



**KAYSVILLE CITY PLANNING COMMISSION
MEETING MINUTES**

April 28, 2022

Planning Commission Members in Attendance: Commissioners Sundloff, Doxey, Page, Allred, and Branch

Staff Present: Dan Jessop, Mindi Edstrom, and Melinda Greenwood

Public Attendees: Randy Carr, Curtis Dalton, Rich Howes, Hillary Howes, Shannon Brown, Ronilynn Nash, Zachary Nash, Brad Walters, and Derek Raynor

The Planning Commission meeting was held on Thursday, April 28, 2022 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

1-Opening

Commissioner Josh Sundloff recognizes that neither the Chair nor the Vice Chair was in attendance. Jared Doxey made a motion to have former chairman, Josh Sundloff serve as the Chair for the meeting. Cody Branch seconded the motion. Commissioner Sundloff accepted the nomination but no vote was taken on the motion.

Commissioner Sundloff opened the meeting by asking for a motion for approval for the minutes from the March 24, 2022 meeting. Commissioner Doxey made that motion and it was seconded by Commissioner Page. All voted in favor of approving the minutes.

2- Conditional Use Permit for a Major B Home Occupation for pest control services for Rich Howes of Mosquito Hunters for the property at 1523 West Pheasant Meadow Drive

Introduced by: Mindi Edstrom

Mr. Howes approached the Planning to Commission and described his mosquito abatement business which would have one van that will be parked overnight. He said there is an offsite receptionist who takes calls. He said the mosquito services will be provided Monday through Friday and as the business picks up the services may be offered on Saturdays as well.

Discussion:

Commissioner Allred asked the applicant for more information about not having employees at the home or storing chemicals on site.

Mr. Howes replied that there will not be employees at the home and that all of his chemicals are being stored off site with his vendor. He said he will meet his employee daily to hand off the service van so that there are no cars parked at his home during business hours. Once he has trust built with the employee, he will allow his employee to take the van home overnight.

Commissioner Allred stated that he doesn't feel the need to impose any additional conditions for the applicant.

Commissioner Branch asked if the business will require any deliveries the home.

Mr. Howes said that the only thing that would be delivered to his home would be his mail.

Commissioner Doxey made the motion to approve this conditional use permit at 1523 West Pleasant Meadow Drive.

Public Comment: None

Motion: Commissioner Doxey made the motion to approve this conditional use permit at 1523 West Pleasant Meadow Drive and Commissioner Branch seconded the motion.

Vote: Vote was unanimous in favor of the motion.

3- Conditional Use Permit for a Major B Home Occupation for landscaping services for Zachary Nash for the property at 1698 South 300 East

Introduced by: Mindi Edstrom

Ms. Edstrom said that Mr. Nash has had a business license off and on with Kaysville City while trying to decide which route to take with his business.

Mr. Nash said he has one truck and a flatbed trailer with walls on it and said he will only be conducting office business at home and works Monday through Friday usually between 8:00 a.m. and 5:00 p.m. He said there will be no employees at the home location and he can park his truck and trailer on the concrete pad to the side of his home.

Discussion:

Commissioner Allred asked Mr. Nash about the size of the vehicle that he will be using.

Mr. Nash stated that he drives a Dodge Ram truck but added it is not a commercial sized vehicle.

Commissioner Sundloff asked the applicant for clarification that no bobcats or machines will be stored on site.

Mr. Nash said that it would be only the one truck with the trailer.

Commissioner Branch asked the applicant to speak to the dumpster trailer he uses.

Mr. Nash said it is a trailer that is enclosed.

Public Comment: None

Motion: Commissioner Allred made a motion to approve the conditional use permit at 1698 South 300 East. Commissioner Doxey seconded the motion.

Vote: Vote was unanimous and the motion passed.

4- Conditional Use Permit for a model home design center for Destination Homes for the property at 2095 W 200 N

Introduced by: Dan Jessop

Mr. Jessop shared that Destination Homes placed this Design Home at this address five or six years ago and that they have one phase of the subdivision left in this area.

Mr. Jessop said all the phases in Kaysville were complete, but the last phase is in Layton still had lots. Destination Homes has come each year for a Conditional Use Permit on the model home and Mr. Jessop recommend the approval of Conditional Use Permit.

