KAYSVILLE CITY PLANNING COMMISSION
MEETING MINUTES

August 8, 2019

Planning Commission Members Attended: Chairperson Wilf Sommerkorn, Vice Chairperson Joshua Sundloff, Tamara Tran, Quan Nguyen, Toby Barrus

Absent: Matthew Anderson, Steve Lyon,

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

Others Present: City Councilman Larry Page, David Harris, Marge Harris, Tristan Halls, Michael Halls, Brian Frandsen, George H. Sheffield, Bert Warren, Shelly Warren, Ann Pritt, Tom Pritt, Phil Holland, Brent Burningham, Diana Hill, Dave Hill, Steve Einfeldt, Gary Hoffman, Brian Altom, Dyan Vallace, Kathy Johnson, David Johnson, Sidney Stevenson, Ramona Porter, Carole Walker, Chris Snell, Becky Burton.

OPENING

The Planning Commission meeting was held on Thursday, August 8, 2019 at 7:00 p.m. in the Municipal Center. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present.

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

PUBLIC HEARING FOR THE REZONE OF .38 ACRES OF COMBINED PROPERTY AT 520 AND 540 E. 200 N. FROM THE R-D (DIVERSE RESIDENTIAL) TO THE R-M (MULTI FAMILY RESIDENTIAL) ZONING DISTRICT TO INCLUDE THE PRUD OVERLAY ZONE FOR BRENT BURNINGHAM.

Lyle Gibson explained that the subject property is currently developed. Each address includes an existing duplex along 200 North Street. The existing buildings were constructed in the early 1960's and the applicant/property owner is interested in options for redevelopment of the property.

The existing zoning district allows single family dwellings as a permitted use or multiple dwellings by conditional use if they are pre-existing, meaning in staff's opinion that the same number of existing units could be replaced without the need for a rezone.

The applicant is requesting the R-M zoning district to allow for the possibility of additional units and the PRUD overlay zone to allow for more flexibility in their configuration and the ability to plat each unit separately.

The property is surrounded by the R-D zoning district to the west, south, and east with R-1-8 zoning to the north.

As a rezone request, this is a legislative decision and the Planning Commission will be seeking to make a recommendation to the City Council where the final decision will be made.

Chairperson Wilf Sommerkorn invited the applicant to the stand. The applicant Brent Burningham explained that he would like to tear down the deteriorating twin homes and build new townhouses.

Quan Nguyen asked Mr. Burningham what the price per townhouse might be. Mr. Burningham said that he would like to build cheaper townhouses with single garages priced in the mid $200,000 range.

Tamra Tran asked how many units Mr. Burningham wanted to build. He responded eight. Lyle Gibson informed the Planning Commission that based on the properties square footage the property most likely could only accommodate six units.

Chairperson Wilf Sommerkorn opened the public hearing and began by stating that the Planning Commission had received letters from neighbors concerned about the development.

Burt Warren approached the stand. He is concerned that the developer might add dirt to heighten the property and cause more water runoff onto his property. He is currently having issues with water runoff and would like something to be done about it. He is also concerned about the water pressure and feels that it is really low. Adding more users would further reduce his water pressure.

Shelly Warren delivered a letter to the Planning Commission from a concerned neighbor which they individually read.

Brian Frandsen said that there are way too many duplexes in this area. There are currently five duplexes in a one block radius making a total of 12 units. He feels that this development should be moved to another part of the city since they already have too many.

Dave Hill asked what the new zoning would do that the current zoning does not. Lyle Gibson said that as far as uses it is similar. The primary distinction would be density; how many dwelling can exist on the property.

Chairperson Wilf Sommerkorn closed the public hearing. He offered the applicant a chance to provide a rebuttal to the comments made, however the applicant declined.

Chairperson Wilf Sommerkorn made the comment, this is the evolution for older properties in Kaysville City. They will be redeveloped. They, as Planning Commission members need to ask themselves if what they have here is appropriate for the location.

Vice Chairperson Josh Sundloff said, in looking at the rezone this works with the general plan for Kaysville City. It is along a major street and revamps outdated properties.
Tamara Tran said she felt that eight units was too many for the area. Lyle Gibson, stated that based on his numbers he felt they could only build six units. Tamara Tran also wanted a fence added to the exterior of the property.

