



**KAYSVILLE CITY PLANNING COMMISSION  
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, May 26, 2022, at 7:00 pm in the Council Chambers of the Kaysville City Municipal Building located at 23 East Center Street. The public is encouraged to attend in person or may view the meeting online via [www.Kaysvillelive.com](http://www.Kaysvillelive.com).

1. Opening and approval of the minutes from the May 12, 2022 meeting
2. Conditional Use Permit for Kurt Fashimpaur for Cinnamon Creek Construction LLC at 849 East Westbrook Road for a Major Home Occupation B
3. Conditional Use Permit for Ivory Homes for a model home and sales office at 1407 East Orchard Ridge Lane
4. Conditional Use Permit for Pamela Hunsaker for Hunsaker Swimming for an Instructional Home Occupation located at 908 South Francis Circle
5. Conditional Use Permit for Pamela Hunsaker for Hunsaker Swimming for an Instructional Home Occupation located at 942 South Francis Circle
6. Conditional Use Permit for Pamela Hunsaker for Hunsaker Swimming for an Instructional Home Occupation located at 780 South 1350 West
7. Conditional Use Permit for Pamela Hunsaker for Hunsaker Swimming for an Instructional Home Occupation located at 1020 West Smith Lane
8. Call to the Public
9. Other matters that properly come before the Planning Commission:
  - a. Reports
  - b. Correspondence
  - c. Calendar
10. Adjournment

On or before Friday, May 20, 2022, Notice of Meeting was posted in accordance with Utah State Code Section 52-4-202 (3).

Melinda Greenwood  
Community Development Director

## PLANNING COMMISSION STAFF REPORT

**To:** Kaysville City Planning Commission

**From:** Mindi Edstrom

**Date:** May 26, 2022

**Agenda Item 2:** Conditional Use Permit for Kurt Fashimpaur for Cinnamon Creek Construction LLC at 849 East Westbrook Road for a Major Home Occupation B

|                                   |                                               |
|-----------------------------------|-----------------------------------------------|
| <b>Meeting Date</b>               | May 26, 2022                                  |
| <b>Application Type</b>           | Conditional Use Permit                        |
| <b>Applicant   Owner</b>          | Cinnamon Creek Construction   Kurt Fashimpaur |
| <b>Address   Parcel ID Number</b> | 849 East Westbrook Road   110440326           |
| <b>Lot Size</b>                   | 0.20 acres   8,712 ft <sup>2</sup>            |
| <b>Current Use</b>                | Single Family Dwelling                        |
| <b>Conditional Use</b>            | Major B Home Occupation Business              |

### 1. BACKGROUND

Kurt Fashimpaur is the owner of Cinnamon Creek Construction. Mr. Fashimpaur is wanting to do a Major B Home Occupation at 849 East Westbrook Road. Mr. Fashimpaur is a General Contractor doing State and Federal work. His home would only be used as a home office and no equipment or supplies would be stored at the home.



The home of Mr. Fashimpaur is in an R-1-8 zone.

- 

The stated purpose of the R-1-8 zone is: To provide for areas in appropriate locations where quiet, low-density residential neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, most of whom will have children.

A sign was placed on the property on May 20, 2022.

Staff is recommending approval of Conditional Use Permit for the Major B Home Occupation at 849 East Westbrook Road for Mr. Fashimpaur.

## PLANNING COMMISSION STAFF REPORT

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**To:** Kaysville City Planning Commission

**From:** Mindi Edstrom

**Date:** May 26, 2022

**Agenda Item 3:** Conditional Use Permit for Ivory Homes for a model home and sales office at 1407 East Orchard Ridge Lane

|                                   |                                                |
|-----------------------------------|------------------------------------------------|
| <b>Meeting Date</b>               | May 26, 2022                                   |
| <b>Application Type</b>           | Conditional Use Permit                         |
| <b>Applicant   Owner</b>          | Ivory Homes   Kurt Jake Balle                  |
| <b>Address   Parcel ID Number</b> | 1407 East Orchard Ridge   Lot #205   150970205 |
| <b>Lot Size</b>                   | 0.173   7,535 ft <sup>2</sup>                  |
| <b>Current Use</b>                | <b>Single Family Residential</b>               |
| <b>Conditional Use</b>            | <b>Sales Trailer</b>                           |

### 1. BACKGROUND

Jake Balle from Ivory Homes is the applicant for the Conditional Use Permit for a Sales Trailer. The sales trailer is located at 1407 East Orchard Ridge, Lot 205.





## 2. SALES TRAILER DIMENSIONS:

### Dimensions

- 48' Long (including hitch)
- 44' Box size
- 12' Wide
- 8' Ceiling height

### Exterior Finish

- T1-11 Aluminum or wood siding
- I-Beam frame
- Standard drip rail gutters

### Interior Finish

- Vinyl covered gypsum walls
- Commercial carpeting throughout
- Gypsum or T-grid suspended ceiling

## 48' x 12' SALES OFFICE



### Heating/Cooling

- Central HVAC and duct heating

### Windows/Doors

- Large glass windows
- French door

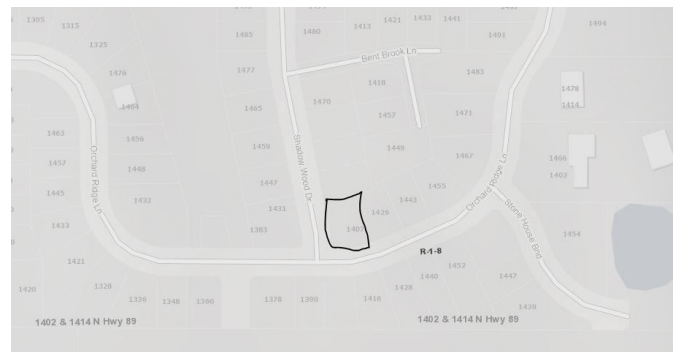
### Other

- Large display/reception area
- Private office(s)
- Handicapped accessible restroom
- Coffee bar

## 3. SURROUNDING LAND USE AND ZONING:

The Orchard Ridge Development is an R-1-8 zone.

- **Adjacent** – R-1-8
- **North** – R-1-8
- **South** – R-1-8
- **East** – R-1-8
- **West** – R-1-8



## 4. ZONING

The stated purpose of the R-1-8 zone is: To provide for areas in appropriate locations where quiet, low-density residential neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, most of whom will have children.

## 5. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on May 20, 2022.

## 6. RECOMMENDATION

Staff is recommending approval of Conditional Use Permit for the Ivory Home Sales Trailer located at 1407 East Orchard Ridge, Lot #205.

## PLANNING COMMISSION STAFF REPORT

**To:** Kaysville City Planning Commission

**From:** Mindi Edstrom

**Date:** May 26, 2022

**Agenda Item 4:** Conditional Use Permit for Pamela Hunsaker for Hunsaker Swimming for an Instructional Home Occupation located at 908 South Francis Circle

|                                   |                                          |
|-----------------------------------|------------------------------------------|
| <b>Meeting Date</b>               | May 26, 2022                             |
| <b>Application Type</b>           | Conditional Use Permit                   |
| <b>Applicant   Owner</b>          | Hunsaker Swimming   Pam Hunsaker         |
| <b>Address   Parcel ID Number</b> | 908 South Francis Circle   081930027     |
| <b>Lot Size</b>                   | 0.921 acres   40, 118.76 ft <sup>2</sup> |
| <b>Current Use</b>                | Single Family Dwelling                   |
| <b>Conditional Use</b>            | Instructional Home Occupation Business   |

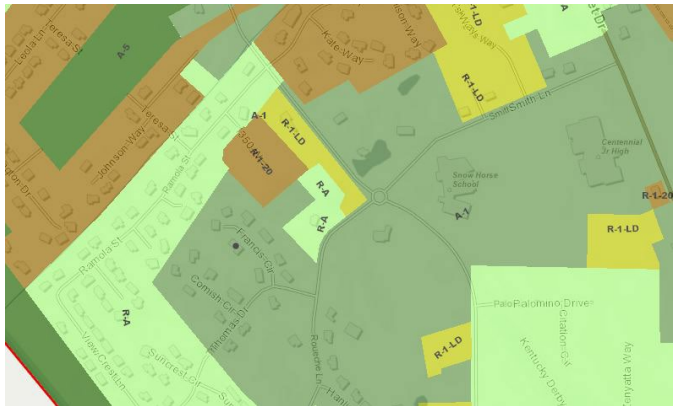
- 1. BACKGROUND-** Pamela Hunsaker is the owner of Hunsaker Swimming and has been instructing swimming lessons since 2017 in Kaysville. Ms. Hunsaker is wanting to do an Instructional Home Occupation at the 908 South Francis location. Ms. Hunsaker will be using the swimming pool of the resident Brent Webster who lives at the 908 South Francis location. Mr. Webster has signed a consent form allowing Hunsaker Swimming to use his swimming pool Monday-Friday. There will be approximately nine, twenty minute sessions with four instructors for up to 36 students a day. Parking for this location will be along the street with minor impact on the traffic and swimming staff will park along Francis Circle and Thomas Drive.



## 2. SURROUNDING LAND USE AND ZONING:

The home of Mr. Brent Webster is in an A-1 zone.

- **Adjacent** – A-1
- **North** – R-1-20, R-A
- **South** – A-1
- **East** – A-1
- **West** – R-A



## 3. ZONING

The stated purpose of the A-1 Light Agricultural zone is: To designate farm areas which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low density residential development in a continuing rural environment.

## 4. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on May 20, 2022.

## 5. RECOMMENDATION

Staff is recommending approval of Conditional Use Permit for the Instructional Home Occupation Business at 908 South Francis Circle for Ms. Hunsaker.

Because this location is directly adjacent to another property seeking the same approval (Item #5, 942 South Francis Circle), the Planning Commission may wish to include additional conditions to their approval.