Discussion:

Shannon Brown is one of the designers at the design center.

Commissioner Allred asked for clarification from Dan Jessop as to whether this is an extension of a previous Conditional Use Permit.

Mr. Jessop responded saying that this was just an extension, and reminded Planning Commission that at one point we wanted to change code so items like these didn't need to come to Planning Commission.

Commissioner Sundloff feels staff can handle items like this. He also spoke to the one comment that was received from a resident in regards to this design center. The comment that was made was that the neighborhood recognizes that model homes are needed, but the only phase that is left is in Layton and that this location is no longer a model home, but a design center.

Commissioner Branch questioned the applicant about the difference between a model home and a design center.

Shannon Brown said that Destination Homes just completed a model home in the last phase and the majority of the time is being used as a design center but it also doubles as both.

Commissioner Sundloff asked the applicant what business operations look like for either a model home or a design center.

Shannon Brown stated the design center has less traffic than a model home as said it is open several days a week and the home buyer parks in the driveway.

Public Comment: None

Motion: Commissioner Allred made a motions to approve the Conditional Use Permit for a model home design center for the period to last no longer than December 31, 2023 or if work is completed sooner.

Commissioner Page seconded the motion.

Vote: Vote was unanimous and the motion passed.

5- Conditional Use Permit for Showstopper Production for a theater for the property at 1700 South Frontage Road

Introduced by: Dan Jessop

The Showstopper Production has been at this location since 2014. He explained they have play productions and practices and keep busy throughout the week. They try to shut down nightly at reasonable hours and hold six or so major productions where the theater is filled up. Right now the theater seats 133 and they are wanting to expand it to 213 seats. They hope to expand the theater and add a place to store props and hold rehearsals. He said staff has looked at it and adequate room exists to increase seating and parking. Staff has not received any complaints to his knowledge. He said staff recommends they are given approval to expand.

Discussion:

Curtis Dalton explained the purpose of the theater is helping families who are dealing with a loved one diagnosed with cancer. He furthered that Jan Williams helped push this mission and it has exploded in growth. He explained stage limitations and accessibility issues and said the new space would help mitigate some of the issues. He added they would be getting rid of grassy areas.

Curtis Dalton personally went and knocked on the seven residents doors that are adjacent to this property and few of them were oblivious to what was going on behind them. Others were excited with what they are doing.

Commissioner Allred asked if the frontage of this property was owned by UDOT.

Mr. Jessop replied that it is a city owned road.

Commissioner Allred asked Mr. Dalton if there's an overflow for parking and if they have had issues.

Mr. Dalton responded saying that parking has been an issue. They have encouraged staff and cast members to carpool or be dropped off.

Commissioner Branch expressed the concern of the congestion in the parking lot during pick up and drop off. He asks the applicant to address the traffic and parking concerns.

Mr. Dalton said that at the end of the day they will have 55 parking stalls. He also spoke to the neighbor to the east of him. He had proposed to them purchasing the back piece of her property that would make her property equal to the neighbors. She responded letting him know that she would speak to her husband about it. This would allow them to have even more parking.

Public Comment:

Mr. Carr was invited to come approach the Planning Commission but he said his question of parking was previously answered.

Derek Rainer approached the Planning Commission and said he is involved with the HopeBox Theater. He explained that with the new parking layout, vehicles will be able to enter and go around the area so the line of parents picking up will actually be in the parking lot and not on the frontage road.

Commissioner Sundloff asked the staff if the fact that it is a theater is why it is coming to the Planning Commission.

Mr. Jessop answered yes. He continued to state that at one time it was a church and then the theater wanted to come in. We started the conditional use permit process for that conversion.

Commissioner Sundloff shared that he used to layout parking lots for a living and this parking lot looks tight and asked that staff would confirm all the dimensions of the stalls and the drive aisles.

Commissioner Allred suggested that the Commissioners consider placing a condition on when they have events. Due to the nature of parking and drop-off it could get very complicated and

suggested that perhaps signage is placed on the public right away to help draw attention to those who are passing by or those who are coming to participate.

