



**Kaysville City Planning Commission Meeting Minutes
December 8, 2022**

The Planning Commission meeting was held on December 8, 2022 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Barrus, Commissioners Branch, Doxey, Lott, Keetch, Lyon, and Allred

Staff Present: Mindi Edstrom and Melinda Greenwood

Public Attendees: John and Shauna Flint, Brichelle and Darren Eyre, Jake Garn, Tony Powell, Ben and Amy Cook, Nancy Over, Gary and Brenda Mumford, Clay and Becky Packer, Greg Flint, Brenda Green, Linda Francis, Bridgette Frodsham, Spencer C, Ryan Hoeke, John Bunch, Joe Frodsham, and Pam Collard

1-OPENING

Chair Barrus opened the meeting by welcoming all in attendance to the December 8, 2022 Planning Commission meeting.

2- APPROVAL OF THE MINUTES FROM THE NOVEMBER 10, 2022 PLANNING COMMISSION MEETING

Commissioner Branch made a motion to approve the minutes and Commissioner Lyon seconded the motion. Vote was unanimous in favor of the motion.

3- PUBLIC HEARING FOR A TEXT AMENDMENT FOR:

- a. [17-2-2 Definitions](#)
- b. [17-8-3 Permitted Uses](#) for A-5 Heavy Agricultural District
- c. [17-9-3 Permitted Uses](#) for A-1 Light Agricultural District
- d. [17-10-3 Permitted Uses](#) for R-A Agricultural Residential District
- e. [17-11-3 Permitted Uses](#) for R-T Old Kaysville Townsite Residential District
- f. [17-12-3 Permitted Uses](#) for R-1 Single Family Residential District
- g. [17-13-3 Permitted Uses](#) for R-D Diverse Residential District
- h. [17-14-3 Permitted Uses](#) for R-2 One To Two Family Residential District
- i. [17-15-3 Permitted Uses](#) for R-4 One To Four Family Residential District
- j. [17-16-3 Permitted Uses](#) for R-M Multiple Family Residential District
- k. [17-20-4 Conditional Uses](#) for CC Central Commercial District
- l. [17-27-3 Allowed Uses](#) for Mixed Use Zoning District Overlay

Introduced by: Melinda Greenwood

Ms. Greenwood began by saying that this text amendment would remove ownership of household pets

from the land use code and let Kaysville City Code 15-3-6 govern the ownership of pets. She explained that on October 20, the Kaysville City Council amended the ordinance and increased the number of pets that a household can have from two to three pets. There is also a provision that a resident can submit an application for a fourth pet. Kaysville City animal services is provided by Davis County and they asked all the cities they serve be consistent in the number of allowed household pets.

The proposed text amendment would remove household pet definition from the permitted use sections in Title 17 and change the definition of kennels from three to four dogs.

There were no questions for staff from the Planning Commissioners.

The Public Hearing was opened and no comments were made. Chair Barrus closed the public hearing.

Commissioner Lyons made a motion to approve all text amendments as presented and was seconded by Commissioner Allred. The vote was unanimous in favor of the motion (7-0).

4- PUBLIC HEARING FOR A REZONE APPLICATION FOR 391 NORTH FLINT STREET FROM JOHN V. FLINT AND SHAUNA S. FLINT TO GO FROM A A-1 LIGHT AGRICULTURAL DISTRICT TO R-M MULTIPLE FAMILY RESIDENTIAL DSITRICT WITH A MIXED USE ZONING DISTRICT OVERLAY OVER A PORTION OF THE PROPERTY

Introduction by: Melinda Greenwood

Ms. Greenwood shared with the audience the complexities of the Land Use process and how the meeting for this rezone will proceed, explaining that the Planning Commission serves as a recommending body for the City Council, who will make the decision to approve or deny the rezone request.

Ms. Greenwood said that this is the first time a Mixed Use project has come before the Planning Commission. The rezone request is to take the property at 391 North Flint Street from a A-1 Light Agricultural District to R-M Multiple Family and R-M Mixed use Overlay. The property is currently zoned A-1 which has a minimum lot size of 40,000 ft². If the property were to be subdivided under the A-1 zone, seven single family dwellings could be constructed. The R-M portion of the project is 4.59 acres and if rezoned to R-M, the code would allow up to 71 multi-family units. The project is only proposing 46 units and the R-M Mixed Use density is limited based on the allowed height of the building and how much parking you can provide. There are 36 units proposed for the Mixed Use portion of the property. The subject property is surrounded by A-1, LI, PU, and R-1-20 zones.

Ms. Greenwood showed the Future Land Use Map from the Kaysville General Plan and stated it shows the Flint Street property is slated for single family residential zoning. She shared what the General Plan's role is as a guiding document. The General Plan contains five guiding principles, one of which is to provide diverse housing options and continued to say that 92 % of Kaysville is single family housing. She pointed to the "city center" portion of the General Plan which shows that Flint Street property could be used in the future for mixed use development.

