



**Kaysville City Planning Commission
Meeting Notice and Agenda**

The Kaysville City Planning Commission will hold a regular meeting on September 14, 2023, 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.

1. Opening
2. Approval of the minutes from the August 10, 2023 Planning Commission Meeting
3. Public Hearing for a rezone application for 1864 South Sunset Drive from A-1 Light Agriculture to R-1-20 Single Family for applicant Russell Wilson, Symphony Development Corporation
4. Public Hearing for a rezone application for 41 West 100 South from R-1-8 Single Family Residential to R-M Multiple Family Residential from Hal T. Anderson
5. Call to the Public
6. Other matters that properly come before the Planning Commission
 - a. Reports
 - b. Correspondence
 - c. Calendar
7. Adjournment

On a Notice of Meeting was posted in accordance with Utah State Code Section 52-4-202 (3).

Mindi Edstrom
Community Development Department



Kaysville City Planning Commission Meeting Minutes August 10, 2023

The Planning Commission meeting was held on Thursday, August 10, 2023 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Steve Lyon, Commissioners Toby Barrus, Debora Shepard, Mike Packer, Wilf Sommerkorn and Erin Young

Staff Present: Annemarie Plaizier and Melinda Greenwood

Public Attendees: Phil Holland, Trek Loveridge, and City Councilmember Abbi Hunt

1-OPENING

Chair Steve Lyon opened the meeting by welcoming all in attendance to the August 10, 2023 Planning Commission meeting.

2- APPROVAL OF THE MINUTES FROM THE JULY 13, 2023 PLANNING COMMISSION MEETING

Commissioner Packer made a motion to approve the July 13, 2023 minutes. The motion was seconded by Commissioner Young and the vote was unanimous in favor of the motion (6-0).

3-CONSIDERATION OF A REZONE APPLICATION FROM PHIL HOLLAND FOR 521 WEST 350 NORTH FROM GENERAL COMMERCIAL TO MIXED USE ZONING DISTRICT OVERLAY (CONTINUED FROM THE JULY 13, 2023 MEETING)

The item was introduced by Melinda Greenwood.

She explained the proposed mixed-use project is a little over 6 acres at 521 West 350 North. Based on the request from the Planning Commission to add density, the applicant has proposed 160 units which is 28 more from the 132 initially proposed at the July 13, 2023 meeting. She shared how this project is supported by the Kaysville 2022 General Plan. Ms. Greenwood explained the changes which had been made to the project based on the feedback from the Commissioners. She continued to explain there were no changes made to the hotel, office or retail space, but the two apartment buildings have increased from three stories to four and the unit mix was 132 units and the new proposal is 80 units per building, consisting of 8 studio apartments, 48 one-bedroom units and 24 two-bedroom units. The footprint of both apartment buildings changes so additional parking could be added. Mr. Holland also provided an updated landscape plan showing a reduction of some of the turf area and more trees being provided for shade.

A new parking study was submitted by Mr. Holland and the outcome of the study shows that there is still adequate parking with the 302 stalls provided.

Ms. Greenwood said that 40 public hearing notices were mailed in June 2023 and a Public Hearing was held on July 13, 2023. There were 2 comments received with concerns of utilities, rental rates, parking, traffic and desirability of the project. Another handful of emails came in before the meeting and their main concerns were parking and traffic. Ms. Greenwood also said the project has been reviewed by our Power and Public Works Departments and there were no concerns regarding utility capacity. There was a question regarding impact fees from the project and Ms. Greenwood said the roadway impact fees would be nearly \$400,000, and city could use that funding to accommodate some traffic concerns with those impact fees. She also said that Kaysville City doesn't own the right of way between 200 North and I-15 but UDOT is working on a project to add double left hand turns in this area. The additional left turn lane will be a short-term fix that will alleviate some congestion in the area until UDOT does a full interchange construction project. One of the mitigation efforts that will most likely be installed is a raised median that will restrict people from turning left onto 400 West.

Ms. Greenwood said that staff is recommending approval of the Development Agreement and the rezone of 521 West 350 North and that Mr. Holland, the applicant was in attendance and happy to answer any questions.

