

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

May 27, 2021

Planning Commission Members in Attendance: Chairperson Joshua Sundloff, Vice Chairperson Quan Nguyen, Steve Lyon, Toby Barrus, Jared Doxey, Wilf Sommerkorn and Abigayle Hunt.

Staff Present: Lyle Gibson, Dan Jessop, Mindi Edstrom

Public Attendees: Council Member Mike Blackham, Deborah Shepard, Don Anderton, Dick Bourne, Tom Wood, Nancy Tippetts, Sue Card, Keith Russell, John Warnick, and Amy Roskelley

OPENING

The Planning Commission meeting was held on Thursday, May 27, 2021 at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street. Chairperson Joshua Sundloff opened the meeting by welcoming those present.

Steve Lyon made a motion to approve the minutes from the May 13, 2021 meeting. Abigayle Hunt seconded the motion and they were unanimously approved.

CONDITIONAL USE PERMIT FOR A PERENNIAL PLANT WHOLESALE HOME OCCUPATION AND NURSERY.

Introduced by: Dan Jessop

The applicant is seeking a conditional use permit to conduct a Nursery and Wholesale Perennial Plant business from their home. Debora anticipates putting up a detached Green House style building on her parents' property next door where she can grow some plant starts. She will also have some growing beds situated and organized outside of the green house. She will maintain an office as well in her home not to exceed the allowed area.

The business plan is to grow and sell wholesale to developers and landscapers. They will have no outside employees or customers coming to residence for pick up. They will deliver orders to the location of placement.

Debora Shepard presented to the council that she would be selling one gallon pots for plants and would deliver to job site for customers. Any traffic to the location would be for plant starts and planting soil. Deborah's parents are willing to allow back property to be purchased and her husband and son would be helping in the business.

Commissioner Sommerkorn asked about making the property a stand-alone property however what changes if there are new neighbors.

Lyle Gibson suggested that the properties be combined to comply with the ordinances as they currently read.

Commissioner Doxey motioned to approved the conditional use permit as recommended by staff subject to pursuing a lot line adjustment so that the greenhouse is on the same property as the office.

Motion to approve: Commissioner Doxey
Motion to second: Commissioner Lyons
Vote on the motion was unanimous

PUBLIC HEARING AND REQUEST TO REZONE .32 ACRES OF PROPERTY AT 1599 W. 200 N. FROM R-1-20 TO THE R-1-14 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT

Introduced by: Dan Jessop

A zone change is being requested at the subject address in order to accommodate a proposed lot line adjustment. The property, is currently zoned to accommodate a Single Family Dwelling with a minimum 20,000 square feet lot. The Applicant would like to sell a large portion of his rear yard to the neighbor south east of him at 181 N. Mountain Vistas Rd. The lot is now 24,994 square feet, and the zone would allow him to keep a minimum of 14,000 square feet and sell off any portion of remaining lot.

As a rezone action the Planning Commission has broad discretion as to whether or not to pass along a favorable recommendation to the City Council.

Keith Russell sold and rezoned a portion of the property in question previously. This action would allow for a similar change. Mr. Russell states that the property is just a vacant field and the neighbor would like to extend his back yard.

Don Anterton spoke and stated he is wanting to purchase the land and is in favor of the requested rezone.

The Planning Commission expressed that the rezone doesn't change anything. It just allows another property owner to utilize the land in a better way. Commissioner Sommerkorn believes that it is a plus.

Commissioner Nguyen motioned to recommend approval of the requested rezone to the City Council.

Motion to approve: Commissioner Nguyen

Motion to second: Commissioner Sommerkorn
Vote on motion is unanimous

PUBLIC HEARING AND REQUEST TO REZONE .22 ACRES OF PROPERTY AT 327 E. 299 N. FROM THE R-1-8- (SINGLE FAMILY RESIDENTIAL) TO THE R-2 (ONE OR TWO FAMILY RESIDENTIAL) ZONING DISTRICT. - DICK BOURNE

Introduced by: Dan Jessop

A zone change is being requested at the subject address in order to accommodate a proposed Duplex or Twin Home. The property is currently zoned to accommodate a single family dwelling on an 8,000 square foot lot.

While the R-1 zoning district has some provisions to allow for two-family dwellings, there are multiple within close proximity in the R-D zoning district to the south that requires the consideration of a different zone if a two-family dwelling is desired.

Mr. Bourne stated that the property in question has been a vacant lot for many years and has spoken to the neighbors. Mr. Bourne would like to put in a single level duplex with a basement on the property to rent out rather than build a single family home. Mr. Bourne believes it would tie in very well to the surrounding area. The neighborhood has 2 duplexes already and he is requesting the rezone as he wants to be the third.

Commissioner Barrus asked Lyle Gibson why does it matter with distance requirements for the duplex and how many units could be placed onto the property?

Mr. Gibson answered that his understanding of the distance requirement was to spread out duplexes and twin homes and that all yard requirements are still the same. Zero lot line allowance.

Public Hearing:

- Nancy Tippets backs up to the lot in question. Nancy spoke with Mr. Bourne and is ok with what he is wanting to do and is single level.
- Carol Ward not in favor because there are so many duplex's. Would love to have something nice. Single dwelling homes. Not in favor of a rental.
- Other comments were sent in via email or phone.

Discussion:

Commissioner Sommerkorn stated that it seems the request should be allowed under the current ordinance, that the intent would be to look at duplexes in the same zone rather than duplexes within any zoning district in the 500 foot radius.

Commissioner Barrus in favor of keeping to the zone as is, the rezone of one lot seems to go against what the existing zoning is trying to accomplish with the distance requirement.

