

**KAYSVILLE CITY PLANNING COMMISSION
MEETING MINUTES
August 12, 2021**

Planning Commission Members in Attendance: Chair- Quan Nguyen, Vice Chair- Abbigayle Hunt, Jared Doxey, Toby Barrus, Steve Lyon, and Wilf Sommerkorn

Staff Present: Lyle Gibson, Dan Jessop

Public Attendees: Tyler Fisher, Donovan Welch, Mike Barnett, Dave Bradway, Richard Messerly, Troy Messerly, Jon Parry, Jacquie Jones, Rick Jones, Tom Wood, Christian Nielsen, Bill Knowlton, Collin Gee, and Glades Moore

The Planning Commission meeting was held on Thursday, August 12, 2021 at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street. Chairperson Quan Nguyen opened the meeting by welcoming those present.

PUBLIC HEARING AND REQUEST TO REZONE .44 ACRES OF PROPERTY AT 65 CRESTWOOD ROAD FROM THE R-1-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT TO THE GC (GENERAL COMMERCIAL) ZONING DISTRICT

Introduced by: Dan Jessop. Mr. Jessop explained that the request did not come with a specific project, but would be to allow future consideration of whatever the GC zoning district permits. It is not required that a rezone accompany a specific project so the Commission should consider if the zone works at this location or not and make a recommendation to the City Council accordingly.

Public Comment:

Tom Wood – Representing the applicant. Mr. Neilsen the applicant is familiar with the area. He wants to be sensitive to the potential impact of the neighborhood. Already a lot of commercial in the area so this fits. There used to be a potato chip factory close by so all the existing homes in the area have been around more commercial historically. They met with neighbors already last night. Noted concerns of traffic which can be addressed once use is determined. The commercial in the area has plenty of parking, but people park on the street in the shade, so there is available parking in the area. Crestwood road is designated as a major street and is meant to handle traffic and businesses. Primary interest is to hopefully use the property for his business someday.

Bill Knowlton – Indicated that this isn't another request for multi-family, but a request for business that will support the city's tax base. Believes that the site is not conducive of a gas station or convenient store so only certain types of use are viable. The home is not part of an historic district or on a historic registry and the owner does not plan to put on a registry.

Steve Burk (22 e 400 N) – This parcel has been before the city council for a consideration of a rezone previously. The prior request was for a commercial use as well. The area was originally residential and commercial has been replacing it. Where there is residential in the area it is becoming denser. Lots of cars parking on 30 W Street. Concerned about the number of kids that cross the street in the area to go to the park and school in the area. There are new homes just to the north of this. They would support other residential development, not commercial.

Tony Schwack – wants to make sure the area remains safe and worries what commercial traffic may do to safety. Thinks that maybe a little office using the existing house may be appropriate like a home office. Maybe adding a crosswalk at Crestwood and 30 W would make things safer. How will garbage and snow removal be managed?

Donovan Welch (71 Crestwood) – concerned about commercial proposal. Supports comments previously stated and emphasized traffic. Doesn't want neon lights that may come with commercial. Different residential development would be preferred. Whatever happens make sure that it is a clean use. Don't want more polluting factories. There is currently a shared driveway that needs to be reconciled particularly if it is a commercial use.

Dave Bradway (383 N) – Lives next to some of the commercial nearby and there is regularly a conflict with costumers parking in his driveway or blocking it. Things are getting very busy in the area, wants to keep it from getting too crowded.

Mike Barnett (415 N) – also opposed to the proposed rezone request. Keep the area residential. The property is too small for commercial development.

Emily Cramer – new to the area at 472 N Main which is the historic Victorian ... recently moved to Kaysville, her property is similar in size. How does the rezone process work? Would she be able to ask for a zone change at some point on her property? Make sure traffic is managed appropriately. Would be interested in historic preservation of homes in town, including her home.

Terry Maws – has a study been done on traffic impact along Crestwood road with all the work being done on Highway 89? Worried that there will be too much traffic with the changes from that road.

Tyler Fisher – Would like to see more specific plans before supporting the request. Keep it residential until more details are known.

Russell Johnson – 588 E 1475 S – Works in real estate development, indicated that there is a lot of change happening in the city. Everyone talks about affordable housing, but not many talk about affordable business space. Supports the rezone request as an opportunity to create a space for a business and further support the tax base of the city. Where it is on the border or edge of the residential neighborhood across the street from commercial property it seems reasonable to have a commercial zone on this lot. Thinks city's rules dealing with height and parking should mitigate the potential negative impacts of whatever may occur.

Gladys Moore – lives near new homes. Maybe Christian's business would be a good thing for this area, but once the zone is given it could be anyone who uses the site and may do something different that doesn't work for the neighborhood.

Richard Messerly – Great residential area with all the existing homes, the park, and amenities for residents. We need more housing right now. It is the oldest house in the area built in 1904. Doesn't support the request.

Christian Neilsen (applicant) – have lived in the area for a while and parents still live on 30 W Street. Is connected the area wants to make sure that this is a benefit to the area and doesn't create problems. Doesn't foresee something like a gas station or convenient store happening. Current business is office only, doesn't have customers. They make race medals, lapel pins, coins.

Discussion:

Commissioner Sommerkorn asked if the applicant was going to put in an office building on this property.

Mr. Neilsen responded that he may even use the home, but not sure, but is building another home somewhere else so wouldn't use this property as a home business as he won't live there. Has other properties more in the middle of other residential neighborhoods and of his properties this one seemed to fit the bill the most to be considered for commercial use.

Commissioner Nguyen asked if the applicant had relayed what his business is to the neighbors when they met.

The applicant responded that he wasn't able to spend much time detailing that with the neighbors so wanted them to know today that his business is a low key office.