She stated the goals and objectives at the end of each chapter are the nuts and bolts of the General Plan.

The first chapter of the General Plan is the Land Use and Placemaking Plan contains several goals and objectives that support the rezone. She said Chapter 1, Goal 7 is to ensure land uses are compatible

and/or utilize adequate buffers to enhance compatibility. Objective 7.1 states we should use land use transitions and development buffers between incompatible land uses and buffer residential uses by using transitional land uses and physical buffers.

Chapter 1, Goal 8 says we should look to provide a range of housing options and price points that can keep Kaysville affordable. The implementation measure says we should “Allow and encourage new residential development models that meet the future needs of the community.” She offered that the proposed development project meets these goals.

Ms. Greenwood explained that Chapter 2 is the Transportation and Connectivity portion of the General Plan and it highlights the need to connect new and existing developments. She noted that Pleasant View Drive is currently a stubbed road which was intended to be connected when the adjacent property developed. Another goal in Chapter 2 is to preserve and enhance access to and from the greater region. This project is in a good area for regional access and would make it more convenient for pedestrians to get to the grocery store and retail area on Flint Street as well as Barnes Park. She furthered that Objective 2.3 is to create a connected network and 2.5 is to increase access to existing trail corridors and specifically calls out the rail trail. A proposed portion of the Flint project is to make a connection to the Rail Trail, so the proposed project meets these objectives.

Chapter 3 in the General Plan is the Housing and Neighborhood element. The General Plan was recently revised and is now in compliance with the State of Utah for the Moderate Income Housing requirements. Several goals and objectives in Chapter 3 support the rezone request. Chapter 3, Goal 1 states Kaysville should provide a full range of housing opportunities to meet economic, lifestyle, and lifecycle needs. Objective 1.3, suggests the City should rezone for densities necessary to facilitate the production of moderate income housing. The R-M and R-M MU rezone and types of housing included in the project would meet these objectives. Objective 1.4, directly taken from state code says we should “Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.” The proposed rezone and project fulfill this objective.

Ms. Greenwood concluded the discussion on the General Plan and said there is adequate goals, objectives and principles to support the project.

Ms. Greenwood then went over project specifics which on the mixed use overlay would include 1.84 acres, 18,000 ft² of ground floor commercial space. The project proposes 4 three-story building which include 2 stories of apartments over commercial space and 1 two-story live-work style of apartments for a total of 36 units and 97 parking stalls.

The R-M Parcel is proposed to have 4.59 acres, 46 units which would be a mix of 16 single family or twin homes and 30 town homes, adequate open space that includes a walking path, playground, and connection to Rail Trail and dedicated parking for each unit.

Overall the entire project would have 82 units, a public road, waterwise landscaping, fencing on the north side of the property, and buffering with a trail, landscaping trees every 30 feet, all buffering the north side of the project and housing types.

The project was presented with a development agreement which will hold the applicant to the project presented.

Staff has received seven emails from residents and there were 62 notices mailed out to those in a 500 ft² radius. Ms. Greenwood said she forwards all the comments submitted to the Planning Commissioners into the packet for the City Council. The public comments we have received so far include concerns and comments on density, traffic, parking, road widths, buffering, compatibility of uses, and emergency vehicle access.

A traffic study was also included with the application. The traffic study did come back saying this project wouldn't impact the existing traffic enough to warrant mitigation efforts. She said both the City Engineer and Public Works Director have reviewed the traffic impact study and have not suggested any mitigation measures. The public have also had questions about gating the existing public street of Pleasant View Drive, but the Fire Chief has said no to that request based on the negative impacts gates have on response times and public safety.

Ms. Greenwood concluded that staff is recommending approval for the development agreement and the rezone of 391 North Flint Street to R-M with the Mixed Use Overlay over the eastern portion of the property based on these findings:

- These findings are offered to the Planning Commission in consideration of the rezone request.
- The project is harmonious with the Guiding Principle of the 2022 General Plan "Provide diverse housing option."
- Chapters 1, 2, and 3 of the 2022 General Plan contain adequate goals, policy objectives and implementation measures which support approval of the rezone request.
- The rezone approval would allow the city to account for positive progress to the State for the 2023 Moderate Income Housing reporting.
- The design of the project as outlined in the site plan and development agreement would not negatively impact the character of the existing neighborhood to the north.
- The project would diversify the housing product available in Kaysville and provide opportunities for full life-cycle housing within the development.
- The proposed rezone and project enhances connectivity to regional trails and neighborhood access.
- The project will not profoundly negatively impact traffic in the area.
- Staff review has found the project to be compliant with the R-M and Mixed-Use zoning code.

