

**KAYSVILLE CITY PLANNING COMMISSION  
MEETING MINUTES**

April 25, 2019

Planning Commission Members Attended: Vice Chairperson Thomas Wood, Joshua Sundloff, Betty Parker, Gary Bullock

Excused: Matthew Anderson, Wilf Sommerkorn

Staff Present: Zoning Administrator Lyle Gibson, Dan Jessop, Secretary Heather Nielsen,

Others Present: Douglas Stanger, Marilyn Stranger, Reed Nelson, Beverly Nelson

**OPENING**

The Planning Commission meeting was held on Thursday, April 25, 2019 at 7:00 p.m. in the Municipal Center. Vice Chairperson Thomas Wood opened the meeting by welcoming those present.

The minutes of the April 11, 2019 meeting were presented for approval. Tamara Tran made a motion to approve the minutes. Gary Bullock seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, MASSAGE THERAPY AT 1030 E. BEDFORD DR.—ELIZABETH MINERA.**

Dan Jessop explained that the applicant is requesting a conditional use permit for Major Home Occupation “B” at the above listed address. Elizabeth Minera is currently anticipating doing a Massage Therapy business from her home. Ms. Minera explained that she will be holding individual appointments from 4 PM. To 7 PM. Monday through Friday and Saturday mornings. She anticipates having two to three appointments a day.

She has a dedicated room inside the entrance of her home where she will be working. There is ample frontage and driveway for customer parking.

Staff recommends approval of the proposed Conditional Use Permit for Elizabeth Minera with no additional conditions.

Thomas Wood asked if the applicant was present. Dan Jessop replied that she was absent due to a massage conference.

Gary Bullock made a motion to grant a conditional use permit for a major home occupation “B”, Massage Therapy at 1030 E Bedford Dr. for Elizabeth Minera. Betty Parker seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR AN ELECTROINIC MESSAGE CENTER AT 2025 W. 200 N.—WEE CARE PEDIATRICS.**

Dan Jessop explained that Wee Care Pediatrics and Kaysville Pediatric Dental are seeking a conditional use permit for a sign with an Electronic Message Center Component. The proposed sign is considered an On - Premise Ground Sign. The property for the proposed sign has 290 feet of frontage along 200 North Street, allowing up to 120 sq .ft. of signage. The proposed sign has 84 square feet. The proposed sign has a 10' 5" x 8' cabinet with a 3'x7' LED. The cabinet will have lighted plex faces with vinyl logos for the dentist office and Wee Care. The signs construction will be brick and siding to match the main building per city code, which is allowed under 17-33-9.

Dan Jessop said staff is recommending approval with no conditions. The sign meets the minimum requirements of the Kaysville City Ordinance and is positioned such that it will not create a visual obstruction for traffic.

Gary Bullock mentioned that the building already has an excessive amount of lighting shining from it. He has received emails from neighbors who are not happy with their current lighting. Gary Bullock said the purposed sign is big and perhaps a bit overkill for the area provided. He would like to add some conditions on the time that the sign will be illuminated and the frequency of changing graphics and messages.

Dan Jessop responded to Gary Bullock by stating that this new sign will have a dimmer switch that will dim with the sun setting. Therefore, the sign would be around 25% capacity around 10pm. Dan Jessop stated that Wee Care said they would turn the sign off from 10pm to 6am. Gary Bullock responded that he would like to see the signs shut off time moved to 9pm, especially for the winter months.

Tamara Tran asked if Kaysville City has a lumens ordinance. Lyle Gibson responded that Kaysville City has an observational nuisance ordinance so these signs have to have the capability to be dimmed.

Vice Chairperson Thomas Woods said that he supported the 9pm shut off time. He stated that signs like these could be distracting similar to a T.V. constantly changing.

Joshua Sundloff said he would approve the permit based on two conditions, if the sign dimmed 75% and if the shut off hours are from 9pm to 6am.

Gary Bullock made a motion to grant a conditional use permit for an Electronic Message Center at 2025 W. 200 N. for Wee Care Pediatrics. Joshua Sundloff seconded the motion and it passed unanimously.

**PUBLIC HEARING AND REQUEST TO REZONE .91 ACRES OF PROPERTY AT 372 W. BURTON LANE R-A (RESIDENTIAL AGRICULTURE) TO THE R-1-20 (SINGLE FAMILY DWELLING) ZONING DISTRICT—REED NELSON.**

Lyle Gibson explained that the applicant's property is located on the north side of Burton Lane west of I-15. The property, which is just shy of an acre. The applicant has request a change from the R-A to the R-1-20 zone in order to allow for a potential lot split.

The R-A zoning district requires lots to be a true half an acre in size (21,780 sq. ft.) or larger. Properties in this zoning district do not require a conditional use permit for farm animals. The minimum frontage of a standard lot is 100 feet.

The requested R-1-20 zone allows for lots of 20,000 sq. ft. in size or larger with only 90 feet of frontage required on a standard lot.

The most likely development of a 2nd lot on this property would be by way of a Flag Lot. This would require further verification through a subdivision process to ensure needed lot size, frontage, and setbacks. It also requires the PRUD overlay zone, which would give the city discretion in approving such a subdivision.

Lyle Gibson reminded the commission that a rezone is a legislative decision; the Planning Commission and ultimately the City Council have broad discretion in their decision-making. The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan and how well the proposal works at this specific location.

Vice Chairperson Thomas Wood opened the Public Hearing. There were no comments or questions from the public. Vice Chairperson Thomas Wood closed the Public Hearing.

Vice Chairperson Thomas Wood asked the applicant to come to the stand. Mr. Reed Nelson told the commission that his land is too much to handle now so he wants to sale it.

Lyle Gibson told the commission that Mr. Nelson is 180 sq. ft. shy of footage needed for 2 lots in an R-1-20 zone; however, a more intense survey could show that they indeed do have the footage.

Gary Bullock asked why they do not do an R-1-14 and limit the property to only one structure on the new flag lot. Mr. Nelson said he would prefer to go forward with the R-1-20 zoning due to a concerned neighbor. Thomas Wood said that if they go with the R-1-14 then the neighbors and public would need to be notified again of the change.

Gary Bullock made a motion to recommend approval for the .91 acres rezone at 372 W. Burton Lane R-A (Residential Agriculture) to the R-1-20 (Single Family Dwelling) for Reed Nelson. Betty Parker seconded the motion and it passed unanimously.

### **CALL TO THE PUBLIC**

Nothing was brought to the commission

### **CALENDAR**

The next regularly scheduled Planning Commission meeting will be held on Thursday, May 9, 2019 at 7:00 p.m.

### **ADJOURNMENT**

Vice Chairperson Thomas Wood made a motion to adjourn the meeting. Betty Parker seconded the motion and it passed unanimously. The meeting adjourned at 7:58 p.m.