Commissioner Sommerkorn asked if the Mixed-Use Zone has a height limit and would the height be modified with the Development Agreement.

Ms. Greenwood said that General Commercial zones and Light Industrial zones allow for 35' heights on buildings, however with a Conditional Use Permit anything over 35' can be requested. The Mixed-Use zone also has a height limitation of 35' for buildings that are not fully commercial buildings. Buildings that are full commercial have a height limitation of 50', however, City Council can adopt any standards outside of those in the code that they feel are appropriate.

Commissioner Sommerkorn asked if the parking requirements would be modified in the Development Agreement. He reiterated that while it is a significant reduction in stalls, the parking experts seemed to think it would be fine.

Ms. Greenwood said standards for parking were included in the code is to set a benchmark for those looking into mixed use zoning, so they have an idea of where they would need to be with parking. It also allows for some flexibility with City Council for each application. In a community that does not have a lot of transit options, a reduction of 24% is a significant reduction.

Commissioner Sommerkorn said parking is an issue and most projects are over-parked. He said projects which are under-parked are a real problem because it forces cars into other neighborhoods or other areas to park and in this instance, there isn't really a lot of space for cars to go.

Commissioner Shepard said that you almost need 350-370 overnight parking for both the hotel and the apartment building and even by doing a 10% reduction they would still need 357 stalls. She said to only have 302 stalls feels like the project is under-parked. It would make more of a difference if there were commercial uses where you would have more day parking.

Ms. Greenwood said that people are creatures of convenience and will park wherever is closer, even if it is on the street. The laws allow for people to park on the streets but with the project there isn't a lot of public streets for anyone to park on. It is important to consider the proximity of the commercial parking stalls to the apartments and guest parking for those in the apartments.

Mr. Holland approached the Commission and said the best way to determine the amount of parking needed is to get an expert to look at it. Mixed-Use zones are great because you don't need seas of parking. He referred to the parking analysis which shows he doesn't need more parking than what he is providing. Mr. Holland said some of the buildings had the footprint condensed on the apartment buildings to create additional landscaping area. The southeast building will be 45 feet tall. He also shared that there has been a shift in housing, affordability and variety. Many cities are saying this kind of housing is needed, and he feels this is the best location for it because it is close to transportation, shopping and in the future, there will be better opportunities for walkability for residents. Mr. Holland said he thinks this project is a great opportunity for Kaysville.

Commissioner Shepard asked Mr. Holland about the timeline for this project.

Mr. Holland said once the project receives approval, they will begin construction as soon as possible. The hotel and retail users are ready to get going and it will take 12-18 months to build.

Ms. Greenwood said that UDOT is aware of this project and will start restriping 200 North in from 400 West to the interchange in the next few weeks.

Commissioner Young said there is a lot of concern regarding traffic from the emails that were received by staff and the Commissioners. Other than traffic concerns, she feels this is the perfect place for this project to go, but she doesn't want to see a bad street get worse because of a lot of on-street parking. Commissioner Young said if the parking study was done by a reputable expert for the parking, then we should defer to them. She also said that oftentimes

these projects are the kind of thing that pushes other transit options because it creates a need for it.

Commissioner Shepard feels the project is under-parked because there is such a need for overnight parking. She would rather see a number of parking stalls at 325. Ms. Shepard asked Mr. Holland if the 11 or 12 stalls on the site plan located by the IHC office were included in his parking numbers.

Mr. Holland saying IHC owns the property and those spaces are not counted in the parking total.

Commissioner Shepard said that she would rather not remove the parking islands since the shade from the trees would help the project from being a heat island. Commissioner Shepard feels that 322 stalls with 114 for the hotel, accounting for one car per room would be appropriate and would be less than the 10% reduction.

Commissioner Sommerkorn suggested doing less apartments and more commercial would not necessarily make a difference with traffic. If more apartments were on Main Street, much of that traffic would end up on 200 North. He understands what the consultants are saying, what residents are saying and what Commissioners are saying, but noted this is a more self-contained mixed-use with no other areas to walk to.