Mr. Knowlton said that things change year to year, things are different now than when commercial was requested previously and the applicant doesn't want to commit to anything too specific because things may change in the years to come again. Believes that the road is meant to handle traffic. The applicant is trying to do things by the book and will get licensed and follow the city's rules and regulations in development to mitigate impacts.

Toby Barrus – Asked if a development agreement may be able to impose conditions on the property.

Commissioner Nguyen asked about why the original rezone was denied and how the rules work letting them ask again.

Commissioner Hunt stated that the options are still open in the future if a rezone isn't granted this time, but thinks perhaps a development agreement may be appropriate to make sure what happens isn't a surprise.

Bill Knowlton indicated that the applicant is willing to enter into a development agreement with the city and can address items such as no neon lights, etc.

Commissioner Sommerkorn indicated that we have been doing development agreements regularly and that it is a good way to go.

Commissioner Lyon wants to make sure that the development agreement runs with the property.

Commissioner Doxey generally likes to keep housing congruent with neighbors but with a development agreement it may be okay.

Commissioner Lyon the agreement could put a time limit as to when the commercial must be done, but whatever the case we need to look at a development agreement.

Commissioner Nguyen asked if a home business was an option and it was clarified that must be owner occupied and would restrict employees. Expressed appreciation for the outreach done with neighbors and where there is willingness to do a development agreement.

Commissioner Sommerkorn asked that the commission consider tabling the item to have a more specific plan put together and then form a development agreement accordingly.

Commissioner Lyon would not like to see this strung out too long so would encourage a decision either tonight or a meeting in the near future.
Commissioner Barrus thinks a development agreement can mitigate the impacts and make something work for the owner and neighbors.
Commissioner Doxey agreed with Commissioner Barrus.

Bill Knowlton with the applicant requested that this be tabled and that a development agreement be put together and be brought to the planning commission.

Motion: Table the item to be brought back with a development agreement

Motion to approve: Commissioner Sommerkorn

Motion to second: Commissioner Lyon

Vote on the motion: Vote is unanimous

PUBLIC HEARING FOR AN ORDINANCE ALLOWING FOR ACCESSORY DWELLING UNITS

Introduced by: Lyle Gibson. Mr. Gibson gave a brief introduction reminding the Commission that this has been discussed over multiple meetings and that the Commission asked to have a public hearing before providing further input and making a recommendation on the ordinance to the City Council.

Public Comment:

Jacque Jones interested in separate building as an ADU and asked for clarification as to whether or not they would be on separate utilities. Staff clarified that an ADU would share utility connections with the main house.

Discussion:

Commissioner Hunt asked if an ADU could be rented. Staff indicated that yes, it could.

Commissioner Barrus indicated that the ordinance looks like it is ready.

Commissioner Lyons asked if there was a license needed for renting units or if the city had a good landlord program.

Commissioner Doxey asked for clarification if someone could have an internal and external if family lived in the basement. Staff indicated that if a related family lived in the main home then it would be a single family situation and a detached ADU would still be allowed.

Commissioner Nguyen like how this ordinance addressed some housing affordability items. Wants to make sure that we aren't being too restrictive with the ordinance. Asked if we should be restricting short term use.

Commissioner Lyon said that if we do short term rentals we need to be ready to regulate those. And maybe that be allowed at some point after further review but only in certain places. As they will need to be licensed so the city can collect due taxes.

The commission held discussion about short term rentals and their potential impact on Kaysville.

Commissioner Hunt asked if we could consider short term rentals at a future date. Staff indicated that it could be changed later if desired.

Motion: Motion to recommend the ordinance as presented

Motion to approve: Commissioner Hunt

Motion to second: Commissioner Lyons asked for correction to spelling on sceptic tank. Commissioner Hunt okay with the comment and allowed amended motion.

Vote on the motion: Vote is unanimous

PRESENTATION AND REVIEW OF DRAFT WATER WISE LANDSCAPE ORDINANCE

Introduced by: Lyle Gibson. Mr. Gibson introduced the representative from the local water conservancy district to share what they are looking for in an updated ordinance from Kaysville City.

Presentation:

Jon Parry with Weber Basin Water Conservancy District explained the draft ordinance and the direction of water use and conservation. They have some turf removal incentives that they can offer but require that city's take certain steps first for residents to be eligible. Need to make sure that the ordinances cities have aren't in conflict with the districts programs, and they need to make sure that they aren't spending money promoting programs in a city where policies perpetuate landscaping that isn't efficient.

Discussion:

Lyons asked if different grasses could be used to allow more turf.

If a project is able to meet a water budget then a different lawn species may be permitted. The city could choose to go this route as part of or in addition to the total turf limitation.

The district is working with many municipalities to adopt these provisions. The cities have the authority and jurisdiction.

Restrictions are for new development and significant redevelopment. The district is pushing localscapes. But if the city is interested in zeroscape. Flip your strip program, residents can receive up to \$1.25 per foot of turf removed in a park strip. Resident must participate in a class, and commit to certain design details and document the change from turf to the localscape. Turf incentives may occur at a later date after prioritizing meters and park strips.

The next steps will be to visit on site at Weber Basin's demonstration garden on 8/20. Likely will have draft ready for a public hearing first meeting in September.

CALL TO THE PUBLIC

Nothing was brought forward

REPORTS, CORRESPONDANCE AND CALENDAR

Upcoming items:

Reminder of APA Utah Conference training opportunity.

Commissioner Sommerkorn asked about general plan timing, staff outlined that draft will be ready for review in September

ADJOURNMENT

Motion to adjourn by Commissioner Lyons. Meeting was adjourned at 9:29 pm.