

**KAYSVILLE CITY PLANNING COMMISSION
MEETING MINUTES**

March 10, 2022

Planning Commission Members in Attendance: Vice Chairman Lyon, Commissioners Page, Doxey, Sundloff, Barrus, Branch, and Allred

Staff Present: Melinda Greenwood, Mindi Edstrom

Public Attendees: See attached Planning Commission sign-in sheet

OPENING

The Planning Commission meeting was held on Thursday, March 10 2022 at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street. Vice Chairperson Steve Lyon opened the meeting by welcoming those present.

Melinda Greenwood: A resident brought to our attention that some names were missing from the list of attendees in the February 24, 2022 draft minutes. The resident brought in letter with the names of those who attended the meeting but were not listed as attending and asked that the minutes be corrected to include the names listed in her letter. A resident also provided staff with the accident report data mentioned in the public hearing portion of the meeting on the 24th. (see attached documents)

Commissioner Sundloff made a motion to amend the draft minutes to include the missing names and to approve the February 24, 2022 meeting minutes. Commissioner Branch seconded the motion and they were unanimously approved with a vote of 7-0.

Commissioner Lyon introduced the next item and reminded the public that the meeting was not a public hearing. He added he will allow public comments but asked if they spoke at the last meeting they not speak again and that they limit comments to 1.5 minutes. He reminded the public that if they spoke at the last meeting, their comments were on public record and they didn't need to readdress the Planning Commission.

Consideration of a development agreement and rezone of 478 South Main Street from R-1 Single Family to R-M Multiple Family Residential District (item continued from the February 10, 2022 public hearing)

Introduced by: Melinda Greenwood

Description: Ms. Greenwood shares that the presentation will be very similar to what was shared last time. She explained the process of a rezone and said we send out mailers and hold a

public hearing for the public to have dedicated time to come and speak on the record. She said that all information that has been gathered from the public will be given to the City Council.

She said the applicant is wanting to rezone from R-1-8 to R-M and the site has been used as a community garden. As currently zoned, three single family homes would be allowed. The applicant requested a rezone to a Multi Family, which would allow them to put up to eight units based on the size of the property.

Melinda Greenwood presented images of the property in discussion and showed within the local area several different zones exist.

Melinda Greenwood shared information from the 2019 General plan and how portions of the policy support the rezone. Because the R-M zone allows for townhomes, which are typically considered more affordable than single family residences due to construction methods and efficiency of land development, this project would diversify available housing products and provide options which are more affordable than single family homes.

Ms. Greenwood reviewed the differences between R-1-8 and R-M, including building height allowances, front setbacks, side setbacks, rear setbacks, and the corner setback. (See [attachments for chart](#))

She reviewed that public comment summarized from February 24th Public Hearing included concerns about traffic, parking, increased density, impact to neighborhood character, high tenant turnover, safety and said a petition opposing the rezone with over 200 signatures was submitted to the Commission.

Melinda Greenwood said she met with the applicant to discuss changing the rezone application to R-2 instead of R-M. However, the applicant wanted to stay the course with the R-M zone and a six-unit townhome project. She stated the developer was willing to enter into a development agreement which would limit the project to a six unit townhome product, provide a minimum of 12 parking spaces, add buffering features on the east and north side of the property and limit design to Craftsman or Farmhouse style.

She explained that staff discussed the R-2 zone said when considering traffic, having a singular point of ingress and egress was thought to be preferable to having three separate driveways. She said 475 South has some curvature and grade change which make having one entry further away from Main Street a better option. She said she confirmed with the City Engineer and UDOT that a traffic study on a project this small was not necessary.

Commissioner Allred asked staff for clarification on the parking stalls, wondering if the number the total stalls of included enclosed stalls and those in the driveway.

Melinda Greenwood stated the R-M and parking code does not specify if parking has to be enclosed or otherwise but said the applicant is wanting to have some type of garage if they can.

The applicant said they want to have as much parking as possible on the property.

Commissioner Lyon invited the applicants to approach the Planning Commission, and the applicants, Mark Lund and Kelly White, introduced themselves.

Commissioner Allred asked about total capacity of parking on the site, wondering if it would be just twelve stalls or if a resident could also park two cars in the driveway.

Mark Lund said they will provide a minimum of twelve stalls but that they want to put in as much parking as possible.

Melinda Greenwood informed the commission they were having technical difficulties at the moment and the live stream from YouTube was not working but they were trying to remedy the issues.