## PLANNING COMMISSION STAFF REPORT

**To:** Kaysville City Planning Commission  
**From:** Mindi Edstrom, Business License Officer  
**Date:** May 26, 2022

**Agenda Item 5:** Conditional Use Permit for Pamela Hunsaker for Hunsaker Swimming for an Instructional Home Occupation located at 942 South Francis Circle

|                                   |                                               |
|-----------------------------------|-----------------------------------------------|
| <b>Meeting Date</b>               | May 26, 2022                                  |
| <b>Application Type</b>           | Conditional Use Permit                        |
| <b>Applicant   Owner</b>          | Hunsaker Swimming   Pam Hunsaker              |
| <b>Address   Parcel ID Number</b> | 942 South Francis Circle   081930028          |
| <b>Lot Size</b>                   | 0.923 acres   40, 205.88 ft <sup>2</sup>      |
| <b>Current Use</b>                | <b>Single Family Dwelling</b>                 |
| <b>Conditional Use</b>            | <b>Instructional Home Occupation Business</b> |

### 1. BACKGROUND

Pamela Hunsaker is the owner of Hunsaker Swimming and has been instructing swimming lessons since 2017 in Kaysville. Ms. Hunsaker is wanting to do an Instructional Home Occupation at the 942 South Francis Circle location. Ms. Hunsaker will be using the swimming pool of the resident Mark Flinders who lives at the 942 South Francis Circle location. Mr. Flinders has signed a consent form allowing Hunsaker Swimming to use his swimming pool Monday-Friday. There will be approximately nine, twenty minute sessions with four instructors for up to 36 students a day. Because this home is on a corner lot traffic will be minimal and there is adequate parking due the nature of a corner lot.

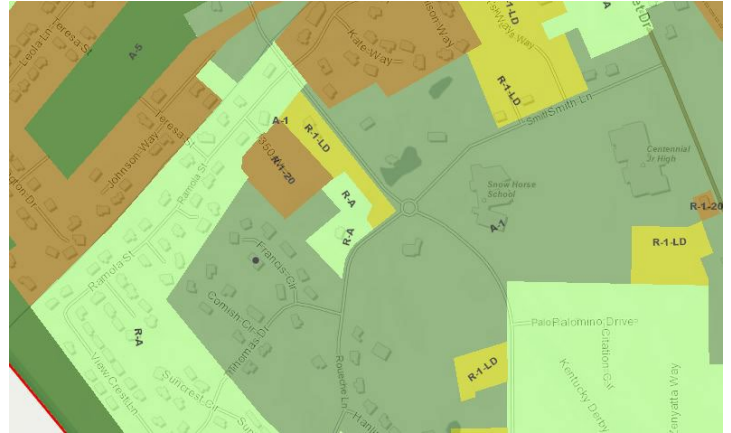




## 2. SURROUNDING LAND USE AND ZONING:

The home of Mr. Flinders is in an A-1 zone.

- **Adjacent** – A-1
- **North** – R-1-20, R-A
- **South** – A-1
- **East** – A-1
- **West** – R-A



## 3. ZONING

The stated purpose of the A-1 zone is: To designate farm areas which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low density residential development in a continuing rural environment.

## 4. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on May 20, 2022.

## 5. RECOMMENDATION

Staff is recommending approval of Conditional Use Permit for the Instructional Home Occupation Business at 942 South Francis Circle for Ms. Hunsaker.

Because this location is directly adjacent to another property seeking the same approval (Item #4, 908 South Francis Circle), the Planning Commission may wish to include additional conditions to their approval.

## PLANNING COMMISSION STAFF REPORT

**To:** Kaysville City Planning Commission  
**From:** Mindi Edstrom  
**Date:** May 26, 2022

**Agenda Item 6:** Conditional Use Permit for Pamela Hunsaker for Hunsaker Swimming for an Instructional Home Occupation located at 942 South Francis Circle

|                                   |                                               |
|-----------------------------------|-----------------------------------------------|
| <b>Meeting Date</b>               | May 26, 2022                                  |
| <b>Application Type</b>           | Conditional Use Permit                        |
| <b>Applicant   Owner</b>          | Hunsaker Swimming   Pam Hunsaker              |
| <b>Address   Parcel ID Number</b> | 780 South 1350 West   085340105               |
| <b>Lot Size</b>                   | 0.46 acres   20,037.6 ft <sup>2</sup>         |
| <b>Current Use</b>                | <b>Single Family Dwelling</b>                 |
| <b>Conditional Use</b>            | <b>Instructional Home Occupation Business</b> |

### 1. BACKGROUND

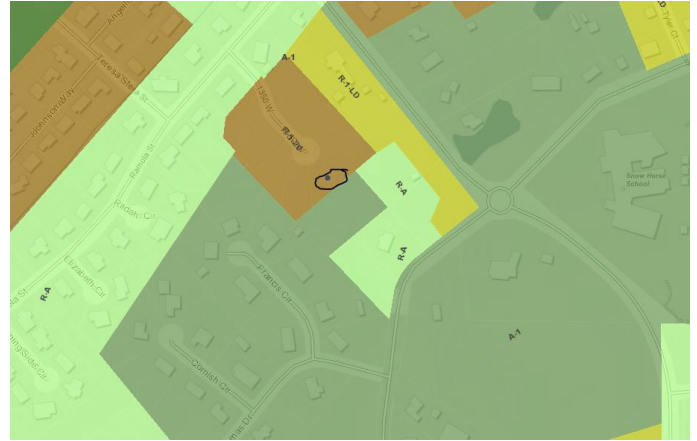
Pamela Hunsaker is the owner of Hunsaker Swimming and has been instructing swimming lessons since 2017 in Kaysville. Ms. Hunsaker is wanting to do an Instructional Home Occupation at the 780 South 1350 West location. Ms. Hunsaker will be using the swimming pool of the resident and property owner, Tim McCreavy, who lives at the 780 South 1350 West location. Mr. McCreavy has signed a consent form allowing Hunsaker Swimming to use his swimming pool Monday-Friday. There will be approximately twelve, twenty minute sessions with four instructors for up to 48 students a day. The McCreavy's have allowed Hunsaker Swimming to use their pool for two years with no complaints from neighbors that city staff is aware of. Swimming staff will use parking on the street some distance from the home to allow patrons to park closer.



## 2. SURROUNDING LAND USE AND ZONING:

The home of Mr. McCreavy is in an R-1-20 zone.

- **Adjacent** – A-1 and R-1-20
- **North** – R-A
- **South** – A-1
- **East** – A-1
- **West** – R-A, A-1



## 3. ZONING

The stated purpose of the R-1-20 zone is: To provide for areas in appropriate locations where quiet, low-density residential neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, most of whom will have children.

## 4. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on May 20, 2022.

## 5. RECOMMENDATION

Staff is recommending approval of Conditional Use Permit for the Instructional Home Occupation Business at 780 South 1350 West for Ms. Hunsaker.

## PLANNING COMMISSION STAFF REPORT

**To:** Kaysville City Planning Commission  
**From:** Mindi Edstrom, Business License Official  
**Date:** May 26, 2022

**Agenda Item 7:** Conditional Use Permit for Pamela Hunsaker for Hunsaker Swimming for an Instructional Home Occupation located at 1020 West Smith Lane

|                                   |                                               |
|-----------------------------------|-----------------------------------------------|
| <b>Meeting Date</b>               | May 26, 2022                                  |
| <b>Application Type</b>           | Conditional Use Permit                        |
| <b>Applicant   Owner</b>          | Hunsaker Swimming   Pam Hunsaker              |
| <b>Address   Parcel ID Number</b> | 1020 West Smith Lane   086310006              |
| <b>Lot Size</b>                   | 0.54 acres   23,522.4ft <sup>2</sup>          |
| <b>Current Use</b>                | <b>Single Family Dwelling</b>                 |
| <b>Conditional Use</b>            | <b>Instructional Home Occupation Business</b> |

### 1. BACKGROUND

Pamela Hunsaker is the owner of Hunsaker Swimming and has been instructing swimming lessons since 2017 in Kaysville. Ms. Hunsaker is wanting to do an Instructional Home Occupation at the 1020 West Smith Lane location. Ms. Hunsaker will be using the swimming pool of the resident Michael Jones who lives at the 1020 West Smith Lane location. Mr. Jones has signed a consent form allowing Hunsaker Swimming to use his swimming pool Monday-Friday. There will be approximately nine, twenty minute sessions with four instructors for up to 36 students a day. Patrons will be able to park on Smith Lane or across the street at the elementary school and staff will ride bikes or park at the elementary school.

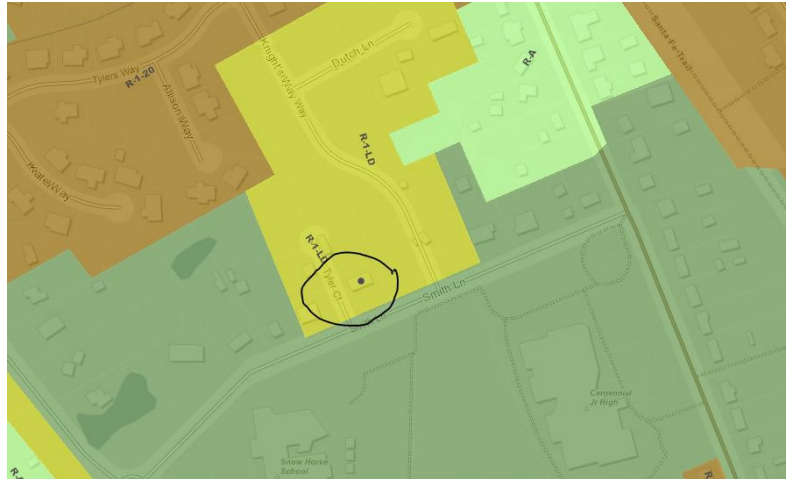




## 2. SURROUNDING LAND USE AND ZONING:

The home of Mr. Jones is in an R-1-LD zone.

- **Adjacent** – R-1-LD
- **North** – R-1-20
- **South** – A-1
- **East** – A-1
- **West** – R-A, A-1



## 3. ZONING

The stated purpose of the R-1-LD zone is: To provide for areas in appropriate locations where quiet, low-density residential neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, most of whom will have children.

## 4. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on May 20, 2022.

## 5. RECOMMENDATION

Staff is recommending approval of Conditional Use Permit for the Instructional Home Occupation Business at 1020 West Smith Lane for Ms. Hunsaker.



