

KAYSVILLE CITY PLANNING COMMISSION

February 8, 2018

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

Excused: Gary Bullock, Stroh DeCaire

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

Others Present: Council Member Larry Page, Blair Halverson, Brett King, McKenzie Page, Daniel Page, Stephen Swensen, Mindy Swensen, Vaughn Hixson, Alison Hixson, Jann King, Linda Halverson, Tony Coombs, Hyrum Bates

OPENING

The Planning Commission meeting was held on Thursday, February 8, 2018 at 7:00 p.m. in the Municipal Center.

Chairperson Betty Parker opened the meeting by welcoming those present. The minutes of the December 14, 2017 and January 11, 2018 meetings were presented for approval.

Lorene Kamalu made a motion to approve the minutes of the December 14, 2017 and January 11, 2018 meetings. Josh Sundloff seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, HANDYMAN AT 171 WEST 350 SOUTH – VAUGHN HIXON

Lyle Gibson explained that Vaughn Hixon is requesting to run a handyman business from his home at 171 West 350 South. He does small jobs onsite with typical power and hand tools that he is able to take in his truck. He has a trailer which he uses to haul material and equipment, and will park the trailer on an RV pad on the east side of his house when not in use.

Thomas Wood made a motion to grant a conditional use permit for a major home occupation “B”, handyman at 171 West 350 South for Vaughn Hixon. Lorene Kamalu seconded the motion and it passed unanimously.

Lorene Kamalu asked if these new businesses are added to the city’s business directory.

Annemarie Plaizier responded that all commercial businesses are added to the business directory on the city’s website. Home occupations can opt into being added to the directory.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, GROUP EXERCISE CLASSES AT 552 EAST 1475 SOUTH - JANICE CALAWAY

Lyle Gibson explained that Janice Calaway lives at 552 East 1475 South and would like to start offering group exercise classes from her home. She expects to have up to five adults come at a time. Each class will last about thirty minutes, and will be held in the evening from 5:30 to 6:00 p.m. Ms. Calaway has a Bachelor’s degree in exercise science and because of her neighborhood expressing interest in her classes, it’s anticipated that most participants will walk to her home for class. The applicant owns one car and keeps it in her garage. There is space in the driveway for additional parking as well as on the street in front of her home. Staff is recommending approval with a recommendation that a limit be placed on the number of students and/or the number of vehicles transporting students in order to prevent congestion.

Thomas Wood made a motion to grant a conditional use permit for a major home occupation “B”, group exercise classes at 552 East 1475 South for Janice Calaway with the recommendation that the number of vehicles transporting students be limited to five per class. Lorene Kamalu seconded the motion and it passed unanimously.

Matthew Anderson arrived.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, GROUP ART LESSONS AT 1921 WEST PHILLIPS STREET – MCKENZIE PAGE

Lyle Gibson explained that Mrs. Page is requesting a conditional use permit for a major home occupation “B” to offer group art lesson from her home at 1921 West Phillips Street. She expects to have six to twelve students per class. The classes will be held Monday through Thursday from 4:00 p.m. to 5:30 p.m. It is anticipated that many of the students will walk or ride their bikes to Mrs. Page’s home. Staff is recommending approval with the condition that the number of students be limited to twelve per class.

Betty Parker asked Mrs. Page if she had taught classes before.

McKenzie Page responded that she has taught art classes at Odyssey Elementary School for two years.

McKenzie Page said that most of her students will come from the surrounding neighborhood and so many will walk to her home. There is also a large area on the street next to her house where parents can drop off and pick up their kids.

Lorene Kamalu asked about the ages of the students.

McKenzie Page responded that her students will range in age, with the oldest being thirteen. Most are elementary school age, and the classes will be separated into age groups.