Commissioner Sundloff said his understanding of the intent of development agreement is to limit the project to six units. He cited concerns about wording in section 2.a.2 of the draft development agreement and suggested some wording modifications. Melinda Greenwood those changes could be made and the application agreed to the wording modification and confirmed intent to only construct six units.

Vice Chair Lyon reminds the public that tonight's meeting was not a public hearing but invited the public to speak, asking them to limit their comments to two minutes.

Ms. Nedra Saunders, who lives at 578 South 300 East began by stating concerns about Davis High School pedestrian traffic. She said she lives in a well-connected community with owners and not renters. She said the property has an underground stream flowing from the northeast to the southwest and also goes under Main Street. She said that during heavy rain there is flooding of basements of homes on 475 South and suggested more pavement could affect the neighbors and the project. She pleaded with the Commissioners to imagine having this project next door to their own house and said that a buffer of trees would take years to grow. She feels that an R-M Zone leaves too many unknowns and would prefer to have the Planning Commission recommend the property to be R-2 so that it is complimentary to the community.

Tim Stevens said he appreciates the concession of six units down from eight units as well as the architectural design. He said the design with garage doors on the front would give the project a warehouse kind of feel. He asked for permission to approach the rostrum to show a photograph of a townhome project where garages were located on the back of the project and it has the units closer to the street.

Brian Benyon, Lives at 574 South 250 East said he knows that the Planning Commission and the City Code and building requirements are there to protect the investment of the applicant, but they are also there to protect the investment of the community. He relayed concerns with the

extra width double car garages would add stating it would make the project look like a warehouse. He said there is a significant grade change on the site and he hopes that the developer would consider stepping the units rather than creating a large box that would be five times the size of the neighbor next door.

Applicant Kelly White said they don't have any issues with putting parking in the back and they are not necessarily stuck to the concept provided with their application.

Applicant Mark Lund reaffirmed that they are wanting to build something that looks great, stating he may even live in one of the units.

Al Starky, 573 South 350 East, said he would like to add comments to the record and submitted to the Commission a copy of accident data. (See attachments). He stated "The report only shows six accidents between 17 and 21 on 475 South, however there could be another seven points which would double accidents within a reason when an officer writes a report, he has to make some judgements on what is the location where the car comes from. He as an individual cannot get access to those reports, so his request is this, could somebody from the city ask for the reports and we could look at them and see if there are additional reports?" His also said the accident data is for five years, two of which are COVID years. "You will see with the chart that it's questionable whether you face a safety decision based on two questionable years." Mr. Starky drives up to intersection of Main Street and 475 South many times and the offset on the East may cause partially blind corners and needs to be considered with ability to not encumber vision for drivers as they come out. He suggested a vision is limited sign be placed at the intersection.

Wen Fe Yu lives at 293 East 475 South, right next door to the property. He thanks Commissioner Allred for asking about the parking stalls and enclosed parking and said he is glad it is written into the development agreement. Fe said he has looked at the development agreement and the project is to be setback more than 30 feet back from curb which makes it so his driveway is aligned with the project. He suggests putting in a concrete wall along the fence on the west side of the property. He is also concerned about the concrete and asphalt from the project making storm water funnel down and flooding his property and doesn't see anything about this concern in the development agreement. He is also concerned that with 80-90 residents using the narrow entries every day, a 30 feet high building will block traffic view, and the on-street parking will worsen. Wen Fe Yu also shared that one of the major reasons they are against the R-M zone is they fear that the developers would not be able to finish the project and the next developer would not be under the same development agreement. He stated he and his neighbors are strongly against the rezone to R-M.

Spenser Neel, 388 South Main said he lives in a duplex north of the rezone property, living in one half and renting out the other half and said there is a way to meet in the middle. He feels a duplex would fit better with the neighborhood and asks the Planning Commissioners to be mindful about what is actually being built.

Melinda Greenwood referred to the slide from the presentation about what the development agreement defines and said the agreement does not specify if parking spaces are to be within a garage or not.

a- Limited to 6 units

b- Townhome product

c- 12 parking spaces minimum (10 required)

d- Buffering to residential on east and north sides with trees and fencing

c- Architectural design limited to Craftsman or Farmhouse

Commissioner Lyon closed comments to the public.

Commissioner Sundloff asks staff what are the setbacks shown on exhibit B from the front of those units and asked how close those could come to the sidewalk with no driveways on the front and have driveways or the garages in the rear.