Kaysville  
City

Utah's Hometown

*In the middle of everything*



# 1. Approval of the minutes from the April 28, 2022 meeting



## 2. Conditional Use Permit

Major B Home Occupation for  
IDK Contracting, INC located  
at 336 South Marie Circle





**Applicant:** IDK Contracting/Josh Beckstrom

**Address:** 336 South Marie Circle

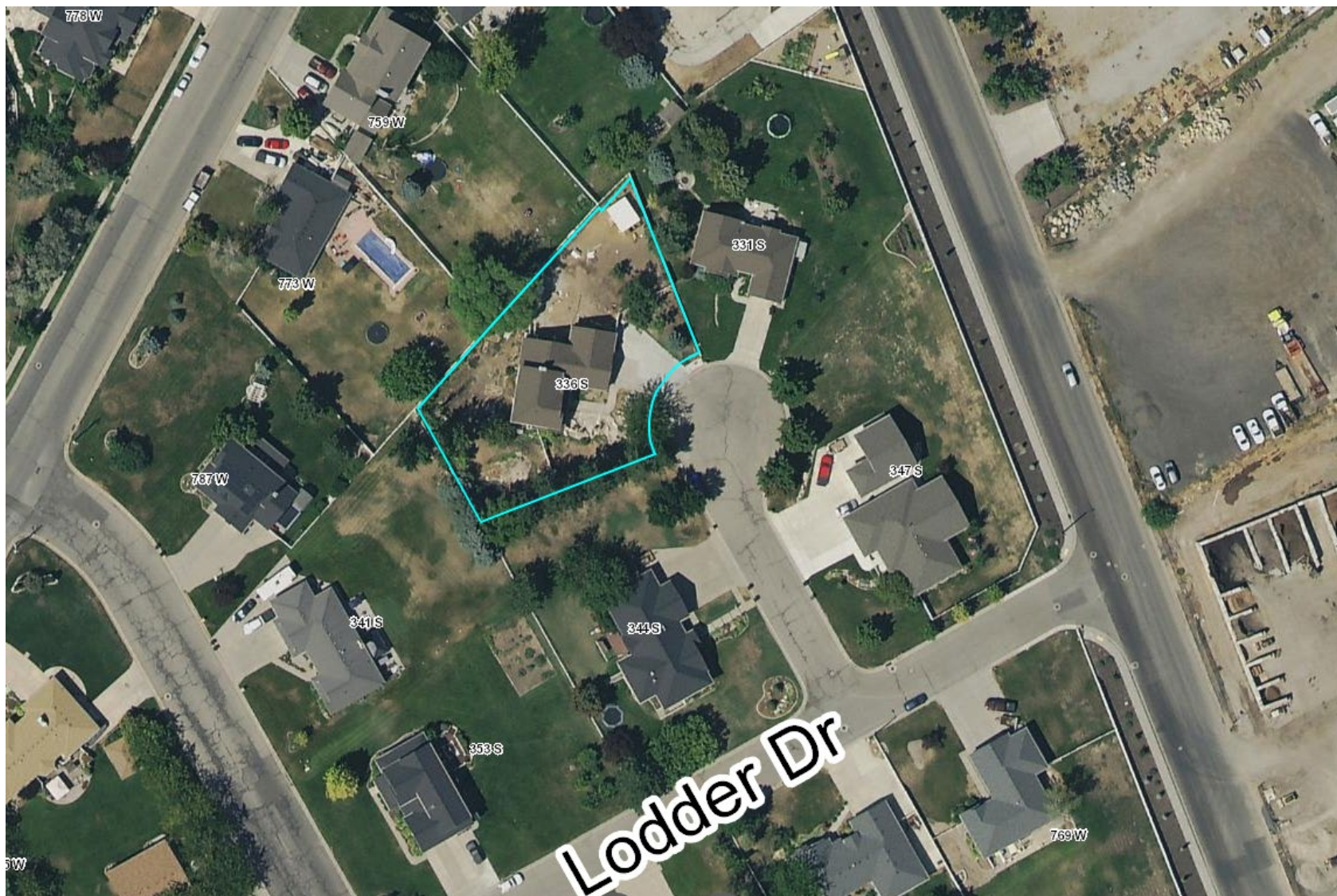
**Lot size:** .463| 20,168.28 ft<sup>2</sup>

**Current Use:** Single family home

**Current Zoning:** R-1-20

**Conditional Use:** Major B Home Occupation

# 336 South Marie Circle







### 3. Public Hearing

Rezone of 492 North Flint  
Street from R-A Agricultural  
Residential to LI Light  
Industrial



**Applicant:** Monnit Corporation

**Address:** 492 North Flint Street

**Lot size:** 1.05 acres | 45,738 ft<sup>2</sup>

**Current Use:** Vacant undeveloped

**Current Zoning:** R-A

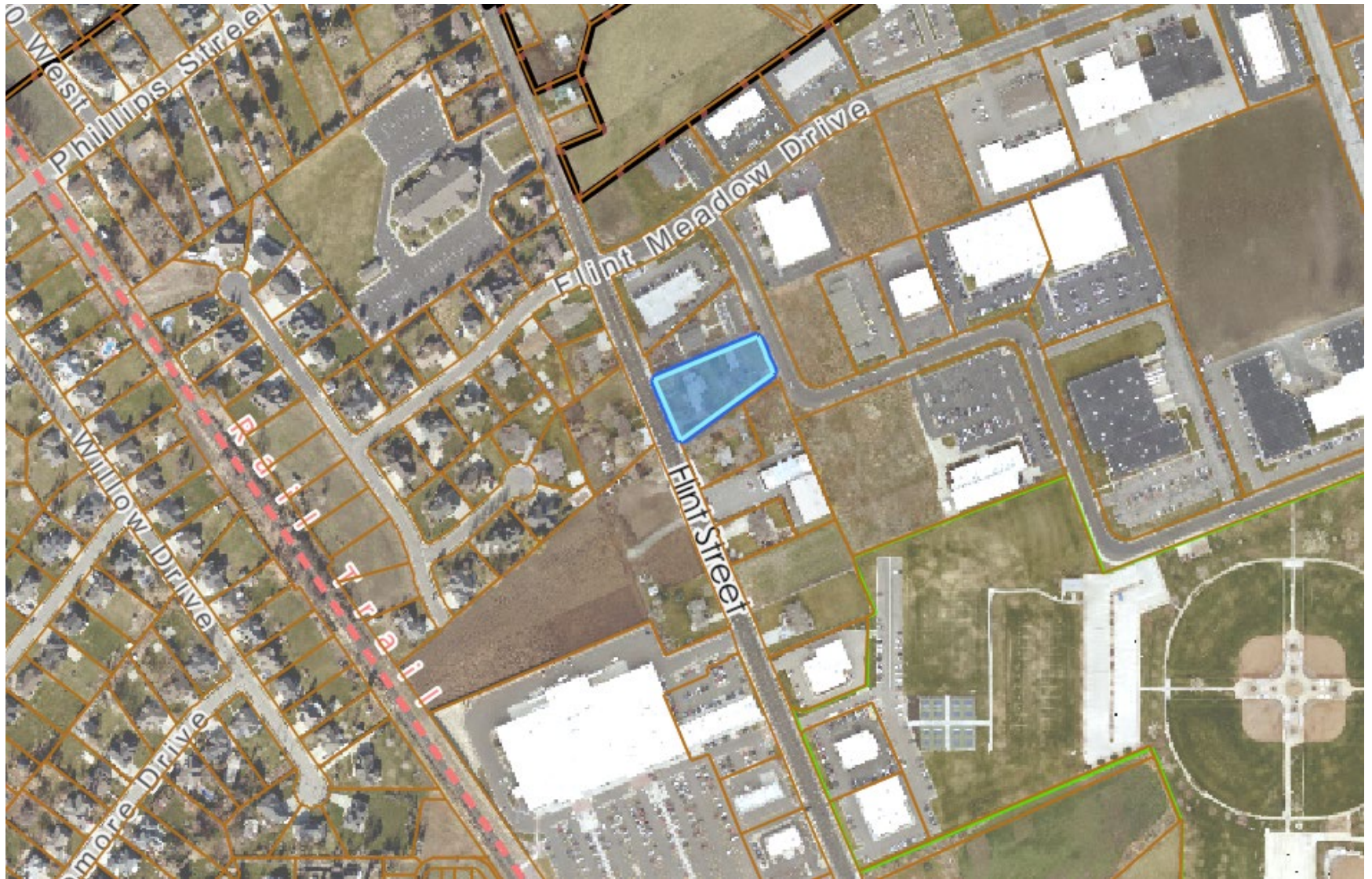
**Density Entitlement:** 2 single family dwellings

