

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

August 22, 2019

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

Absent: Tamara Tran

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

Others Present: City Councilman Larry Page, Jim Wypijewski, Jerry Hintz, Bryan Bell, Ashely Alberto, Albert Alberts, Leslie Hoxsie, Lori Johnson, Mckay Johnson, Steve Johnson, Astrid Kramer, Frank Kramer, Craig Christianson, Brittany Christianson, Bruce McCraw, Gayle McCraw, Patti Moses, Bob Moses, Mike Marcum, Darrin Johnston, Wayne Clark, Richard Rosier, Kib Jacobson, Russel Johnson, Keisa Jacobson, Jocine Thompson, Jeremy Bouroue, Dan Staley, Kim Covio, Vicki Covio, Katie Snow, Kelli Mathias, Jay Michael Braithwaite, Kenny Harrop, Erin Chesley, Andrew Sherlock, Flint Barber, Travis Pugmire, Robin Johnson, Scott Johnson, Elise Lechtenberg, Michael Halls

OPENING

The Planning Commission meeting was held on Thursday, August 22, 2019 at 7:00 p.m. in the Municipal Center. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present.

The minutes of the August 8, 2019 meeting were presented for approval. Quan Nguyen made a motion to approve the minutes. Steve Lyon seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B,” SMALL ENGINE REPAIR AT 2088 S. 450 E.—DARRIN JOHNSTON.

Dan Jessop explained that the applicant is requesting a conditional use permit for a Major Home Occupation “B” at the above listed address. Mr. Darrin Johnston is currently anticipating doing small engine repairs in his newly constructed garage. Mr. Johnston intends to have the items for repair delivered by the owner, or he will pick up with small 6x8 trailer and personal pickup truck. Mr. Johnston will store machines for repair and all parts inside garage.

Matthew Anderson made a motion to grant a conditional use permit for a major home occupation “B,” small engine repair at 2088 S. 450 E. for Darrin Johnston. Quan Nguyen seconded the motion and it passed unanimously.

PUBLIC HEARING FOR THE REZONE OF 1.27 ACRES OF PROPERTY AT 831 EAST 250 SOUTH FROM THE R-1-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT TO THE R-2 (SINGLE AND TWO FAMILY RESIDENTIAL) ZONING DISTRICT FOR FLINT BARBER REPRESENTATIVE FOR JACK AND ELAINE

PALMER.

Lyle Gibson explained that the property owner at the above listed address is requesting a zone change to the property in order to accommodate a potential residential lot split for three building lots, and future construction of Duplex, or Twin Home dwelling units. There are existing Duplex and Twin Home dwellings to the east in the R-1-8 subdivision, and R-1-8 zone will not allow more than three two-family dwellings within a five hundred foot radius.

The requested R-2 zoning district allows for residential development of one and two family dwellings in a standard subdivision.

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.

Matthew Anderson asked if the rezone was conditional upon the road continuing through the property. Lyle Gibson said yes that the road would need to continue through.

Chairperson Wilf Sommerkorn invited Flint Barber to the stand. Mr. Barber said that they plan on building three twin homes. Something that the regular people in Kaysville City can afford. They would sell these units with individual lots.

Chairperson Wilf Sommerkorn opened the public hearing.

Bruce McGraw stated that he did not have a problem with the development but with the new road to be built. He said that the road would become a speedway. The land also slopes down around 8 feet and therefore he would like a speedbump put in.

Albert Alberts wanted to notify the Planning Commission that a sewer line cuts through the property that does not show up on the plat maps.

Richard Rosier would like to see the area be developed into single family homes instead of town homes to keep the feel of the neighborhood.

Don Staley seconded his concern about the road and drivers speeding on it. He would like something planned to prevent speeding. He is glad that these homes will be sold instead of rented and therefore supports the development.

Kip Jacobson thinks that the property should be sold as one lot for a larger home. He is worried that twin homes will ruin his property values.

Wayne Clark also brought up the speeding issue. He doesn't want to see the area so densely populated with twin homes.

Chairperson Wilf Sommerkorn closed the public hearing and invited Mr. Barber to the stand to address issues that were brought up in the public hearing.

Mr. Barber said that he did not have an issue installing speed bumps on the road. He will do

whatever it takes to slow drivers down.

Toby Barrus asked Lyle Gibson if there are any other ideas for slowing drivers down. Lyle Gibson responded that he is more in favor of medians, narrowing streets, adding more signs and providing more officer patrolling. Wilf Sommerkorn said that cities don't like to use speedbumps because they are hard on snowplows.

Joshua Sundloff reminded the Planning Commission that Kaysville City needs to add more affordable housing. He feels that this is a good development to approve. These units will be affordable and fit well in the neighborhood.

Josh Sundloff made a motion to recommend approval to City Council the rezone of 1.27 acres of property at 831 East 250 South from the R-1-8 (Single Family Residential) zoning district to the R-2 (Single and Two Family Residential) zoning district for Flint Barber representative for Jack and Elaine Palmer with the following considerations:

- The road and sidewalk must continue through the property.
- Traffic calming measures need to be put into place. Perhaps using a bulb out.

Toby Barrus seconded the motion and it passed unanimously.

PUBLIC HEARING FOR THE REZONE OF .44 ACRES OF PROPERTY AT 946 EAST 300 NORTH FROM THE R-1-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT TO THE R-2 (SINGLE AND TWO FAMILY RESIDENTIAL) ZONING DISTRICT FOR KOUROS HARONI.

Lyle Gibson said the property owner at the listed address is requesting a zone change to the property in order to accommodate a potential residential lot split and future construction of a Duplex dwelling facing 200 North. Residents to the west have a similar lot split with a single family dwelling newly constructed.