Commissioner Lyon said we should consider more parking but that, the project is supported by the General Plan.

Mr. Holland said he is working with IHC to have a connector piece for a sidewalk and parking, but he cannot ensure that is something IHC will allow. He said that he bought everything from them except a half-acre, which is a vacant piece they may or may not use in future expansion. Mr. Holland told IHC there needs to be pedestrian access to go across properties and that he would be happy to take care of the improvements.

Mr. Holland also said that the conversation from the Planning Commission meeting on July 13th has shifted from adding more apartments and less parking to just having more parking. Mr. Holland said that he would rather cut down on unit types then add parking.

Commissioner Packer said that he feels more comfortable with the number of stalls and units from the previous plan and going up to 160 units made him nervous between parking and density. He said that if we have an issue with parking then one option could be to reduce the number of units.

Commissioner Lyon said Mr. Holland has done what we have asked him to do and if he could get the 11 parking spaces from IHC then this project is where it needs to be for density and parking.

Commissioner Young asked if including IHC stalls to the project could be added into the Development Agreement so by the time Mr. Holland is done constructing the project it would give him time to work things out with IHC.

Mr. Holland said that he doesn't want his project handcuffed to IHC's 11 parking stalls.

Commissioner Sommerkorn said if IHC is planning on expanding that would be more parking and wondered if Mr. Holland felt like there is any way to get a cross parking agreement to share parking between both projects.

Commissioner Barrus commented that he understands the concern and from an engineering perspective, you try to build to a maximum situation so you will always be over parked and believes that the parking study probably has the right number.

Commissioner Lyon said that this project is bringing in apartments, housing, commercial retail and is meeting our housing density requirements. It will help the city with economic development and there will be a generation shift with the people who live there. The developer has done their due diligence on this project and the Commissioners need to make the recommendation to go one way or another.

Commissioner Sommerkorn made the motion to recommend approval of the proposed MU rezone application for Phil Holland LLC at 521 West 350 North to the City Council and Commissioner Young seconded the motion. The vote was unanimous in favor of the motion (6-0).

4- CALL TO THE PUBLIC

No comments were made.

5- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. Greenwood said we will get Commissioners registered for the APA Conference. She also said that the Utah League of Cities and Towns is holding their annual conference at the Salt Palace and that is another opportunity for the Commissioners to attend training sessions.

Commissioner Young mentioned the training opportunity with Get Healthy Utah and how it might cross sect with the Planning Commission. Commissioner Lyon said that the Davis County Health Department looks at this as well and presents at Healthy Utah.

Commissioner Sommerkorn mentioned the Utah Land Use Institute conference on October 24th

and 25th in Sandy.

Ms. Greenwood said grants for small area plans are due at the end of the month and hopefully she will be getting some submitted for grant funding for a small area plan for the City Center area. Commissioner Lyon offered to help write the grants.

6- ADJOURNMENT

Commissioner Barrus motioned to adjourn the meeting at 8:36 pm.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: August 18, 2023

Agenda Item #3: Rezone request and public hearing for property at 1864 South Sunset Drive from A-1 (Light Agriculture) to R-1-20 (Single Family 20,000 ft²) for applicant Symphony Development Corporation, Russell Wilson.

Meeting Date	September 14, 2023
Application Type	Rezone
Applicant Owner	Symphony Development Corporation, Russell Wilson
Address Parcel ID Number	1864 South Sunset Drive 08-200-0004
Lot Size	5.27 acres 229,561 ft ²
Current Use	Agriculture Single Family
Current Zoning	A-1
Density Entitlement	5 lots
Requested Zoning	R-1-20
Density Entitlement	11 lots

1. BACKGROUND

The property currently is a 5.27 parcel with a single family dwelling on it. The parcel does meet the square footage and frontage for the proposed zone change.