**Requested Zoning:** LI Light Industrial

**Density Entitlement:** n/a

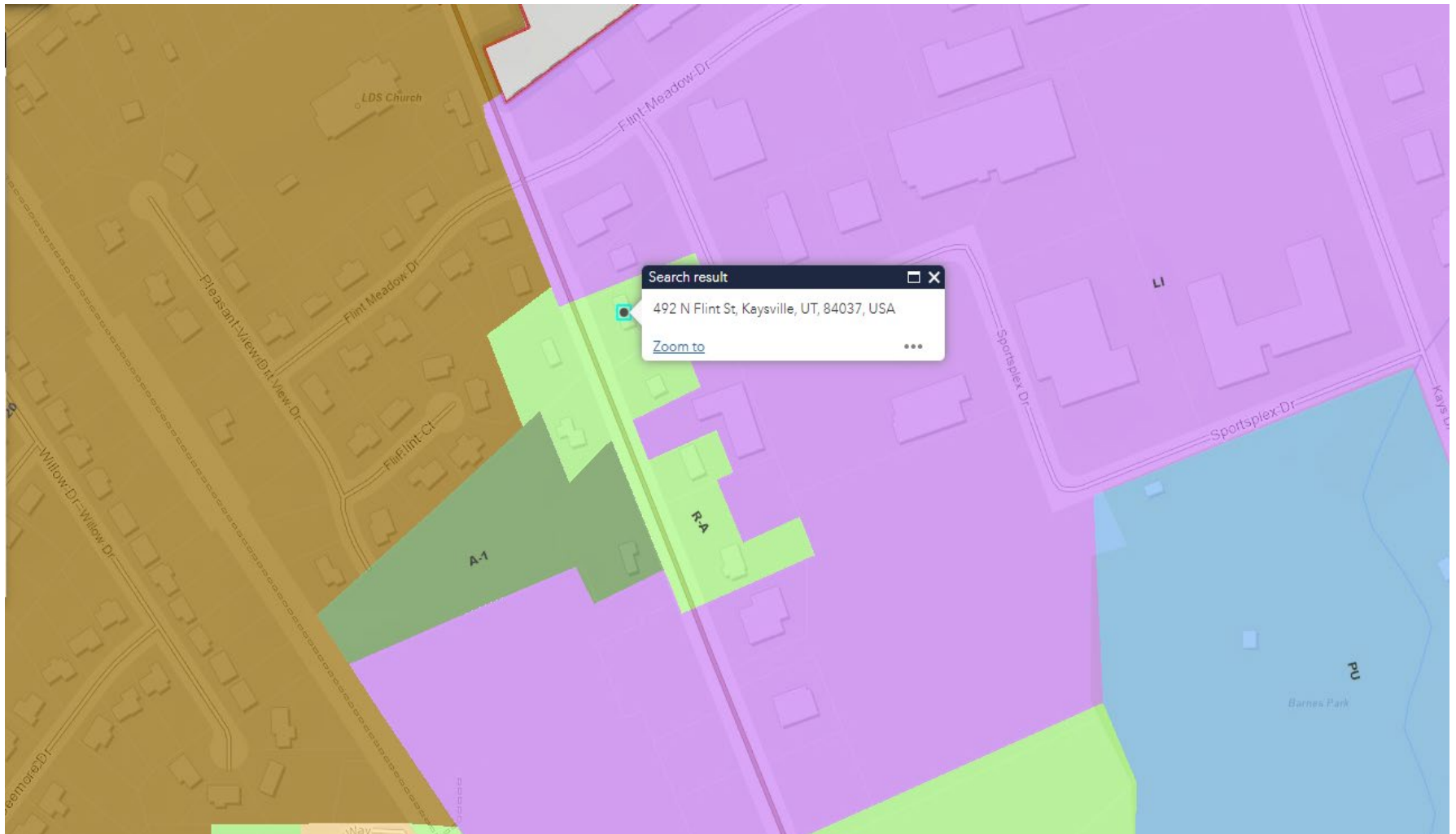


# 492 North Flint Street





# 492 North Flint Street





## R-A vs. LI

|                                    | R-A                    | LI                            |
|------------------------------------|------------------------|-------------------------------|
| <b>Minimum Lot Size</b>            | 21,780 ft <sup>2</sup> | -                             |
| <b>Density</b> (based on lot size) | 1                      | -                             |
| <b>Height</b>                      | 30'                    | 35' (higher with CUP)         |
| <b>Front Setback</b>               | 30'                    | -                             |
| <b>Side Setback</b>                | ≥ 8'                   | 30' when abutting a residence |
| <b>Rear Setback</b>                | 30'                    | 30' when abutting a residence |

# 2019 General Plan

## **Community**

### *III. Growth and Development*

*A. Growth should mostly occur through development within the City. Development should improve public safety and sense of community. An adequate revenue base should be developed to fund City operations and infrastructure.*

*3. Encourage businesses and industries to locate and invest within the City.*

## **Land Use**

### *II. Business and Industry*

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*A. Most sites used primarily for business or industry should be located on major streets. Mitigate impacts on adjacent residential uses through compliance with ordinances and regulations.*

[illegible]

Melinda Greenwood  
Community Development Director

- **22 notices mailed**
- **500' radius of subject property**





# Public Comments Received

- One comment - building height, blocking views, maintaining residential feel, architectural style

Utah's Hometown *In the middle of everything*



# Public Hearing



## 4. Public Hearing

Rezone of 602 South Angel  
Street from A-1 LI to R-1-8  
Single Family with a PRUD  
Planned Unit Residential Overlay



**Applicant:** BeBuilders | The Evelyn L. Johnson Trust

**Lot size:** 1.66 acres | 72,309 ft<sup>2</sup>

**Current Use:** One single family dwelling

**Current Zoning:** A-1 Light Agricultural

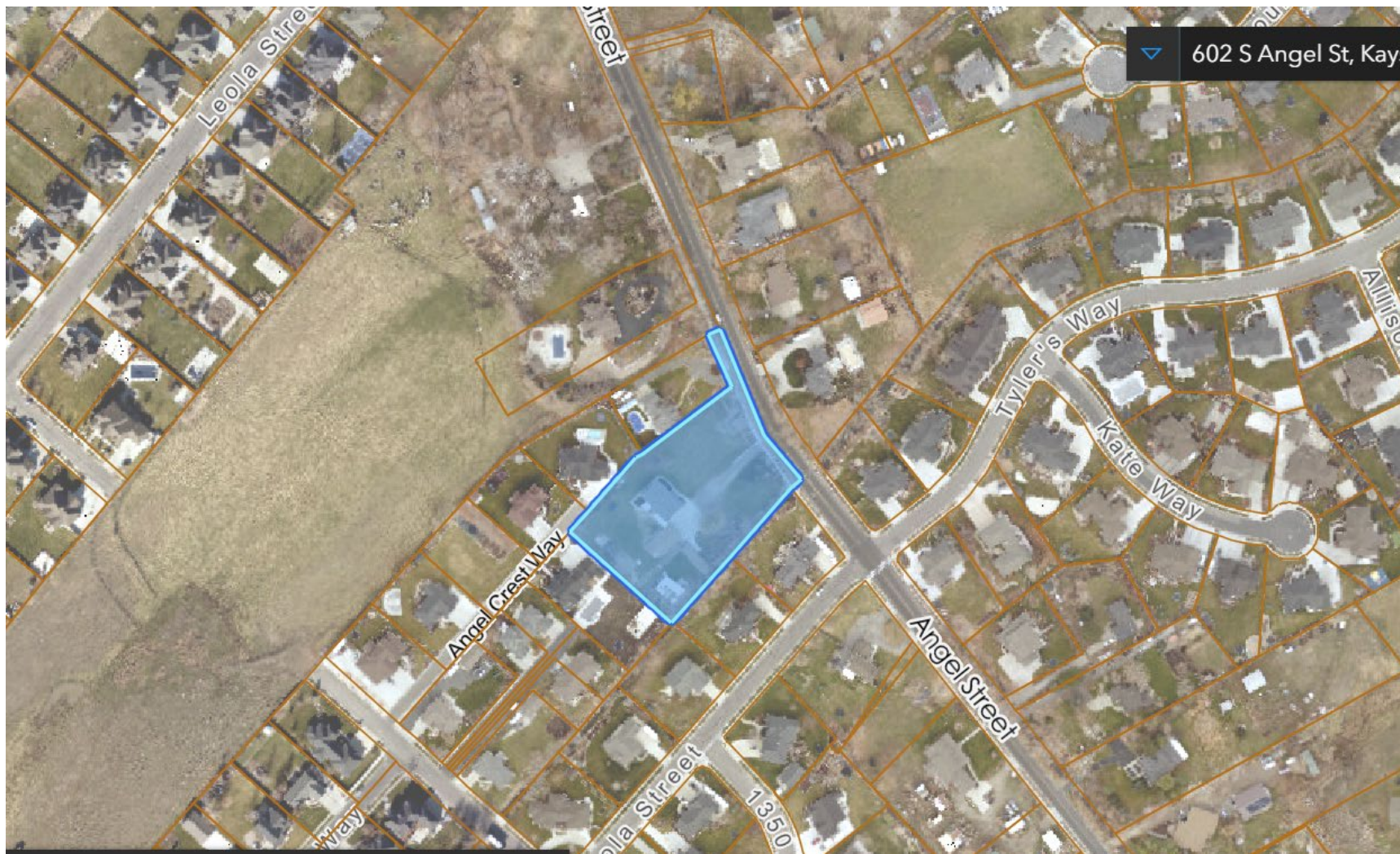
**Density Entitlement:** 1 single family dwelling