Tamara Tran made a motion to recommend approval to the City Council the rezone of .38 acres of combined property at 520 and 540 E. 200 N. from a R-D (Diverse Residential) to the RM (Multi Family Residential) zoning district to include the PRUD overlay zone for Brent Burningham with the following conditions:

- No more than six units shall be built.
- Limit the height to a two story building.
- Address the drainage issues.
- Put a fence around the exterior of the property.

Quan Nguyen seconded the motion and it passed unanimously.

PUBLIC HEARING FOR THE REZONE OF 25.34 ACRES OF PROPERTY AT 700 S. DESERET DRIVE FROM GC (GENERAL COMMERICAL) TO LI (LIGHT INDUSTRIAL) AND R-2 (ONE TO TWO FAMILY RESIDENITAL) ZONING DISTRICT TO INCLUDE THE PRUD OVERLAY FOR PHIL HOLLAND.

Lyle Gibson said the applicant is proposing a rezone of the property that sits just south of Boondocks between Deseret Drive and the Freeway for the purpose of potential development. A development agreement has been provided as part of the rezone application for consideration of the City which shows the desired use of the property where half of the area would be developed under the R-2 PRUD zone for single family residential use at 5.5 units per acre and the other half of the property would be developed under the LI zone with architectural standards to match the existing GC zoning district. Development in the LI zone per the proposal would include office, flex space, and storage units to replace existing units elsewhere in the city.

The proposed residential includes its largest lots up against the existing residential subdivision to the south. It would be considered a common open space subdivision and requests a 20 foot front yard and 5 foot side yard consideration as opposed to a typical 25 foot front yard and 8 foot side yard.

As a rezone the Planning Commission is tasked with making a recommendation to the city council based on its findings of how well the proposal works at the specific location and how well it conforms to the city's general plan.

Chairperson Wilf Sommerkorn invited the applicant Phil Holland to the stand. Tamara Tran asked Mr. Holland which part of the development they plan on developing first. Mr. Holland said the commercial office buildings would be built first. He already has demand for half of the commercial spaces.

Josh Sundloff asked if there is such a high demand for this commercial office space here then why not add more commercial space. Mr. Holland said that if you build too much commercial then it becomes oversaturated and too risky. He feels that this development has the right balance.

Josh Sundloff asked why they need to add storage units to the development. Mr. Holland said that the owner of the storage units near 200 North would like to build storage units in this development and redevelop his current property.

Chairperson Wilf Sommerkorn opened the public hearing.

Brian Altom approached the stand. He said he loves the residential idea of the development, however both times this plan was brought forward to the City Council it was denied. He doesn't feel that there is much of a change with this new plan. He doesn't like the idea of storage units in the development.

Chairperson Wilf Sommerkorn said they recieved some emails regarding this development and everyone on the Planning Commission has reviewed them.

Chairperson Wilf Sommerkorn closed the public hearing.

Tamara Tran said she is willing to approve the development if they include the storage unit property trade off. Josh Sundloff also agreed that this property exchange would be good for Kaysville City.

Josh Sundloff made a motion to recommend approval to City Council the rezone of 25.34 acres of property at 700 S. Deseret Drive from GC (General Commercial) to LI (Light Industrial) and R-2 (One to Two Family Residential) zoning district to include the PRUD overlay zone for Phil Holland with the following conditions:

- The storage unit property be exchanged.

Tamara Tran seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR THE COTTAGES AT HARVEY ESTATE AT 1955 W. 200 N. FOR CAPITAL REEF MANAGEMENT/BRAD FROST.

Lyle Gibson reminded the Planning Commission that the city council recently voted to approve a rezone and development agreement at the subject property to accommodate the proposed development.

The project presented at the time of rezone included 22 lots on the 5 ½ acres of property with open spaces along 200 North and another at the west end of the cul-de-sac street for use as detention of storm water. The overall layout and number of lots has remained consistent with what was approved. The size of the lots have adjusted some in order to comply with the common open space provisions of the PRUD ordinance.

The lots range in size from 6,708 sq. ft. to 19,191 sq. ft. in size. The development will continue 1700 West Street through to 200 North Street. Per the development agreement the developer will be providing an island median at the entrance the subdivision along 200 North Street as well as improvements at Angel Street and 75 S. that are off the subdivision plat.

The proposed preliminary plan has been reviewed by multiple agencies including utility providers and public safety. There are a few utilities where different options are still being considered for final engineering design, but each reviewer believes that the general layout and number of lots can be served.

Staff recommends the Planning Commission forward a positive recommendation to the City Council for the approval of the preliminary plat for the Cottages at Harvey Estates with the following conditions to be addressed at final plat.