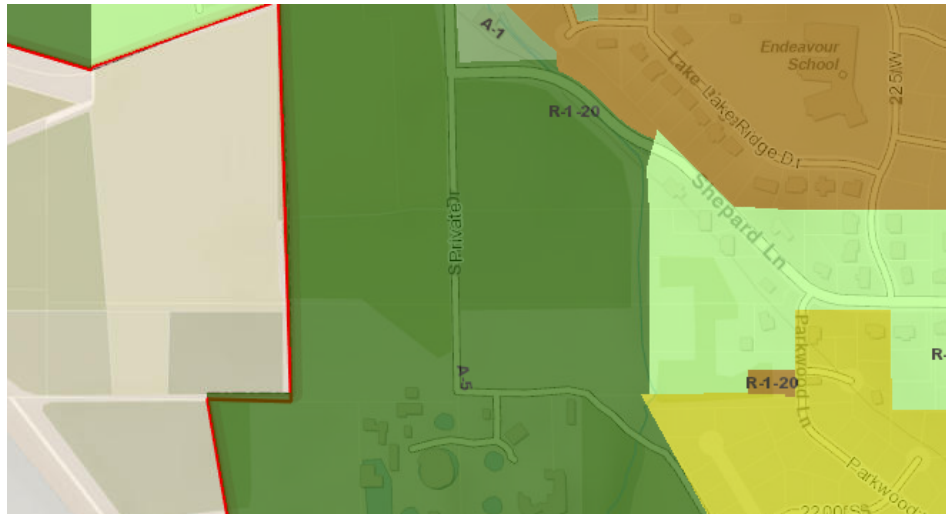
2. SURROUNDING LAND USE AND ZONING

The parcel is located on the south end of Sunset Drive. The application submitted to the Planning Commission for consideration of rezone to R-1-20 is appropriate for the location. The characteristics of the surrounding area and neighborhood are provided.

- **Adjacent** – Directly adjacent to the subject property is A-1, A-5, and R-A.
- **North** – The subject property is bordered by A-1.



- **South** – Directly south of the parcels are A-5 and belong to the Sewer District.
- **East** – Across the street is R-1-20 with established single- family dwellings.
- **West** – The subject property is bordered undeveloped R-A.



3. GENERAL PLAN

The future land use map in the 2022 General Plan shows the property at 1864 South Sunset Drive to be in a Single-Family Dwelling district. The rezone request to R-1-20 is supported by the Future Land Use Map. The rezone from A-1 to R-1-20 would provide more single-family lots, which is consistent with the majority of the established neighborhoods at the north end of Sunset Drive. On page 27 of our 2022 General Plan Goal 1 is to preserve and protect Kaysville’s “Small Town” atmosphere by limiting change in functioning neighborhood districts.

The Goal to preserve neighborhood character on page 43 Chapter 2 Transportation and Connectivity, goal 3.2 shows we should use the street design to shape the neighborhood character which this rezone reflects. The entire Sunset Drive aligns with the goals, and the provisions support for the proposed rezone.

Staff believes the rezone is supported by the 2022 General Plan. The Future Land Use map is clear that the area is complementary to the zone change.

4. PUBLIC COMMENT

A total of 12 public notices were mailed to property owners within 500’ radius of the subject property and a sign was placed on the property on Friday, September 8, 2023. As of the date of this report, no comments have been received.

5. RECOMMENDATION

Staff is recommending the zone change from A-1 to R-1-20 with support from the 2022 General Plan as a compatible zone for the existing homes and neighborhood character.

The Planning Commission may make a recommendation to the City Council to approve or deny the rezone request.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: September 8, 2023

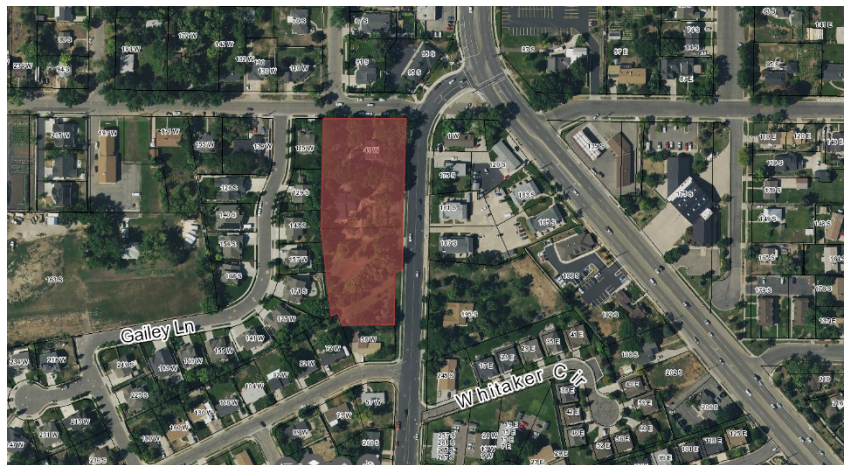
Agenda Item #4 Public Hearing for the rezone application from Hal T. Anderson for a zone change for 41 West 100 South from R-1-8 Single Family Residential to R-M Multiple Family Residential