**Requested Zoning:** R-1-8 single family residential  
with PRUD overlay

**Density Entitlement:** 9 single family dwellings

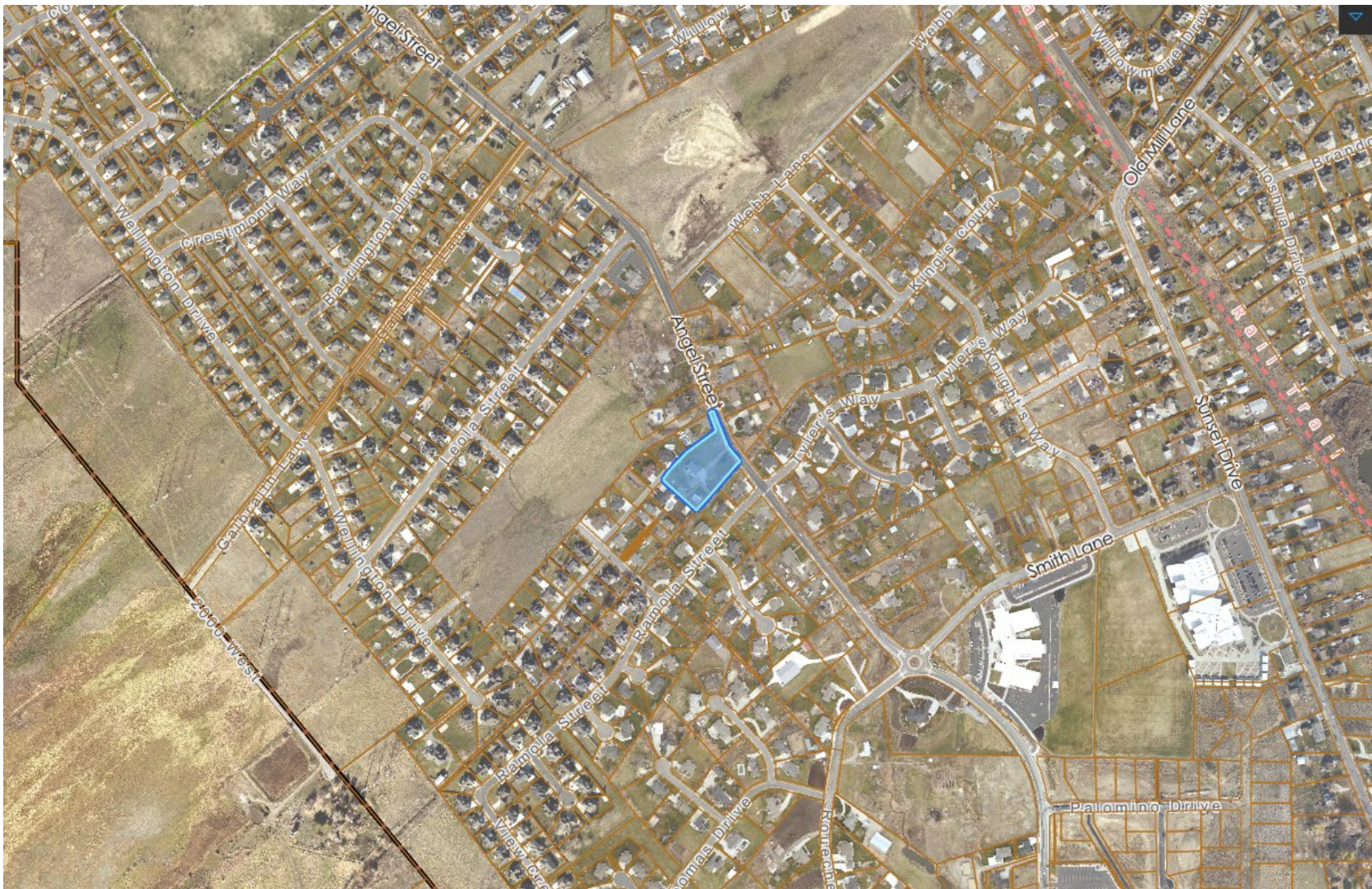


# 602 South Angel Street





# 602 South Angel Street

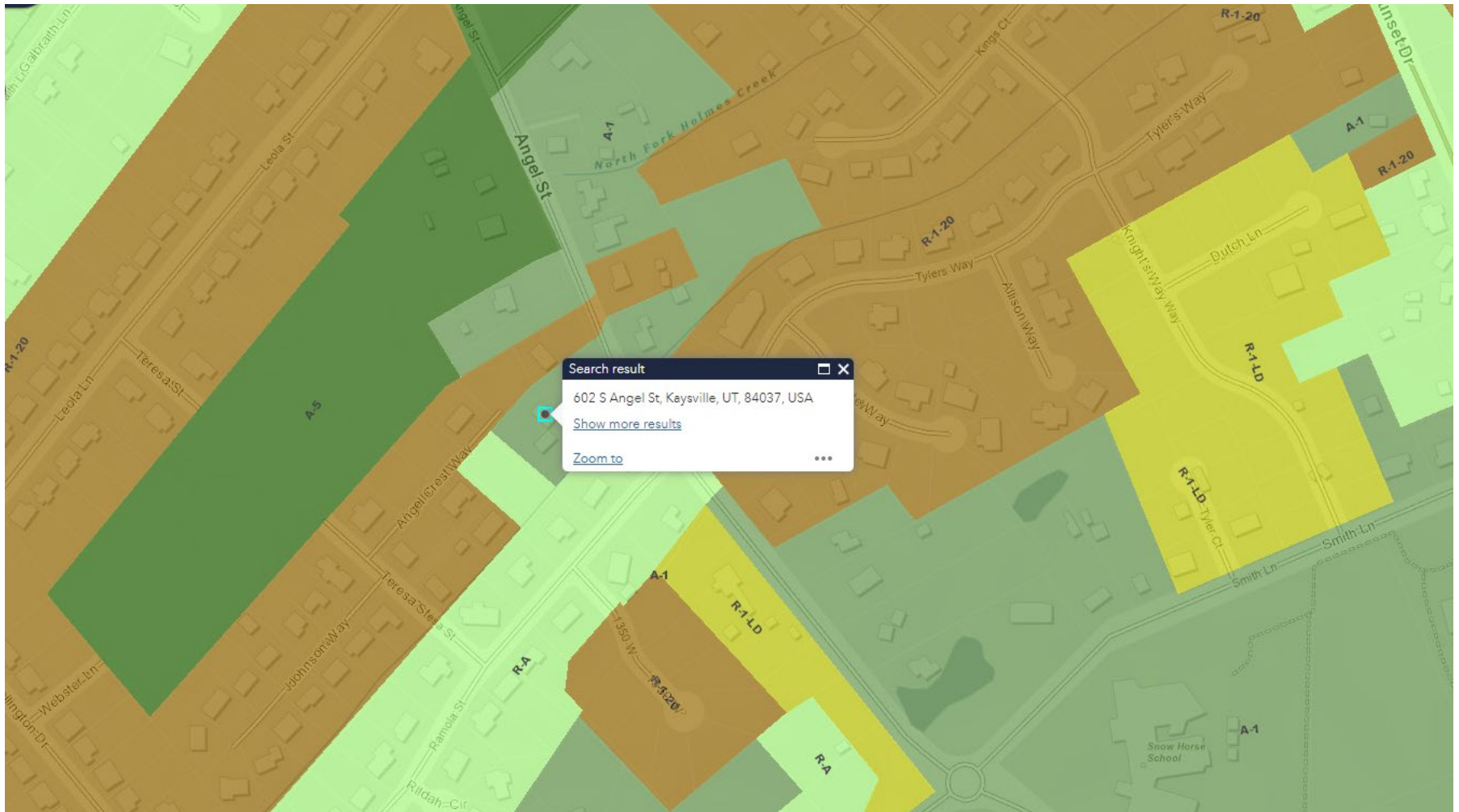




# 602 South Angel Street



# 602 South Angel Street







## A-1 vs R-1-8

|                                    | A-1                    | R-1-8                 |
|------------------------------------|------------------------|-----------------------|
| <b>Minimum Lot Size</b>            | 40,000 ft <sup>2</sup> | 8,000 ft <sup>2</sup> |
| <b>Density (based on lot size)</b> | 1                      | 9                     |
| <b>Height</b>                      | 30'                    | 30'                   |
| <b>Front Setback</b>               | 30'                    | 25'                   |
| <b>Side Setback</b>                | ≥ 10'                  | ≥ 8'                  |
| <b>Rear Setback</b>                | 30'                    | 15'                   |

# 2019 General Plan

## ***I. Identity and Character***

*A. Kaysville should be **primarily a residential community** with a vision to promote business, industry and public use.*

The R-M zone is a residential zone, therefore the rezone request falls in line with this goal and policy.

## ***III. Growth and Development***

*A.2. Reserve land and promote development that is high quality, **diversified and adaptable to changing conditions.***

The R-M zone allows for attached dwelling units and multiple dwellings on a single site which can diversify housing opportunities. The rezone request to R-M supports this goal and policy.

# 2019 General Plan

## ***I. Housing***

*A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.*

*2. West of I-15, allow for similar housing densities in existing neighborhoods while considering medium density housing along the major streets and higher density housing near transit stops and arterial streets (200 North, Interstate 15, and the West Davis Corridor).*

*B. The majority of the housing should be **single unit** attached or detached. **The City will seek to provide a variety of housing choices throughout the community including a means for allowing homes of a variety of sizes.** Multiple unit housing should consist mostly of duplexes (two unit structures) and some three to six unit structures dispersed throughout the City.*



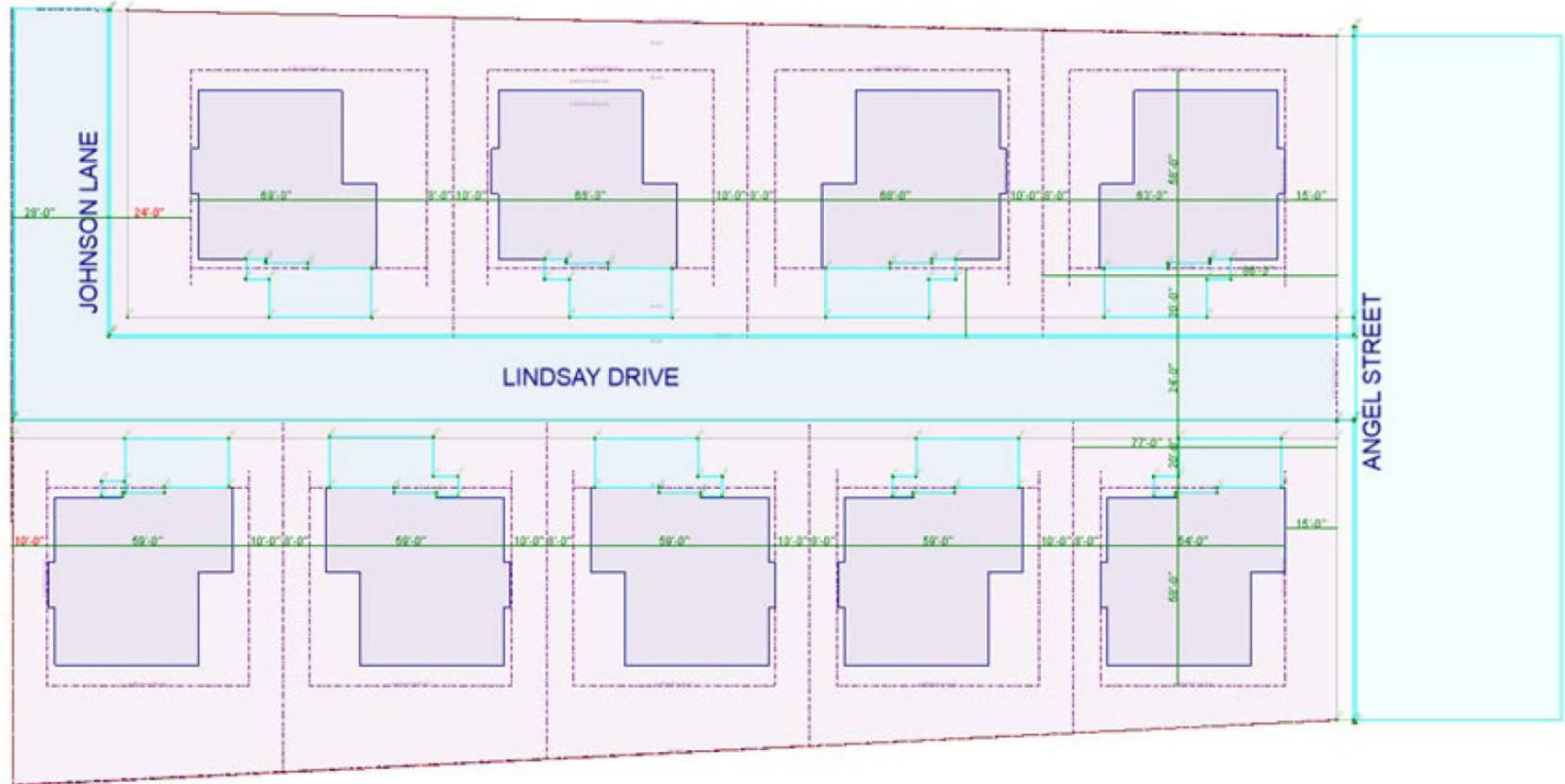
# 2019 General Plan

## ***Plan For Additional Moderate Income Housing***

*Approximately fifteen percent (15%) of the additional housing should be moderate income housing. Kaysville will continue to use the following means and techniques to provide a realistic opportunity for development of a variety of housing, including moderate income housing:*

- 1. **Zoning properties** townsite (R-T), **single family (R-1)**, diverse (R-D), two-family (R-2), one to four family (R-4), and multiple family (R-M) residential and central commercial (CC) which allows housing.*
- 2. **Clustering in residential areas.***
- 4. **Permitting less costly size, design, materials and construction of housing.***
- 9. **Rezone for densities necessary to assure the production of moderate income housing.***

# Concept Plan



# Public Hearing Notice



## KAYSVILLE CITY PUBLIC HEARING NOTICE

The Kaysville City Planning Commission will hold a public hearing on Thursday, May 12, 2022, at 7:00 p.m., in the Kaysville City Municipal Building Council Chambers located at 23 East Center Street, Kaysville, to consider:

An application from BeBuilders who is requesting a zone change for 602 South Angel Street from [A-1 Light Agricultural District](#) to [R-1-8 Single Family Residential District](#) with a [PRUD Planned Unit Residential Overlay](#). The subject property is a 1.66 acre/72,309 ft<sup>2</sup> parcel on Angel Street which is currently used as a single family residence. The rezone would allow up to nine single family lots.