Melinda Greenwood responds to Commissioner Sundloff's question sharing the presentation slide which compares setbacks between R-1-8 and R-M zones. R-M setbacks are 20 feet each side abutting a street so the front setback would have to be 20 feet on Main Street and 25 feet on the side of 475 South. They would also have to meet 15 foot rear setback from the north side of the property. She said she was not sure if the developer would be able to make rear parking work for this project.

Commissioner Sundloff stated having the rear parking would be really difficult and thinks the only way it would possible is if rezoned it to R-M with a PRUD overlay which would give the project more flexibility. Does the applicant even want to consider doing the PRUD overlay?

Melinda Greenwood said they probably could do a PRUD overlay but that may create other concerns, such as trading traffic and pedestrian safety for aesthetics that may feel better to the neighborhood.

Commissioner Sundloff suggested the applicant work with safety and design concerns and maybe a PRUD overlay could be included in the agreement.

Commissioner Lyon asks staff about water concerns and if the City Engineer will look over this project for any concerns with storm water.

Melinda Greenwood stated a storm water review is part of the development process and that the project would have to meet any requirements of development ordinances. She said building permits would not be approved if storm water was not successfully dealt with.

Commissioner Allred said a PRUD is a valid suggestion but creates its own concerns. By moving the development closer to the street it would provide more safety because buildings that are closer to the street creates a calming effect and slows down traffic. He said he likes the idea of having rear parking, but said that may create trade-offs with recreation areas and the drainage

system. Commissioner Allred asked staff if the applicant would need to have additional approval for the PRUD overlay and would that push the project back for the applicant.

Commissioner Sundloff answers Commissioner Allred telling him it would be a rezone and that is a legislative action.

Melinda Greenwood said if adding the PRUD overlay was the recommendation from the Planning Commission then the City Council would consider the development agreement with the PRUD. She cautioned the applicant has not engineered the site enough to know if a rear-loading garages would create other problems. Melinda Greenwood agreed with Commissioner Sundloff that fitting rear garages would be tight, especially with the setbacks on the books and asked the applicants if they are amenable to the idea.

Commissioner Page commented to the Commission that all the homes are all setback 30 feet and by putting parking in the rear and moving the building closer to the street would make this project stick out from the others in the neighborhood. He wondered about putting a children's play area closer to the front by the street. He also said he feels that builders and the developer know best about how to design the project. He said he hates to see legislators building homes from the bench.

Commissioner Branch asked Melinda Greenwood about her conversations with the developer on the R-2 zoning and traffic. She responded that if the rezone were to go R-2, the applicant would need to start the rezone process all over including noticing, sending mailers, signs, and public hearings and the applicant did not want to delay the process. She also said the developer desired to utilize economies of scale that come into place when you share walls on building versus three separate buildings.

Applicant Mark Lund shared that the reason that they want to go with R-M to eliminate parking issues, saying if they changed R-2 or R-4 there would be multiple driveways and fitting adequate parking becomes an issue. He said parking is a big concern for the neighborhood, so the decision to do R-M was not just about costs but also about safety issues.

Commissioner Sundloff asked applicant to clarify his thoughts on parking differences between three structures and one structure. Mark Lund replied saying it would be challenging to fit parking if there were three separate structures. Consolidating to one building makes it so that parking and traffic will be easier.

Commissioner Lyons asked the Commission to make a motion.

Motion: Commissioner Barrus made a motion to recommend approval of the development agreement as presented.

Second: Commissioner Doxey

Vote: Vote is unanimous 7-0

Melinda Greenwood thanked the public in attendance and said the City Council, who is the deciding body on the application will hear the matter on April 14th.

Call to the Public:

Christian Nelson addressed the Commission and said he thinks it makes sense to rezone all properties along major streets to R-M.

Mark Jensen liked Commissioner Sundloff's recommendation to shore up the development agreement and stated concerns that the motion was approved without even caveating the changes feels like a misstep.

Melinda Greenwood stated was going to make the changes mentioned by Commissioner Sundloff and because it wasn't a substantive matter to the agreement there isn't a need to have that change in the motion.

Other matters that properly come before the Planning Commission

- a.** Reports
- b.** Correspondence
- c.** Calendar

Ms. Greenwood thanked the Commissioners that came to the training on February 24th. She mentioned she will be attending the APA Conference in Kanab March 23-25 and will be joining the Planning Commission on the 24th via Zoom.

She mentioned that the City Council will hold a meeting April 14th, which is technically a Planning Commission meeting night, so that meeting would be cancelled. The next meeting dates would be March 24th and then April 28th.

Adjournment

Motion to adjourn by Commissioner Sundloff.
Meeting was adjourned at 8:15 pm.