Commissioner Barrus asked the Commissioners if they had any questions for staff and there were no questions at that point.

Greg Nelson, from Millstream Partners and representing the project was given time to address the Commission. He stated he is a Kaysville resident and introduced the Flint family project. He started a PowerPoint presentation and invited Mr. John Flint to first speak to the Commissioners.

Mr. Flint said that they have held four meetings at his home to work with the neighbors and regarding the project. Mr. Flint said his family was there to support him and the project and said they all live in Kaysville. Mr. Flint gave a brief history of his families' legacy in Kaysville. He said this is an emotional

time for his family and that his family has always tried to help the City and improve Kaysville. They have supported with care two park, Angel Street Park and Barnes Park. Mr. Flint said he helped establish the business park as well as the Smith's Marketplace project, which he believes has benefited the west side of Kaysville.

Mr. Flint turned the time back over to Mr. Nelson, who began by saying that the property has several competing land uses surrounding the property, including retail to the south, a mixture of commercial to the south on Flint Street and Barnes Business Park and recreation fields just east of the Flint frontage. He said they are wanting to transition all the uses and hope that what they would develop would be less abrupt to what is happens in other cities.

Mr. Nelson shared the project goals of having the highest and best use of the property and how they do and allow all the stakeholder groups to get what they want. The project team wants to provide housing for those in the later stages of life and housing for younger families. They also want a project that looks and feels like Kaysville. The designed the town homes on smaller blocks to help maintain the feel of openness and said the town homes will be 1,500-1,700 ft² and are designed in clusters to maintain a community feel. They have proposed a street design to help slow speed in the neighborhood.

He continued saying the MU portion on the Flint frontage of the project helps the city fulfill the housing objectives the city is required to have from the State. He said the buildings will be 35' in height with ceilings at 9'. The apartments will have lots of walkability with the MU section. There will be no parking lot area allowed in the front of the commercial buildings and they feel the project fits the General Plan.

Mr. Nelson said there are advantages to using this site for diverse housing. For example, the sewage would drain to the east, there would be a reduction in overall water use as property changes from heavy-use agricultural to housing, there would be another ingress and egress extending Pleasant View Drive and it creates housing diversity in places that are next to several competing land uses in West Kaysville. Mr. Nelson feels the proposed project accomplishes these project goals.

Mr. Nelson spoke to the efforts they have made to incorporate the neighbors input into the project. They met with neighbors on May 16, 2022 and neighbors gave them a wish list. On August 17, 2022 they showed a proposed design and met with neighbors in a broader radius to show the proposed design and discuss feedback. On December 6, 2022 they met again with single family homes within 500 ft² of the property. Based on feedback, they added white vinyl fencing along the north property lines, wide streets for parking and a rail trail entrance.

Mr. Nelson mentioned the traffic study that was done by Hales Engineering and concluded that no mitigation measures were recommended because of the proposed development. He addressed density concerns by stating the project is a 35% pullback from what the code allows. He said if density is further reduced the homes are going to be significantly more expensive and amenities like rail trail connection may be lost, as well as a fence replacement, and smaller commitments to parks and play ground.

Commissioner Lyons inquired about the absorption time frame from approval to being able to start and finish. Mr. Nelson responded saying that town homes are 10-20 units a month depending on the

development and feels that it won't take long to sell all the units. He said many people have already asked to be put on a waitlist for the patio homes.

Commissioner Keetch asked Mr. Nelson if the number of townhomes was definitive to what is in the plan or is the number of units subjective of how many units there would be in total. Mr. Nelson stated that the Development agreement would not allow them to do more units than what has been proposed.

Commissioner Lott asked staff how tall the mixed use unit is at the South East of the project and asked how tall the Smith's building is. Ms. Greenwood said she thinks the three-story Mixed Use building will be slightly taller than Smiths.

Commissioner Allred asked a question in regards to the mixed use height limit. He asked what the height limit is on the ground floor. Mr. Nelson shared that with the 35' height they will be able to fit all three floors in that restriction, hoping to get 9' or 10' ceilings.

Commissioner Allred how the City defines height. Ms. Greenwood shared that the Kaysville City definition is not very detailed however there are some concessions that HVAC that doesn't get added into the height. She said that ground floor commercial is required to be 13'.

Commissioner Allred said he feels as a city we should allow for flexibility for architectural design and flare. He also asked if there is a restriction or a condition on the ground floor that requires it to be retail or if it could be occupied by office. Ms. Greenwood said we do not have a stipulation for the ground floor uses. She also answered the previous statement made by Commissioner Allred that this is a caveat or a catch all in the Mixed Use Overlay Zone that says development standards can be altered by specific approval of the City Council in a development agreement when demonstrated that alternate standards are superior to those listed within the Mixed Use chapter. So in theory, the allowed height differentiate from what is listed.