Meeting Date	September 14, 2023
Application Type	Rezone
Applicant Owner	Hal T. Anderson Hot Diggity 1 LLC
Address Parcel ID Number	41 West 100 South 11-108-0136 & 11-108-0135
Lot Size	2.397 acres 104,413 ft ²
Current Use	One single family home
Current Zoning	R-1-8 Single Family Residential
Density Entitlement	13 single family detached unit (minimum 8,000 ft ²)
Requested Zoning	R-M Multiple Family Residential
Density Entitlement	37 attached residential units

1. BACKGROUND

The subject properties are two parcels which combine to total 2.387 acres on the southwest side of 100 South and 50 West. Currently, one north facing single family home exists on the property with the frontage located along 100 South. The property also has a detached accessory structure located south of the home.

The applicant is requesting a rezone from R-1-8 Single Family Residential to R-M Multiple Family Residential. The change in zoning would allow for the construction of up to 37 attached dwelling units as prescribed per the R-M zone ordinance. The applicant is also the property owner, and did not

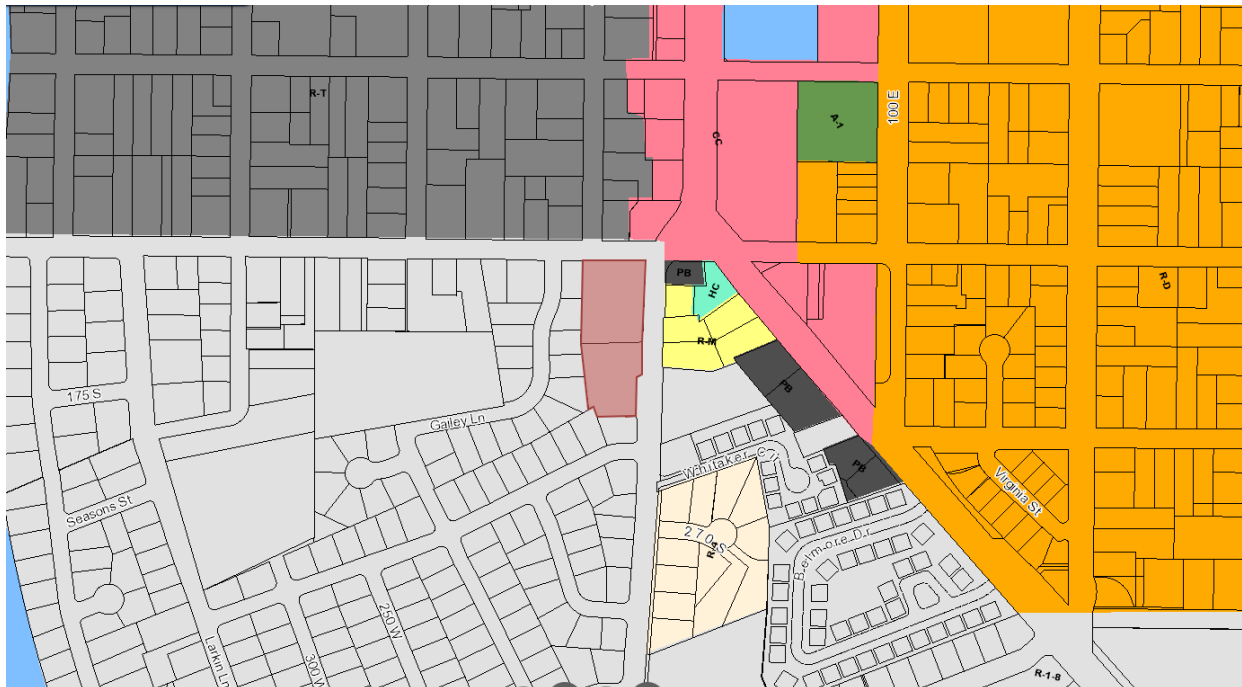


submit any concept drawings with their application.

