. Bullock asked about the referendum.

Andy Thompson responded that they have forty-five days to collect a specific amount of signatures, which then are certified that the signatures are by registered voters in Kaysville City limits. The Planning Commission would be reviewing just the appeal and Staff's interpretation of the property's compliance with city ordinances. The referendum is separate from the submitted appeal. There is nothing in city ordinance which specifies a specific time frame that appeals have to be reviewed by, as long as they are reviewed within a reasonable time frame. Because Mr. King will be out of town for the Planning Commission's next meeting on November 9, Staff is recommending putting this item on their following meeting on November 30. However, the Commission also needs to be aware that the forty-five day time frame will be completed by this time, and if not enough signatures have been collected the property will automatically be zoned LI and the appeal will be irrelevant at that point because he will be in compliance with the LI zone.

The Planning Commission decided to wait until the forty-five days for the referendum is completed before having the City Attorney write a response to the appeal, and before scheduling a meeting to review the appeal. If enough certified signatures are received, Mr. Puffer's appeal meeting will be set for November 30.

Lyle Gibson commented that recently he was able to attend training by the Utah Land Use Authority, which has produced several training videos to help municipalities. Mr. Gibson showed one of these videos to the Planning Commission regarding due process with requests made to the city. The state sets the criteria for approving land use changes, and it's rare that they are all met.

Andy Thompson said that recently the Planning Commission asked Staff to review the ordinances regarding accessory buildings. Staff is asking for more direction of what the Commission would like to see, but the Commission needs to keep in mind some of the issues that might occur should the ordinances be changed. Currently the ordinance says that on corner lots, the side of the home that abuts a street should have a minimum setback of twenty feet. If you allow sheds to impede that twenty foot setback you could potentially be allowing sheds to essentially sit directly adjacent to the front yard of the neighboring property. It could possibly create a problem with visibility or might impede on the neighbors front yard. Also, because these sheds could be built so close to the street, is that the kind of streetscape we want to see?

Matthew Anderson said that once a fence is built which encloses the back yard, including the shed, then it's not as noticeable. If you can only see the shed it almost looks out of place.

Gary Bullock commented that it seems that a fence would be more visually impeding than a shed would be.

Mr. Anderson suggested that accessory buildings under 200 square feet be allowed within the twenty foot side yard setback, but only as long as they are fenced.

Gary Bullock commented that there needs to be some consideration for the neighbors. Even if the shed is fenced, it still seems to impede on the neighbor's front yard. The shed could sit as close as a foot to the neighbor's property.

Stroh DeCaire commented that it seems that you can't mandate that someone put in a fence.

Gary Bullock commented that the rules need to be same for everyone and not subjective. We don't want to create more problems than we are trying to solve. If we do allow sheds within the twenty foot setback area, we need to ensure it's stated that the shed doesn't impede on a neighboring front yard.

CALENDAR

The Planning Commission reviewed the calendar for the rest of the 2017 year and determined that they would hold their regular meetings on November 9, November 30, and December 14.

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

ADJOURNMENT

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