Commissioner Branch asked Mr. Nelson if the townhomes would be moderate income housing. Mr. Nelson responded saying with the buildings along the front will be closer to achieving more moderate income than they can with townhomes. He said that they did not design the town homes to hit the 80% of AMI and said they have more ability to achieve more moderate income housing with the apartments up above the commercial buildings.

Commissioner Lott asked staff if the Mixed Use in the front of the project would show the state that we are moving in the right direction. Ms. Greenwood said that this is the first time that the state has checked for compliance with the cities and that approval of the project would show us moving in the direction the state wants us to go. She said that Kaysville City has a couple other projects coming through that may help with compliance to the states mandates.

Chair Barrus opened up the Public Hearing and reminded the audience to stick to 3 minutes for their comments.

Jake Garn is a neighbor to the Flint property and said he is very appreciative of how the developers and the Flints opened up their home for input from the neighbors. He feels that everything about this project makes sense and he is generally very supportive. He also likes the age diversity that will come with the project as well as a having a property manager that will be responsible. Mr. Garn asked about the curve on Pleasant View Drive that is kind of a blind corner and going both directions, he wondered if there could be another one going the opposite direction and maybe one more pinch point at the top of the subdivision that could slow traffic down in both directions. He also felt that there is a need to extend the median on Flint Street to help with pulling out from the neighborhood.

Gary Mumford said his written statement is in the Planning Commission Packet for this meeting. He also feels that there is not a good transition with apartments and commercial right next to the five existing homes. He mentioned that Hill Farms did a good job with their transition into the neighborhood. He also said in the first meeting at the Flint home the patio homes would be next to the existing home. He said it appears that the patio homes now look like two-story homes with stairs. He encouraged the Planning Commission to add into their motion greater transition from commercial to existing homes, a commitment from the developer for a certain number or percent of units that will be without stairs, addition of a small visitor parking lot in the west portion of the development, and to limit the apartment and commercial buildings to two stories.

Tony Powell lives north of the proposed development. He requested the Planning Commission to consider some additional building transition beyond what is proposed. He also does not agree that this development will conflict with traffic.

Brenda Mumford said she is generally in favor of changing the property to R-M. She acknowledged the need to have more housing but doesn't believe that the patio homes will be true single level homes. She is in favor however for two-story buildings rather than three-story apartments or commercial building. She also asked how garbage would work for this subdivision.

Chair Barrus closed the Public Hearing.

Chair Barrus invited the applicant to come back to approach the Planning Commissioners. Mr. Nelson responded to Ms. Mumford's question about garbage pickup by saying that it is really the service provider who will determine how to collect garbage for the neighborhood. He also said that some of the patio homes will be single level and some will have a loft, but not a second level.

Commissioner Doxey's concern is that his family will not be able to live in Kaysville due to rising housing costs and limited options. That is why he wanted to be on the Planning Commission three years ago. He applauded the whole process of the Flint rezone for both the applicant and the developer. He shared his experience with others who are struggling to afford owning a home and said this project is as good as it gets as it checks all the boxes.

Commissioner Allred agreed that this project has been the best as far a community outreach, best presentations, and best proposals. He fully supports this project and feels it has been handled well with all shareholders.

Commissioner Lyon feels that this project works for this space. It has good density, it's connected to the trail system and active transportation and feels it checks all the boxes required by the city, state, and community.

Commissioner Branch agreed with the former comments made by fellow Commissioners but made the point that density is not always synonymous with affordability.

Commissioner Lott also agrees with all the other comments that have been made and very pleased to see a project like this in west Kaysville. She likes the fact that this will bring in diverse housing and looks forward to seeing the project come to completion.

Commissioner Keetch also agrees that this development opportunity has been very thoughtful and appreciates all the attention to detail. She is happy with the proposed project for this land and would recommend this be approved.

Chair Barrus commended the applicant and their outreach to the community and feels that this is a great development and he was ready to entertain a motion.

Commissioner Doxey made a motion to recommend to the City Council the rezone for the 391 North Flint Street from A-1 to R-M with the Mixed Use Overlay and Commissioner Lyon seconded the motion with findings recommended by staff. Vote was unanimous in favor of the motion. (7-0)

5- CALL TO THE PUBLIC

There were no comments.

6-OTHER MATTERS THAT PROPERLY COME BEFORE PLANNING COMMISSION

Ms. Greenwood said she hopes to have the rezone on the January 5th City Council agenda.

She said there will be no Planning Commission meeting for December 22nd.

She thanked Commissioner Doxey for his time in serving the community.

Ms. Mindi Edstrom gave some specific details about the 2022 Kaysville Gives program and thanked the community for their support.

7-ADJOURNMENT

Commissioner Lyon motioned to adjourn the meeting at 9:37 pm.