2. SURROUNDING LAND USE AND ZONING

The two parcels are located in an area with a variety of existing zoning, as follows.

- **Adjacent** – Directly adjacent to the subject property is R-1-8 zoning and single-family dwellings which are located on the east and south sides.
- **North** – The area on the north side of 100 South is zoned R-T Old Kaysville Townsite Residential District and CC Central Commercial.
- **South** – Properties south of the subject parcels are zoned R-1-8.
- **East** – Across 50 West there are properties which are zoned PB Professional Business, RM Multi Family Residential, R-1-8 and R-4. An insurance office, duplexes and townhomes exist east of the property.
- **West** – The subject property is bordered by R-1-8 zoning.



The Planning Commission should consider the existing uses which surround the subject property as they make a determination of suitability for the R-M zone at this location.

3. GENERAL PLAN

The 2022 Kaysville City General Plan contains the following goals and policies. These excerpts are relevant to the R-M rezone application and should be considered as deciding criteria when the Planning Commission makes their recommendation to the City Council.

Future Land Use Map

The Future Land Use Map indicates single family dwelling units on the parcel up for re-zone. The goal on page 29 number 6: Preserve the established character of Kaysville. An implementation measure is to prohibit high density and land uses in areas established for lower density residential use.

On Page 54 Objective 1:3 (C) The Planning Commission should give strong consideration to rezone applications which are supported by elements of the General Plan but may not align with the Future Land Use Map. The property up for re-zone is across the street from the south end of the Central Commercial, and City Center where the Historic Main Street is envisioned to be pedestrian-friendly and support City Center activities. The parcel up for rezone is within three blocks south of the Mixed-Use Commercial, and directly across the street to the east is zoned R-M.

Staff feels all Goals and Implement Measures included in the Staff Report below this point will support favor of the rezone of R-M.

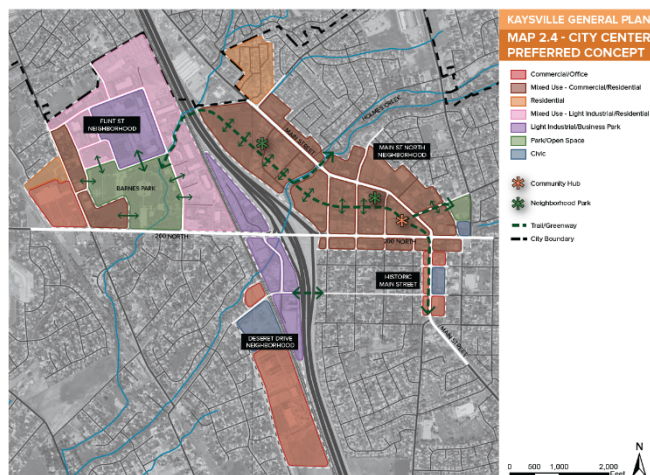
Land Use and Placemaking Plan

On page 29 Goal 8: Provide a range of housing options and price points that help ensure Kaysville is an affordable place to live. Objective 8.1: Coordinate and align Land Use and Housing Policies that allow and encourage new residential development models that meet the future needs of the community. This rezone will address land use standards that address moderate income housing needs.

Housing and Neighborhoods

On page 54 Goal 1: Provide a full range of housing opportunities to meet the economic lifestyle and lifecycle needs and expectations for residents housing and neighborhood goals and objectives.

On page 54 Objective 1.1: Allow for higher density and mixed use within the City Center to diversify housing stock. The Hal Anderson property is in close proximity, (just across the street on 100 South) to the City Center Preferred Concept area indicated in the 2022 General Plan.