Commissioner Sundloff discussed some of the foreseeable detrimental impacts which included parking needs, lighting in the parking lot and fencing so that cars with lights shining into residential properties.

Ms. Greenwood spoke to the Commissioners about the applicant wanting the Conditional Use Permit prior to spending money to do engineering and designing and added there will be a site plan approval process with staff.

Mr. Jessop also mentioned that he didn't scale them out at the time because he simply counted 44 parking stalls which would meet the requirements for parking spaces to number of seats.

Mr. Dalton stated that they were trying to get approval before they invest money in designing and then be told no.

Commissioner Allred spoke to staff saying that in his opinion this is really not a conditional use issue and that this is a site plan issue. He felt that this is an amendment to the site plan process because the use is not changing.

Ms. Greenwood said staff felt it was appropriate to bring this forward to the Planning Commission given the increase in the intensity of the conditional use that could possibly trigger additional conditions the Commission may want to apply.

Mr. Dalton said that all along the frontage road the speed limit will vary and he thinks that it is depending on the density to the residential housing along the road and questioned the Planning Commission if there would be a way to reduce the speed limit through that zone as it is reduced in other areas along the frontage road.

Commissioner Sundloff doesn't think that is something in the Planning Commissioners purview, but that it might be something that the city staff could look at.

Mr. Jessop confirmed that it would be a staff decision.

Motion: Commissioner Allred made a motion to approve the Conditional Use Permit for Showstopper Production's expansion based on the staff report as generally proposed and the provision that a site plan conforms to city code.

Second to approve: Commissioner Doxey

Vote: Vote was unanimous and the motion passed.

6-Final subdivision Plat for Crested Peaks Subdivision for the property at 1378 South Sunset Drive

Introduced by: Dan Jessop

This application has been floating around for some time and when it was to come in for a final plat we ran into some concerns regarding engineering of the storm water. Staff wasn't sure if that would have impacted the lot layout. Since then the concern has been addressed and the lot lines have not changed since the preliminary approval. He explained there is a five acre piece that he is keeping for A-5 and the 14 lots.

Commissioner Doxey asked Mr. Jessop how the problem was resolved and asked if underground retention had been done.

Mr. Jessop responded saying that the engineers were able to find an existing place to put the storm water.

Discussion:

Commissioner Sundloff asked the applicant, Brad Walters, to come forward to answer some questions.

Mr. Jessop finished his presentation of the application and said staff recommends approval of the final plat for Crested Peaks Subdivision.

Mr. Walters mentioned that this is a piece of property that he has had for some time. As stated he said that there will be 12 lots that will new lots and lot 1 is an existing home and lot 6 is just 5.3 acres that he will be keeping to build his own home there as a greenbelt endorsed home or property. He concluded that he thinks the subdivision is buttoned up and there are large lots which are line with what he believes the city wants.

Commissioner Sundloff clarified with the other Commissioner that in this stage of the process, their opinion is nil other than to consider if the final plat complies with the preliminary plat and is it meeting other requirements in the code. If so, then they would need to approve the final plat.

Commissioner Allred had a couple of comments on the plat. He asked the applicant to conform which sewer district this is a part of North Davis or Central Davis and pointed out some typos on the plat to have corrected.

Public Comment: None.

Commissioner Doxey made a motion to approve the subdivision plat for the Crested Peak Subdivion.

Commissioner Allred asked if the motion could be amended to capture the typos and the notation of the detention easement which he mentioned.
Commissioner Doxey accepted the amendment to the motion and Commissioner Branch seconded the motion.

Vote: Vote was unanimous and the motion passed.

7- Call to the public

None

8- Other matters that properly come before the Planning Commission

Ms. Greenwood mentioned a couple of upcoming agenda items that will be coming back to the Planning Commission. The Explosives Ordinance in a Residential Zone and the Appeal Process in our Land Use Code that is not in compliance with state code, will all be brought forward to be discussed.

She also noted the May 7, 2022 the Water Conservation Event which will take place at City Hall at 23 East Center Street from 9:00- 11:00 a.m.

9-Adjournment

A motion to adjourn was made by Commissioner Sundloff. Commissioner Allred seconded the motion and the meeting was adjourned at 8:13 pm.