Thomas Wood made a motion to grant a conditional use permit for a major home occupation “B”, group art lessons at 1921 West Phillips Street for McKenzie Page with the condition that the number of students be limited to twelve per class. Lorene Kamalu seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE APPROXIMATELY 0.5 ACRE OF PROPERTY AT APPROXIMATELY 2130 SOUTH PARKWOOD LANE FROM R-A (RESIDENTIAL AGRICULTURE) TO THE R-1-20 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT – JANNETTE AND BRETT KING

PUBLIC HEARING AND PRELIMINARY AND FINAL PLAT APPROVAL FOR THE KINGS VIEW ESTATES NO. 7 SUBDIVISION AT APPROXIMATELY 2130 SOUTH PARKWOOD LANE – JANNETTE AND BRETT KING

Lyle Gibson explained that Janette and Brett King own several acres of property along Shepard Lane and Parkwood Lane. They are requesting a rezone in order to accommodate a subdivision to create an additional single family home building lot. The property is currently zoned R-A which allows for half-acre sized lots. The requested R-1-20 zoning district allows for slightly smaller lots with a smaller frontage requirement. While much of the permitted and conditional uses are the same in both zones, farm animals are allowed by right in the R-A zone and the R-1 zones allow for two-family dwellings by conditional use. The Kaysville City General Plan states that west of I-15, housing should be allowed from zero to two units per acre with some higher density housing along major streets. The proposed subdivision plat includes one lot with 20,000 square feet of area fronting Parkwood Lane. It utilizes the existing street and meets the minimum frontage and lot size requirements for the requested zone.

Chairperson Betty Parker opened the Public Hearing.

There were no comments or questions from the public. Chairperson Betty Parker closed the Public Hearing.

Matthew Anderson asked about the parcels shown on the plat.

Lyle Gibson responded that the property owners own multiple parcels here. They are carving out a portion of their property to accommodate the new lot.

Josh Sundloff asked if the applicants had considered a rezone to the R-1-LD zone.

Lyle Gibson responded that while the lot sizes are similar, the R-1-LD zone would require that the lot be half acre in size and the applicants would prefer to have the smaller sized lot.

Josh Sundloff commented that the lot would be abutting an R-1-LD zoning and would make more sense to have them the same zone so as to not create a spot zoning. The character of this property won't change with either zoning, and it will look part of the subdivision.

Betty Parker said that she is concerned that if the R-1-20 zone is approved, the applicants or other neighbors in the area might start to rezone the rest of their property to this denser zone.

Josh Sundloff commented that if they were to keep their property in the R-A zone they would have a larger frontage and would be required to have a minimum half-acre lot.

Lyle Gibson added that the applicant also doesn't want to rezone the rest of the property so their permitted agricultural use will not be affected.

Brett King said that he didn't want to give up more property than he has to, and the new property will be used to build a home for his mother-in-law.

Josh Sundloff stated that each rezone is a legislative decision and is different from any other rezone. Each has different variables and factors associated with the request.

Josh Sundloff made a motion to recommend approval of the request to rezone approximately 0.5 acre of property at approximately 2130 South Parkwood Lane from R-A (Residential Agriculture) to the R-1-20 (Single Family Residential) zoning district for Jannette and Brett King. Matthew Anderson seconded the motion.

Voting was as follows:

Lorene Kamalu	aye
Matthew Anderson	aye
Betty Parker	nay
Josh Sundloff	aye
Thomas Wood	aye

The motion passed with a vote of four to one.

Josh Sundloff made a motion to recommend preliminary and final plat approval for the Kings View Estates No. 7 Subdivision at approximately 2130 South Parkwood Lane for Jannette and Brett King. Matthew Anderson seconded the motion.

Voting was as follows:

Lorene Kamalu	aye
Matthew Anderson	aye
Betty Parker	nay
Josh Sundloff	aye
Thomas Wood	aye

The motion passed with a vote of four to one.