Moderate Income Housing

The definition by Utah State Statute, “Moderate income housing means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.” A few years ago, the Utah State Legislature began efforts to address housing affordability within the state. Part of those efforts included revising state code to mandate that municipalities

dedicate a section in their General Plan to housing affordability, particularly moderate income housing (MIH). When the requirement was initially put in Utah State Code 10-9a-403, the law gave a list of items intended to increase possibilities for a greater affordability of housing.

The key goals and objective of the moderate income housing goals and objectives far out way the current Future Land Use Map even though is one year old. The State of Utah says it may be reviewed annually. The Future Land Use Map shows the property proposed for rezone is across the street from described City Center and walking distance to the down town commercial district.

Staff reviewed the R-M Ordinance 17-16-7 Area, Lot Width, and Yard Requirements. They feel this would give developers some positive tools to build buffers, setbacks. The R-M zone would also give options for parking and egress onto the city streets. This would create a safer traffic flow onto and off of the street and near the blind curve intersection located in the area.

The R-M zone allows multiple attached units which commonly reduces the costs of housing as land is consumed more efficiently and at a smaller rate than single family. More often than not, R-M zoning creates options that are more affordable than single family residences. This is not always the case, and affordability is a difficult argument to make, but nonetheless, a rezone to R-M is appropriate given the adopted MIH goals contained in the 2022 General Plan.

4. ZONING

A. R-M Zone

The stated purpose of the R-M zone is:

To provide for areas in appropriate locations where neighborhoods of varying degrees of density may be established, maintained, and protected. The regulations of this district are designed to promote and encourage an intensively developed residential environment suitable primarily for adult living. To this end, the regulations permit, in accordance with stated regulations, dwellings ranging from single-family to multiple and necessary public services and activities subject to proper controls.

Based on information in this report, public comment, and discussion at the Planning Commission meeting, the Commission should determine whether or not the application of the R-M zone in this location would meet the stated purpose of the R-M zone.

B. Density

The subject property is 2.397 acres or 104,413 ft². Current R-1-8 zoning would allow 13 lots, based solely on size. It is feasible that each of those lots could receive a CUP for a twin home, making the overall density entitlement on the property 26 units. If the rezone is approved, up to 37 attached dwelling units could be allowed on the site.

C. Parking

For multi-dwelling units, KCC Chapter 17-32-5-2 requires a minimum of 8 spaces plus 1.5 spaces for each unit over five units. A 37unit development would require a minimum of 56 dedicated parking spots.

D. Open Space

The R-M zone prescribes a minimum of amount of usable and functional open space for outdoor leisure. A 37unit development would require a minimum of 15,600 ft² of open space.

E. Storage

The R-M zone requires a minimum of 20 ft² of enclosed outside storage for each dwelling unit. Should the applicant maximize the density on site, 37 units would require 740 ft².

F. Other Regulations

Differences between height and setback regulations between the current and proposed zones are identified in the chart below.

	R-1-8 (Current Zone)	R-M (Proposed Zone)
Height	30'	30'
Front Setback	25'	25'
Side Setback	≥ 8' both side yards ≥16'	≥ 8' both side yards ≥16' + 2' per unit over two
Rear Setback	15'	15'
Corner	20' side abutting street	20' each side abutting street

5. PUBLIC NOTICING AND PUBLIC COMMENT

A total of 42 public notices were mailed to property owners within 500' of the subject property.

As of 9/8/2023 we have 11 comments submitted: Two emails support the rezone, and nine that object.

The supporting emails believe it is a good location and supports moderate income housing.

The non-supporting emails list traffic as the main concern. Other concerns listed are noise, congestion, decreased property value, cuts off neighbors, removal of mature trees, creates a wall of homes, prone to flooding, parking on street, will not provide moderate income housing, lack of respect to historic properties, density, safety, and no development agreement provided.

6. RECOMMENDATION

The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the 2022 General Plan, considerations listed within this staff report and how well the requested RM zone fits at this particular location.

The Planning Commission may make a recommendation to approve or deny the rezone request.