Commissioner Sundloff states the task we have before us is ...Do we want to change this? We are bound to the code. However, do we want to redo the code? Is it in line with the general plan? He then asked the commission now this falls in the general plan and mentions that we are in a housing crunch right now is lack of supply.

Commissioner Nguyen shared that the owner of property has the right to do what they would like on their property. Mr. Nguyen asks Mr. Bourne if his intention to rent or sale and Mr. Bourne's response is to rent. Mr. Nguyen mentions the letter of the law vs. the spirit of the law and over turn what City Council has already approved.

Commissioner Doxy mentions this meets the criteria of high density to 200 N.

Commissioner Doxy to make a motion to move to recommend the request to rezone from R-1-8 to R-2 as requested.

Motion to Second by Abbigayle Hunt

Yay: by Abbigayle Hunt, Wilf Sommerkorn, Jared Doxey, Josh Sundloff, Steve Lyon

Nay: Toby Barrus

Lyle Gibson mentioned that this will be passed along to City Council for a final decision and that the reasoning of voting both for and against will be shared...This will go to city council on the 17th of June.

PUBLIC HEARING AND REQUEST TO REZONE 1.1 ACRES OF PROPERTY AT APPROXIMATELY 600 N. AND MAIN STREET FROM GC (GENERAL COMMERCIAL) TO THE R-M (RESIDENTIAL MULTI-FAMILY) ZONING DISTRICT TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE.- DESTINATION HOMES.

Introduced by: Lyle Gibson

Destination Homes is seeking a rezone at the subject property to accommodate future residential development.

The existing zoning district permits office and retail sales and services, but does not allow for residential uses except for single family units needed to support a business function.

The property is abutting commercial property along Main Street to the north and south and residential development to the east. There are some R-M zoned properties in the vicinity across the street and near the corner of Mutton Hollow and Main Street.

The R-M zoning district regulated through Title 17-16 allows for multiple-dwelling structures by permitted use and zone may have a density of 15.5 units per acre. The purpose of the PRUD Overlay is to accommodate the common open space style of development proposed.

John Warnick from Destination homes stood to present his project. He reminded the Commission that he came before the city council a year ago and has a reworked site plan. The building direction has been flipped away from the Women's Shelter. Mr. Warnick presented a letter of support from Safe Harbor. The Destination Homes units will sale for an average of \$450k when finished. Destination homes believe they will have a positive impact because of a point of sale and type of housing they provide. Destination homes feels it is best to have multifamily units spread around the city and that this is the best use for the lot. The traffic study conducted for this site indicates 82 trips a day for the proposed use which is much less than any potential business might create. It is proposed to only have one way in for the duplexes to help with traffic. Mr. Warnick mentions that they will be adding a privacy fence, fire pit and pavilion as part of the property. Mr. Warnick mentioned that there have not been other offers for this vacant lot.

Public Hearing:

- Tom Wood lives close to this area. Previous Planning Commission member and has a background in apartments. Mentions the general plan and likes that it is a good guideline. Dispersing projects throughout the town. Reads previous statements from Council Member's Tran, Blackham, Adams, and Lortz. He expressed his opposition to the proposal.
- Emails (8) in response to this Re-zone.

Discussion:

Commissioner Nguyen thinks this Rezone might be a distractor for Safe Harbor and shares that the Planning Commission wanted to hold off for commercial prior to COVID.

Commissioner Lyons shares that Safe Harbor will be building out on two different properties 24 more units.

Commissioner Sommerkorn suggests waiting for general plan update to make this decision.

Commissioner Hunt agrees with Commissioner Sommerkorn on waiting for general plan.

Commissioner Nguyen asks Lyle Gibson if there has been others that have wanted to use this land. Lyle Gibson said that no calls have come in with serious suggestions.

Commissioner Barrus feels that commercial usage would be safer next to Safe Harbor. Would like to keep commercial and not lock into housing.

Commissioner Doxy thinks that will not be another offer that would be better than what has been presented by Destination Homes.

Commissioner Sundloff shared general concerns of impact of multifamily housing traffic and a transient demographic and shared his opinion that this project would not generate those issues

Tom Wood shared concerns of multifamily housing.

Wilf Sommerkorn proposed that there will be a work session for the general plan amendment on June 10th with the consultant. Put this plan at the top of the discussion

Commissioner Nguyen motioned to table this until until after the General Plan work session on June 10th.

Motion to second by Commissioner Sommerkorn

Yay: Abbigayle Hunt, Wilf Soomerkorn, Steve Lyon, Guan Nguyen, Toby Barrus

Nay: Josh Sundloff and Jared Doxey

PUBLIC HEARING FOR THE ENACTMENT OF KAYSVILLE CITY ORDINANCE TO CREATE CHAPTER 27-MIXED USE (MU) ZONING DISTRICT OF TITLE 17 PLANNING AND ZONING, OF THE KAYSVILLE CITY ORDINANCES.

Introduced by: Lyle Gibson

After multiple meetings discussing the concept of mixed use zoning district and having reviewed different examples, notice has been provided to hold a public hearing to begin official consideration of a new zoning district that may be considered to accommodate new development types in Kaysville City.

A brief overview of the ordinance was given. The Planning Commission was asked to read the ordinance and provide feedback for the next meeting when additional discussion can be purued.**CALL TO THE PUBLIC**

Nothing was brought forward.

CORRESPONDANCE AND CALENDAR

The next regularly scheduled Planning Commission meeting is anticipated to be held on Thursday, June 10 with other Destination Home Rezone to be readdressed. Perhaps a working session with General Plan Consultant at 6:00 pm.

ADJOURNMENT

Josh Sundloff made a motion to adjourn the meeting. It was approved unanimously and the meeting was adjourned at 9:49 pm.