Comments may be submitted by attending the public hearing in person or through an online form at: <https://www.kaysvillecity.com/435/Planning-Commission> (comment form is at the bottom of the webpage).

If you have any questions, please contact the Kaysville City Community Development office at 801-546-1241.

I hereby certify that I posted a copy of the foregoing Public Hearing notice on the municipality's official website by May 2, 2022.

Melinda Greenwood  
Community Development Director

- 31 notices mailed
- 500' radius of subject property







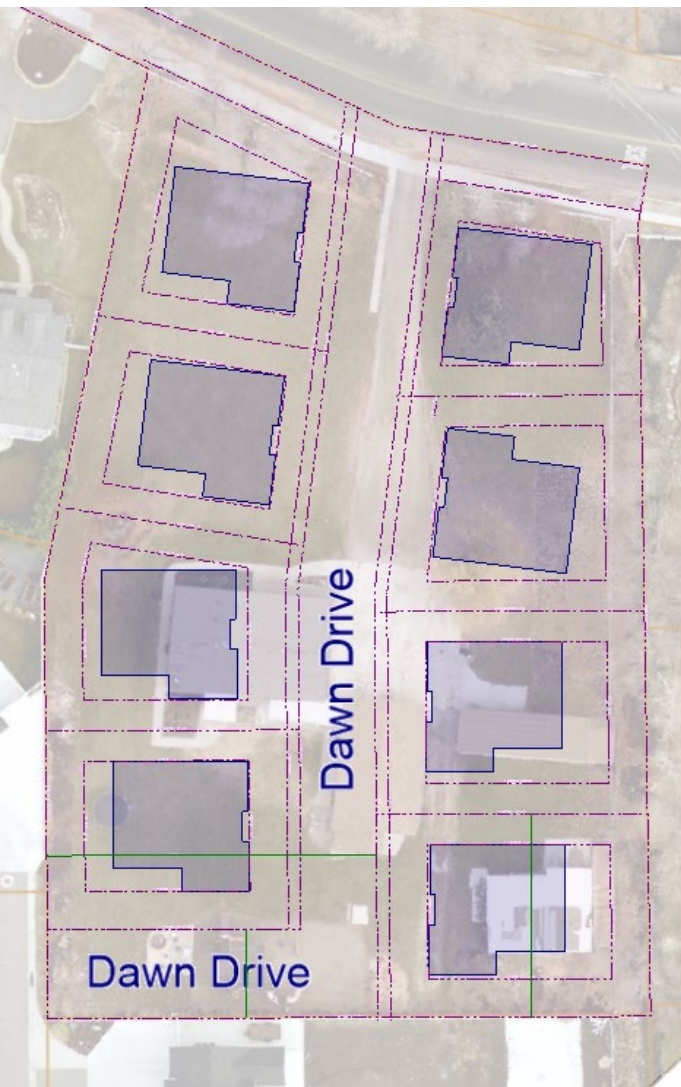
# Public Comments Received

## 24 Emails

- Lots are too small; density is too high
- Traffic and Parking
- Safety
- Losing rural character
- Adequate water
- Noise
- One email was in support of the zone change

# Applicant Slides

Johnson Farms  
BeBuilders



# Johnson Farms Proposal

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## Quick Facts:

- Johnson Family Participation
- 8 Single Family Patio Homes: 1500-2500 SF
- 3 Car Garages on every home
- Lot Size: 1/5 Acre (Avg 8,400 SF not counting private lane)
- Minimum Side Setback: 12'
- Minimum Distance Between Homes: 24'
- Home Price Target: \$650K-\$800K
- Single level living and downsized homes are in very high demand



# Patio Home Proposal



**BEBUILDERS**

Presents:

## THE DAWN

### Home Features:

- . Gourmet Kitchen w/ Butlers Pantry
- . Main Floor Living / Master on Main
- . 4 Bedrooms / 3 Baths
- . 3 Car Garage
- . Main Floor Study
- . Bonus Family Room
- . 1520 SF Main Floor
- . 1016 SF Second Floor
- . 548 SF Bonus Room



Main Floor



Second Floor Option



Bonus Option



# Neighborhood Proposal



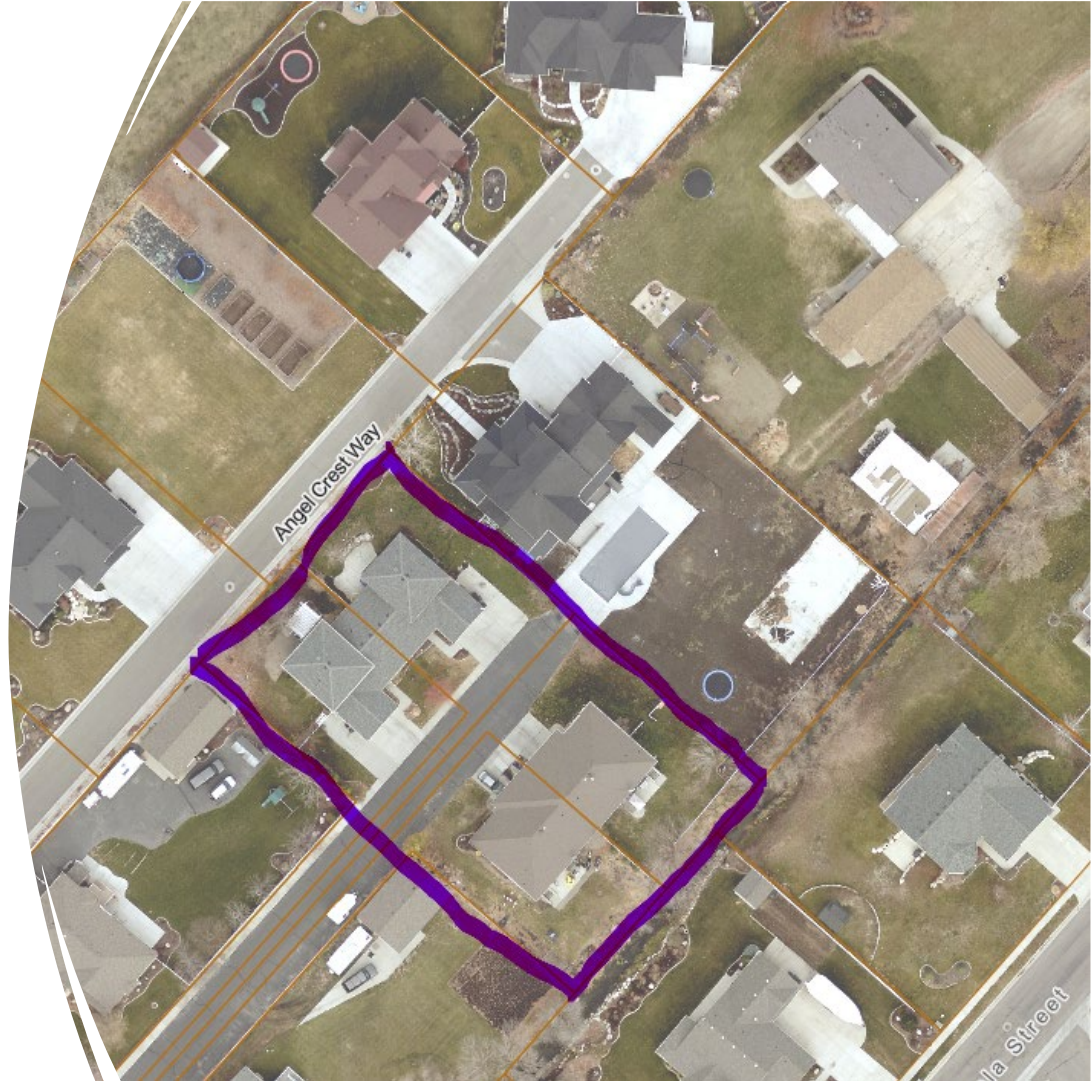


# Ample Precedent

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(2) Twin Homes within 150' of  
Property. Each home is on an 8400  
SF lot. (70'x120')

This is the same density we are  
requesting.