- As part of the final review, detail of both traffic medians be provided for the applicable locations outlined in the development agreement for the subject property.

Chairperson Wilf Sommerkon opened the public hearing.

Dave Johnson wanted to make sure that the irrigation water running through the property will be preserved and passed downline so that he and others can use it. He would also like something other than vinyl fencing put around the development because he is concerned with vinyl fence vandalism and the possibility of his horses getting loose.

Michael Halls wondered what will happen to the irrigation ditch and trees in that area. He said that the ditch irrigates his property and he would like to keep access to that. He wasn't sure looking at the plat map if that ditch was going to stay or not. He would also like to see the landscaping plan before it get developed. He sees nothing in the plan regarding landscaping and how they plan on dealing with the retention basin at the end of the property. He is also concerned about the water pressure with the development's elevations. He wants to make sure that this development does not create more issues.

Steve Einfeldt is also concerned with the irrigation water.

Kathy Johnson wanted to see if the trees along the purposed sewer line could stay. The trees serve as a buffer for her horse arena and she doesn't want them to be torn down.

Chairperson Wilf Sommerkorn closed the public hearing.

Chairperson Wilf Sommerkorn asked Lyle Gibson why the sewer district can't change the plans to keep the trees. Lyle Gibson said the Planning Commission can encourage the sewer district to run their line another way, but they can't demand the change.

Josh Sundloff asked why there were no medians shown on the plat map if the development agreement requires them. Chairperson Wilf Sommerkorn agreed with Josh Sundloff and said that

if they are supposed to be incorporated within the development then they should appear on the plat map.

Becky Burton approached the stand and said that she would not like a median to put on Angel and 75 S. because they won't be able to fit their horse trailer through the road to their barn.

Lyle Gibson said that according to the development agreement with the rezone, City Council requested a median be placed on that road. Several of the neighbors were concerned with cut through traffic and wanted the medians constructed.

Chairperson Wilf Sommerkorn said this might be something that the City Council should revisit.

Tamara Tran made a motion to recommend approval to City Council the preliminary plat approval for the Cottages at Harvey Estates at 1955 W. 200 N. for Capital Reef Management/ Brad Frost with the recommendation that City Council review the following items they addressed:

- The medians need to be added to the plat map.
- Consider the removal of the median located at Angel and 75 S.
- Review alternative sewer routes to save the trees that serve as a buffer to the horse arena.

Toby Barrus seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR WESTGATE SUBDIVISION PHASE 1 AT 2301 W. SCHICK LANE FOR PERRY DEVELOPMENT.

The applicant has been working on the engineering details for the initial phase of the Westgate Subdivision. The phasing is consistent with the original phasing plan presented to the city with the preliminary plat for the property. It consists of 28 total lots. 16 of which are in the R-1-LD zoning district and another 12 in the R-1-8 zoning district.

Phase one will connect to Bonneville lane and 200 North Street (Schick Lane). Lots range from 8,077 sq. ft. in size to 23,810 sq. ft. in size. The developer will be improving an extension of Bonneville Lane, Leach Lane, and Westgate Lane together with all the required utility improvements to serve the subdivision.

Staff recommends that the Planning Commission approve the final plat for Westgate Subdivision Phase 1.

Josh Sundloff made a motion to approve the final plat for Westgate Subdivision Phase 1 at 2301 W. Schick Lane for Perry Development. Tamara Tran seconded the motion and it passed unanimously.

REVIEW PLANNING COMMISSION BYLAWS.

Lyle Gibson told the Planning Commission that the existing Bylaws for the Kaysville City Planning Commission were last amended in 2013. Chairperson Wilf Sommerkorn has proposed a

revamp of the bylaws for the commission is being proposed for consideration in order to more clearly define how the Planning Commission functions.

The Planning Commission decided to wait to discuss and adopt the new bylaws until all members of the Planning Commission could be in attendance.

CALL TO THE PUBLIC
Nothing was brought forth.

CALENDAR
Kaysville City Housing Options Open House will be held August 14, 2019 from 6:00 to 8:00pm at City Hall.

The next regularly scheduled Planning Commission meeting will be held on Thursday, August 22, 2019 at 7:00 p.m.

ADJOURNMENT
Chairperson Wilf Sommerkorn made a motion to adjourn the meeting. Quan Nguyen seconded the motion and it passed unanimously. The meeting adjourned at 9:50 p.m.