INTERPRETATION OF KAYSVILLE CITY ORDINANCES PERTAINING TO BREEZEWAY AND FRONT-YARD SETBACKS

Lyle Gibson explained that the Kaysville Building Department recently received a set of plans for a new home in the Sunset Equestrian Estates Subdivision. Upon review, Staff determined that an interpretation from the Kaysville City Planning Commission would be appropriate in deciding whether the proposal complies with the City's ordinances or not. Specifically there is a portion of the proposed plans which shows a garage extension in front of the majority of the home by a few feet. The garage is attached to the rest of the home by way of a roof structure which is nine feet by fourteen feet. This seems to exceed the maximum dimension allowed to act as a breezeway and therefore remain as part of the main building. If the garage cannot be considered part of the main building, it is then a detached accessory building and must be placed only where allowed by ordinance 17-32-2. Staff is looking for an interpretation to determine if the garage is part of the main building, whether it be through the definition of a breezeway or perhaps simply based on the design.

Josh Sundloff commented that Kaysville's definition of a breezeway states that it is a building that is no less than three feet and no greater than ten feet in any horizontal dimension, is open on two sides and joins doorways of two separate buildings which are considered as one main building. This building looks to be one building, with the garage being the closest to the front yard property line.

Matthew Anderson said that it seems that this portion that extends the roof to the garage doesn't meet the city's definition of a breezeway because it is larger than the dimensions outlined. Mr. Anderson suggested that the definition be changed.

Josh Sundloff said that the definition should not set strict parameters, but be more subjective because sometimes those parameters can be detrimental. This portion of the home is not a breezeway by the code definition, but it is also not considered a detached building. It's aesthetically incorporated into the design and part of the whole building.

Matthew Anderson commented that there's a reason there are restricted dimensions outlined in the breezeway definition. The reason for a breezeway is to connect two buildings. Creating a more vague definition could possibly create an unappealing situation in the future. You can't just not call this portion of the building a breezeway to get around the city code. How long of an extension could be made to another building and still be considered part of the main building?

Andy Thompson responded that a previous Planning Commission decided that breezeways should be limited to three feet by ten feet.

Josh Sundloff said that this connection is not a breezeway because it doesn't meet the definition of a breezeway, and therefore does not violate any part of the ordinance. The definition of a breezeway needs to be better clarified so that this question won't come up again.

Matthew Anderson asked if the garage could be moved back to be aligned with the rest of the front of the building.

Hyrum Bates, the architect, said that the garage sits offset from the building in order to give cars enough space to turn around between the rest of the house and the other attached garage. The attached garage also sits right at the rear yard setback and cannot be moved back further.

Josh Sundloff made a motion that the proposed site plan complies with the City Ordinance because the connecting roof is of a substantial size and is integrated into the architecture of the home such that it should be considered part of the main building. Therefore, the garage in question is also part of the main building and as such meets all applicable setback requirements. Lorene Kamalu seconded the motion.

Voting was as follows:

Betty Parker	aye
Josh Sundloff	aye
Thomas Wood	aye
Lorene Kamalu	aye
Matthew Anderson	nay

The motion passed with a vote of four to one.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Lorene Kamalu gave an update on the Kaysville Business Support meetings. In January they discussed the proposed road utility fee with businesses and at February's meeting they were able to hear from the businesses on Main Street about Downtown Business Strolls during the summer, held on the second Thursday of every month. They have recruited many volunteers to help and are collaborating with the Utah State Farmer's Market as well. They are hoping to make people more aware of and promote the businesses in Kaysville. It is important that we support the business community and make Kaysville a place that businesses want to be located.

Lyle Gibson showed a training video produced by the Utah League of Cities and Towns.

Lorene Kamalu asked about a survey she had received in regards to the city updating ordinances and how long it's taking.

Lyle Gibson responded that it is a survey being done by the ULCT to find out how cities are responding from last year's legislation.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, February 22, 2018 at 7:00 p.m.

ADJOURNMENT

Matthew Anderson made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:07 p.m.