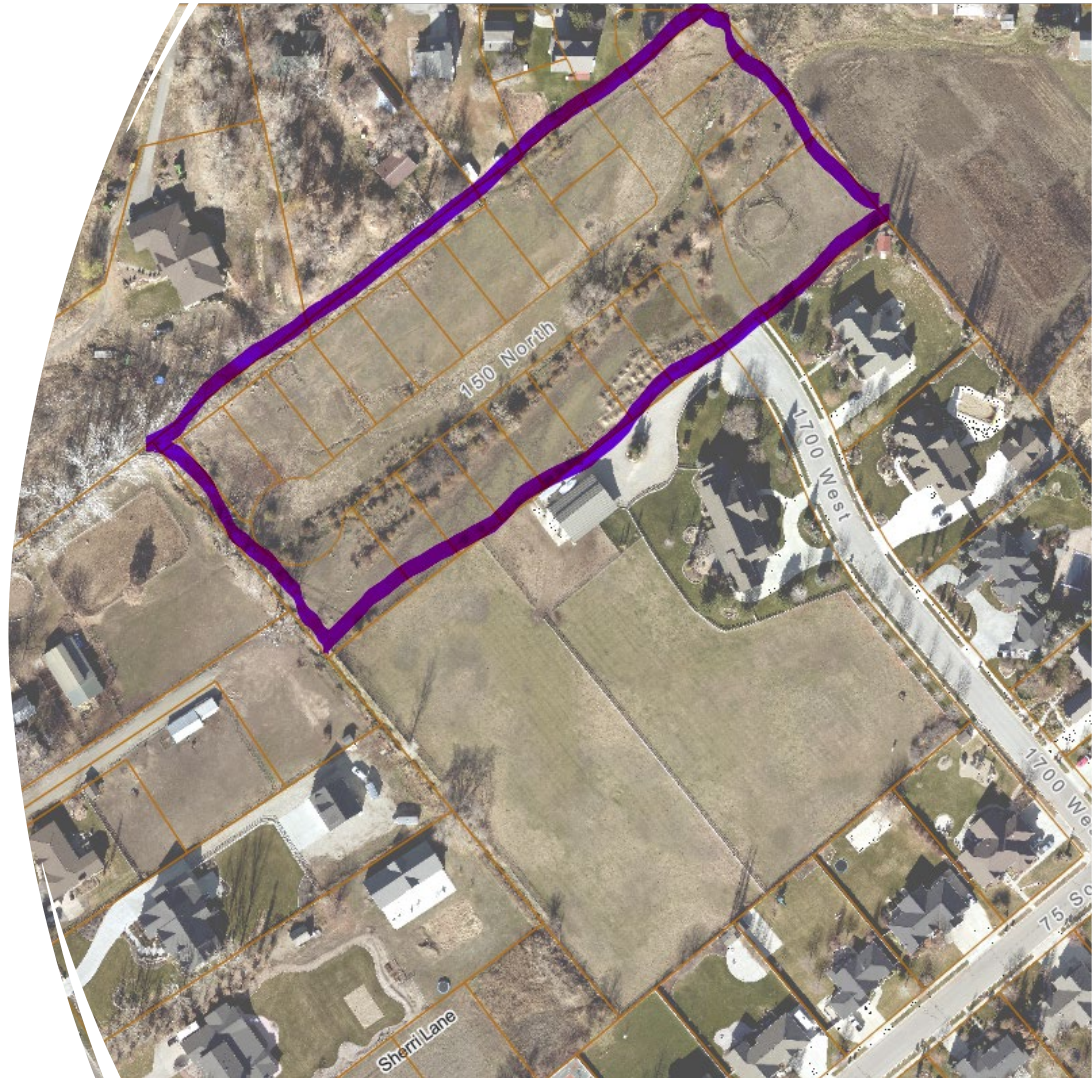




# Ample Precedent

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Example of smaller lots (7,000 SF - .16 acre) with smaller setbacks next to 1 acre lots approved within 1 mile of the property on 150 N and 1700 West



# Ample Precedent

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Existing Private Lanes adjacent to  
the property





[illegible]



More space between homes than on Dutch Lane & Knights Way



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# Public Hearing

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# 5. Call to the Public





## 6. Other matters that properly come before the Planning Commission:

- Reports
- Correspondence
- Calendar

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# 7. Adjournment



**KAYSVILLE CITY PLANNING COMMISSION  
MEETING MINUTES**

**May 12, 2022**

**Planning Commission Members in Attendance:** Chair Nguyen, Vice-Chair Lyon, Commissioners Branch, Barrus, Sundloff, and Sommerkorn

**Staff Present:** Mindi Edstrom and Melinda Greenwood

**Public Attendees:** Councilmember Abby Hunt, Katherine Johnson, David Johnson, Karen Hart, Jamie Weeks, David Nielsen, Stephanie Nielsen, Natalie Mornson, Jessi Stringham, Justan Stringham, Erica Townsend, Joey DeFillipis, Brad Walters, Larry Winterton, Kimberly Winterton, Lisa Bagley, Alicia Lambert, Caleb Stroh, Mike Pluim, Jamie Weeks, Christina Castro, Dawn Steele, Tyler Ross, Samantha Kelly, Brett Markham, and Justin Taylor

The Planning Commission meeting was held on Thursday, May 12, 2022 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

**1-Opening**

Chair Nguyen opened the meeting by asking for a motion for approval for the minutes from the April 28, 2022 meeting. Commissioner Branch made that motion and it was seconded by Commissioner Sundloff. All voted in favor of approving the minutes.

**2-Conditional Use Permit for a Major B Home Occupation for IDK Contracting, Inc. located at 336 South Marie Circle**

**Introduced by:** Mindi Edstrom

Ms. Edstrom mentioned the applicant was available by phone if necessary but was not able to attend the meeting in person. She said Idk Contracting is a rock retaining wall company and the owner is the only employee. Mr. Beckstrom informed staff he has one truck and a flatbed trailer that will be stored at his home and that he is in the process of getting a cement pad poured in the backyard to store the trailer. Staff recommended the Planning Commission approve the Conditional Use Permit.

**Discussion:**

Commissioner Sundloff asked staff if Mr. Beckstrom will have any materials or other equipment stored on site.



Ms. Edstrom responded saying that there will be no equipment stored at the home and the product would be delivered to the job site.

**Public Comment:** None

**Motion:** Commissioner Sundloff made a motion to approve a conditional use permit for IDK Contracting at 336 South Marie Circle with no additional conditions. Commissioner Lyon seconded the motion.

**Vote:** Vote was unanimous in favor of the motion.

### **3- Public Hearing for the rezone application from Monnit Corporation for 492 North Flint Street from R-A Agricultural Residential to LI Light Industrial**

**Introduced by:** Melinda Greenwood

Ms. Greenwood stated that this rezone is for the property at 492 North Flint Street and is a vacant and undeveloped property that is over an acre. The rezone application is to rezone 492 N. Flint Street from an R-A zone to an L-I zone. Ms. Greenwood explained the differences between an R-A zone and an L-I zone. Ms. Greenwood stated that this rezone is supported by the 2019 general plan. She noted that mailers were sent out to the 500 ft<sup>2</sup> and that staff and Commissioners only received one public comment which expressed the concern of the architectural design of the building.

Applicant was invited to approach the Commissioners.

Brad Walters, the owner of Monnit Corporation, stated he feels this is a great addition to the city and that it falls in line with the general plan. He said he wants to build a western tech building that pays tribute to the western livestock heritage in the company. He is wants to build a two-story building with a total of 21,000 square feet of space. The back of the building would be warehouses and the rest of the building would be high end office space. He plans to have over 60 parking spots.

Mr. Walters shared more about his business and said there will be no manufacturing at this location and that they are not planning on having retail customers coming and going from the location.

Commissioner Sundloff asked Mr. Walters if the building is going to look any different than the buildings that are already there.

Mr. Walters said that it will be a business building that will have a similar look to the other buildings in the Business Park.

**Discussion:** There were no follow up questions or discussion from the Commissioners.

**Public Hearing:** Opened by Chairman Nguyen

**Public Comment:** None

**Public Hearing:** Closed by Chairman Nguyen

The Commissioners all agreed that this rezone fits with the General Plan.

Chairman Nguyen asked staff to share what the one public comment was.

Ms. Greenwood shared that the comment was not opposed to the rezone but to remind the applicant that there are still residential homes near and requested the architectural style of the building be sensitive to the residential properties in the area.

**Motion:** Commissioner Sommerkorn made a motion that they recommend to the City Council approval of the rezone request for Monnit Corporation and Commissioner Lyons seconded the motion.

**Vote:** Vote was unanimous in favor of the motion.

#### **4- Public Hearing for the rezone application from BeBuilders for 602 South Angel Street from A-1 Light Agricultural District to R-1-8 Single Family Residential District with a PRUD Planned Unit Residential Overlay**

**Introduced by:** Melinda Greenwood

For the benefit of the public in attendance, Ms. Greenwood gave a brief explanation of the rezone process from start to finish.

Ms. Greenwood shared that the applicant submitted an application to rezone application for 602 South Angel Street, requesting it go from an A-1 zone to an R-1-8 zone. The property is on 1.66 acres. Ms. Greenwood shared the differences in regulations between both zones. She said there is policy in the 2019 General Plan that supports the rezone request. Ms. Greenwood shared the concept plan that the applicant submitted in the applicant that showed nine single family homes. She said mailers were sent out to the neighbors within a 500 foot radius. She said to date there were 24 emails sent to the Planning Commission and staff and Ms. Greenwood summarized that the emails sent had comments about lot sizing being too small and density too high, concerns of traffic and safety, losing the rural feel, concerns about adequate water, and noise. She said there was one email in favor of the zone change.

Chair Nguyen invited the applicant to come approach the Commissioners and present further information.

David Nielsen with BeBuilders introduced himself and stated he submitted several slides to staff which showed the Johnson Farm rezone proposal for eight homes. He said he has had full participation of all 10 children of the Johnson Family. His proposal is for eight single family patio homes that are around 2,500 ft<sup>2</sup> with three car garages. He shared some of the existing developments that surround this property which he felt were similar in nature and would

support his rezone proposal. While developing the concept of the neighborhood they wanted to address concerns that could be presented with parking and traffic.

Commissioner Sundloff asked Mr. Nielsen about the proposed lot widths.

David Nielsen shared that they are 77ft x102 ft.

Commissioner Branch asked Mr. Nielsen about the width of the lane.

David Nielsen stated it is designed at 30 feet right now. He also shared that in the future they are hoping that they could connect to Angel Crest Way seeing that Grandma Johnson bought into that so that she could use it in the future.

The Public Hearing was opened by Chair Nguyen.

**Public Comment:**

Caleb Stroh shared concerns with the rezone, saying he feels that it could be dangerous and irresponsible to add high density housing into an already stressed infrastructure. He reminded the commissioners that the city recently repaved and refinished a new road way and that it would damage the road by allowing new construction. He was also concerned with the lack of greenspace in the proposed projects. He also has concerns with traffic and safety. He suggested that perhaps the six units would be a better fit for the community.

Commissioner Branch asked staff for clarification on whether it was eight or nine units. Ms. Greenwood said that the application was submitted with nine units.

Mike Plium shared that he is part of an HOA near the rezone lot and that the green space required for the HOA was the front yard of the Johnson's front yard.

Kathy Johnson is the wife of Art and Evelyn Johnson's son and has a long history of living in Kaysville. She shared what Kaysville looked like while growing up and the process of farmers passing on and developers coming in to swoop up and purchase the property. She realized that Kaysville is changing and it is ok.

David Johnson is the husband to Kathy Johnson and son of Art and Evelyn Johnson. He talked about the Ovation development east of him and that they put in 22 patio home units. He thinks that the patio homes has been a great addition to the area. He also mentioned that by putting in developments it would free up farming land that is using so much water. He also said that he doesn't mind the density or the diversity.