The requested R-2 zoning district allows for residential development of one and two family dwellings in a standard subdivision.

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.

Chairperson Wilf Sommerkorn asked Lyle Gibson if the lot had enough room for this type of development. Lyle Gibson said the only way for this development to work is to have the property rezoned. Without a survey the ability to split the lot is not clear, but there appears to be enough space.

Chairperson Wilf Sommerkorn invited the applicant to the stand. The applicant was not in attendance.

Chairperson Wilf Sommerkorn remarked that they had received many emails regarding this development and will enter them into the official record.

Chairperson Wilf Sommerkorn opened the public hearing.

Bryan Bell is concerned with the rezoning because he heard that both properties would be turned into duplexes. He said that if the applicant wanted to do that, then they would be out of compliance with the Kaysville City code that no more than three duplexes can exist within 500 feet of each other. He is also concerned about his property values being affected with the development.

Robert Moses said he feels this rental property is already violating the Kaysville City ordinance due to the fact that Mr. Haroni rents to more than five unrelated people in this dwelling. He said 200 N. is already busy and will just get worse with the new highway 89 development.

Patty Moses said that the current property owner has not kept up on the property.

Jim Wypijewski asked the Planning Commission if this new development would be houses that would be for sale or rented. Lyle Gibson said that they could go either way. Mr. Wypijewski asked where parking would be for all the units purposed since you can't park on 200 N.

Erin Chesler said the owner doesn't take care of the property he has now. Adding more people to that location would make it a mess.

Mike Marcum stated that the homeowner doesn't care about the home. He just wants more money. He also wanted it noted that the applicant didn't even show up for the hearing tonight, however the entire neighborhood did.

Brittany Christensen is worried about the safety of the children. Where will children play if there is not an adequate yard? This development can't provide yard space. She too feels that the applicant just wants to make more money with rentals.

Craig Christensen agrees with what has been previously said. He too is concerned about parking.

Leslie Hosxie said that they already have too many twin homes in the area. She feels that there is not enough land to make this development work.

Dr. Steve Johnson said that he built his home in a single family dwelling neighborhood and he wants it to stay that way. He also owns two other lots in the neighborhood for his children to live on. He does not want the neighborhood to change.

Mckay Johnson also felt the area was too cramped. He wants to keep the area open.

Travis Pugmire said that the home owner has never lived there since he purchased the home. He has not taken care of the home or the land. Mr. Haroni has been approached several times from people wanting to purchase the home and he refused to sale it.

Jeremy Bourque understands that there is a housing shortage in Utah but this is not the area to add a duplex. He has lived all over the world and just moved to Kaysville City and loves the

area. He supports the notion that Mr. Haroni wants to build these duplexes for nothing more than a cash grab. He wants a rejection of this rezone.

Katie Snow, Scott Johnson, Ashton and Frank Cramer all agreed with previous comments that the lot is too small for this type of development.

Janet Hency said that their main job is to provide safety for the children and therefore she would like a rejection of this rezone.

Chairperson Wilf Sommerkorn closed the public hearing.

Matthew Anderson said that staff should look into the situation about neighbors saying more than one unrelated family is living there.

Chairperson Wilf Sommerkon said that this development does not fit the neighborhood. He also said that there is a chance that 200 N could expand and therefore he does not want to add more houses onto it.

Matthew Anderson made a motion to deny to City Council the rezone of .44 acres of property at 946 East 300 North from the R-1-8 (Single Family Residential) zoning district to the R-2 (Single and Two Family Residential) zoning district for Kouros Haroni. Quan Nguyen seconded the motion.

Vote:

Matthew Anderson: Aye
Quan Nguyen: Aye
Chairperson Wilf Sommerkorn: Aye
Vice Chairperson Josh Sundloff: Nay
Tobby Barrus: Aye
Steve Lyon: Aye

Motion passes 5 to 1.

**FINAL PLAT APPROVAL FOR DAVID'S PLACE SUBDIVISION-FIRST AMENDED
AT 370 SOUTH ANGEL ST FOR CATHERINE WEBSTER.**

Lyle Gibson explained that this property was recently rezoned to the R-1-20 zoning district in order to accommodate a lot split. A preliminary plat was approved at that time. The property consists of 0.96 acres or 42,954 sq. ft.

The proposed final plat is consistent with the preliminary plat that was approved with the rezone of the property. It contains one lot with the existing home fronting angel Street which meets the lot size and frontage requirements for the zone. Lot 102 which will be the new home lot is 20,031 sq. ft. in size with 140 feet of frontage meeting and exceeding the lot size and frontage requirements for the zone.

The property is already fully improved with street, curb, gutter and sidewalk. Staff has reviewed the final plat and recommends that the Planning Commission approve the final plat as proposed.

Matthew Anderson made a motion to approve the final plat for David's Place Subdivision-First Amended at 370 South Angel St. for Catherine Webster. Josh Sundloff seconded the motion and it passed unanimously.

REVIEW PLANNING COMMISSION BYLAWS.

The Planning Commission discussed proposed bylaws and asked staff to look into adding a provision addressing electronic communication. They also asked that the Kaysville City Attorney address findings of fact and conclusion of law in the decision making process.

They would like to add the items to the bylaws and come back for an official vote.

CALL TO THE PUBLIC

Ryan Bell wanted to know if the developer or city would be responsible for traffic calming improvements. Lyle Gibson stated that the city would pay for improvements if the developer is not required to do so.

Michael Hall wanted to know what will happen with the historic home that is on the property Ovation Homes just purchased. He would like to see the home saved. Lyle Gibson said he has not seen the final application from Ovation homes or what their plans are for the home.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, September 12, 2019.

ADJOURNMENT

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