Jamie Weeks approached the commissioners very emotional because she feels very torn between the two sides. She shared that her parents, Art and Evelyn, had a conversation and that her father wanted it to be like this so that others could enjoy West Kaysville like she and many others have.



Natalie Morrison is a long time Kaysville resident and loves the rural feel is why she and her family moved here. She said she doesn't feel that the homes proposed would check the box for affordable housing and said they would not be at affordable prices. She said she is concerned with the precedent that rezoning would create in the area.

Justan Stringham said he is unaware that the development is wanting to cut into their private street. He said he lives in the neighborhood with the private street and recommended the Johnson's rezone to R-1-20 lots instead of R-1-8.

Erica Townsend lives in the Suncrest Meadows HOA behind the Johnson's property and said she has lived in Kaysville for nine years. She moved here for the small rural feel and great schools. She said s that allowing nine units would cause possible water shortages, more overcrowding in the schools and would set a precedent for more high density housing.

Joey DeFillipis said he moved here from West Valley so that he could have a larger lot than what was offered in West Valley. His stated his concerns are public safety and being able to maintain a property width that is more consistent with other lots in the area.

Christina Castro said she is a daughter of Art and Evelyn Johnson and that she grew up on the 15 acres. Christina said we should be looking into the future for those who have grown up and want to retire here. Many of her siblings want to live in the proposed neighborhood because it would have homes without stairs. She addressed the green space concern from a previous comment and said her parents always allowed the neighbors to use their front lawn.

Diane Steel commented from the back of the room and was not able to be heard because she did not come forward to the microphone.

Tyler Ross said he moved to Kaysville City two years ago after living in Bountiful and left Bountiful due to traffic, smaller lot sizes, etc. His said his biggest concern is the precedence that this will set for future rezones and development in existing farm land and feels that four units would be appropriate.

Samantha Kelly said she moved here six weeks ago because she was wanting a larger lot with more space and said loves where she lives. She shared that there can be a compromise with the neighbors so that the property won't have nine units on it and would love to not have Angel Crest Way as a connecting street.

The Public Hearing was closed by Chair Nguyen.

Chair Nguyen invited the applicant to come back up to share any thoughts with the Commissioners.

Mr. Nielsen spoke about the through road into Angel Crest Way and the biggest reason that they want to connect into the road was for emergencies and the solution was to put an iron gate. He feels that by xeriscaping and smaller lawn area would be helping the water shortage concerns that neighbors have.

Commissioner Sundloff asked Chair Nguyen if everyone who had come to the meeting had an opportunity to speak and recommended opening the Public Hearing back up, suggesting he felt the hearing was closed abruptly and he believed there were more citizens who wanted to make a public comment.

Chair Nguyen reopened the meeting back up to three individuals so they could have a chance to speak. They were asked to sign their names to the sign-up sheet.

Brett Markham said he has lived here his entire life and was concerned how power would be brought to the neighborhood and the precedent this would set for the other green space still available in West Kaysville.

Alecia Lamberts shared her concerns about the amount of land that the Johnsons are giving to people and if they can guarantee that it is 55 and older. She is concerned about the precedent that will be set for future developments, the amount of traffic it will create and the danger for school aged children.

Justin Taylor shared that he lives on Angel Crest Way and has deep roots in Kaysville. He loves living here because of the large lots and that he feels hurt because there was no conversations with them before the applicant came to Planning Commission and shared that they could have come up with a good compromise for everyone and thinks that this proposed nine units can be negotiated.

Chair Nguyen closed the Public Hearing.

**Discussion:**

Chair Nguyen started off the conversation with the Planning Commissioners. He repeated some of the concerns talked about by the residents.

Commissioner Branch brought the matter of debate for him is the interpretation of the General Plan. He shared that the staff stated that this rezone falls in line with the General Plan, however when he reads it, he felt that it didn't support the request. He drove past the property and to him there is just no question that this is very different making it so that this request is not in line with the General Plan. He read statements from the General Plan reinforcing his point. He also shared from the General Plan that housing should be compatible and complementary to existing neighborhoods. If we are using the General Plan to interpret higher density, is it strictly by the zones or are we truly looking at the density of the neighborhood and are we truly considering what is compatible with and complimentary with what's existing.

Commissioner Sommerkorn views Angel Street as one of the major streets so therefore he views the plan as saying that higher density housing that currently exist in the area or has already been developed could be allowed with rationale being that it is adjacent to those streets. He also shared the concept of looking for some diversity in neighborhoods so that they don't all look the same.

He stated that higher density does not mean affordability anymore and to keep that in mind.

Commissioner Lyon has worked with developments like this for many years and shared that the property could have a deed restriction on it to make it affordable housing. He also shared that communities like these bring lower traffic, lower impacts to the community, higher volunteerism, lower crime and are a win-win for a neighborhood. Neighborhoods similar to the 55 and older allow older residents to sale their home and have the option to continue living in Kaysville.

Commissioner Sundloff shared some homes for sale in Kaysville that were currently listed on the MLS. He said there were 45 single family homes for sale and only two of them were below \$500k. The housing market is struggling in part to a home shortage, so by putting more inventory out on the market it would create more units.

Commissioner Barrus stated that if they developed the property as is, it would create three 1.5 million dollar homes or if rezoned it would create nine homes that are between six and eight hundred thousand. He argued that more units would be helping create inventory that is affordable.

Commissioner Sommerkorn doesn't believe that this rezone will be setting a precedent for other properties because most of the land in Kaysville at this point is already developed and we only have 200-300 acres undeveloped and that by developing this it becomes a way to introduce some additional diversity, some additional inventory and maybe some additional affordable housing options.

Commissioner Sundloff readdressed many of the points from those who spoke. Traffic was a concern, the quantity of cars that this rezone would bring, sidewalks, property values going down, high density, stress on infrastructure, private lane connection, change from rural feel, and no other R-1-8's in the area. He said that the concern of R-1-8's not being near the lot was what made him hesitate and that there is no character precedence for the rezone.

Commissioner Branch said that the two arguments that are debatable is the arterial street and the diversity of housing. However neither one of those trump the idea of what is all around where they are wanting to rezone. He really leaned to suggesting a different rezone that would be more in line with the general plan.



Commissioner Barrus stated that he is in favor of not legislating from the branch and that the property owner came to them with a proposal on R-1-8 and he deserves a vote and said that that proposal should be what they vote on.

Commissioner Sommerkorn proposed that the Planning Commissioners could do a straight up and down vote for the proposal as it is or they could recommend different option, but thinks that they should ask the applicant what he would prefer. He also shared that he has observed a lot of these types of rezones and when it is finally put in and it has been there for a while, the neighborhood would say that it is great and they like the people that are there.

Chair Nguyen asked the Commissioners what they think about inviting the applicant back up and Commissioner Sommerkorn suggested that they vote and see how that vote comes out and then they could have a further discussion with the applicant.

Chair Nguyen invited the applicant, David Nielsen, back up. He said it would have been a good thing to engage with the residents. The applicant responded saying that he thought that the public hearing was that part of the process. He then asked him how much flexibility he has with this property and the application.

David Nielsen responded that he is happy to entertain any other options.

**Motion:** Commissioner Barrus made a motion to approve the rezone to R-1-8 from BeBuilders for 602 South Angel Street. Commissioner Lyon seconded the motion.

**Vote:** The vote was 4-2 with Commissioners Barrus, Sommerkorn, Nguyen, and Lyon voting yay and Commissioners Sundloff and Branch with a nay.

Chair Nguyen asked staff when the rezone will go to City Council and Ms. Greenwood said that it would more than likely be June 2<sup>nd</sup>.

Chair Nguyen asked the commissioners if they had advice for the applicant and the residents.

Commissioner Sundloff started off by telling the applicant and the residents to talk to the City Council members.

Commissioner Barrus shared his experience of a rezone in an area that he lives in and that many of the concerns were just the same as the rezone on Angel Street. He said that all of the concerns that the neighbors were never realized and there was not a traffic or safety issue and the people that live there are good residents and neighbors.

## **5- Call to the Public**

Brett Markham said that he hopes that this rezone does not start a precedence for other rezones.

Alicia Lambert said that she knows that good people will move into these houses but her concern is that we are losing agricultural land.

Natalie Morrison approached the Commissioners and shared she feels that this rezone is about precedence and that by allowing this rezone it will open up the flood gates.

Justin Taylor thought that he heard someone on the Planning Commission say that they have no problem with the remaining 300 acres in Kaysville being high density.

Commissioner Sommerkorn stated that he did not say that. He said that if all 300 acres were developed as high density it wouldn't be a huge impact on the community.

David Nielsen addressed precedent and said 150 feet west of this home are twin homes and that those are smaller than what they are wanting to do.

Erica Townsend shared that if the city doesn't keep its own rules than everybody going to come and break them.

Kathy Johnson shared how she has felt over the years watching new development come in and change Kaysville but that we all need to learn to accept the change. She understand the concern of the neighbors.

Chair Nguyen closed the Call to the Public.

## **6- Other matters that properly come before the Planning Commission**

Ms. Greenwood shared with the Planning Commission that the final draft of the General Plan is ready and we will be having a joint meeting with City Council sometime in June. Ms. Greenwood will get back to the Commissioners with a date for the meeting.

Ms. Greenwood also shared that Commissioner Sommerkorn would like to have a discussion of our appeals process so she will work on a draft ordinance for the group. She also reminded the Commissioner that she will be getting a draft ready for the Explosive Ordinance for an upcoming meeting.

Ms. Greenwood mentioned that we have had over seven applications received for the new Planning Commission seats and interviews will be next week.

Ms. Greenwood said she would like to have a workshop session with the Planning Commissioners in regards to staff reports and the meeting agenda. She specifically stated that there is no reason the agenda should include a Call to the Public section. She also suggested that in staff reports recommendations could be added, providing more information for Commissioners.

Chair Nguyen shared that he doesn't have a problem with the Call to the Public being part of the agenda and feels that it is part of his duty to listen to the residents.

Ms. Greenwood suggested that if the Commission wants to keep that portion in the agenda, the Call to the Public should be at the front of the meeting.

Commissioner Sommerkorn mentioned that in all his years of being in this field of land use, he has not seen the Call to the Public on other cities Planning Commission agendas.

Ms. Greenwood informed the Commissioners that the Main Street Project is aiming to set a date for further discussion.

### **7-Adjournment**

A motion to adjourn was made by Commissioner Lyon. The meeting was adjourned at 9:50 pm.



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