Kaysville City Planning Commission
Meeting Notice and Agenda

The Kaysville City Planning Commission will hold a regular meeting on September 28, 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. Conditional Use Permit for a Major B Home Occupation for Total Home Construction and Remodel located at 605 East Whisper Creek Drive
4. Call to the Public
5. Other matters that properly come before the Planning Commission
    a. Reports
    b. Correspondence
    c. Calendar
6. 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 in 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: Mindi Edstrom, Business License Officer
Date: September 22, 2023

Agenda Item #3: Conditional Use Permit for a Major B Home Occupation for Total Home Construction and Remodel located at 605 East Whisper Creek Drive for Todd Johnson

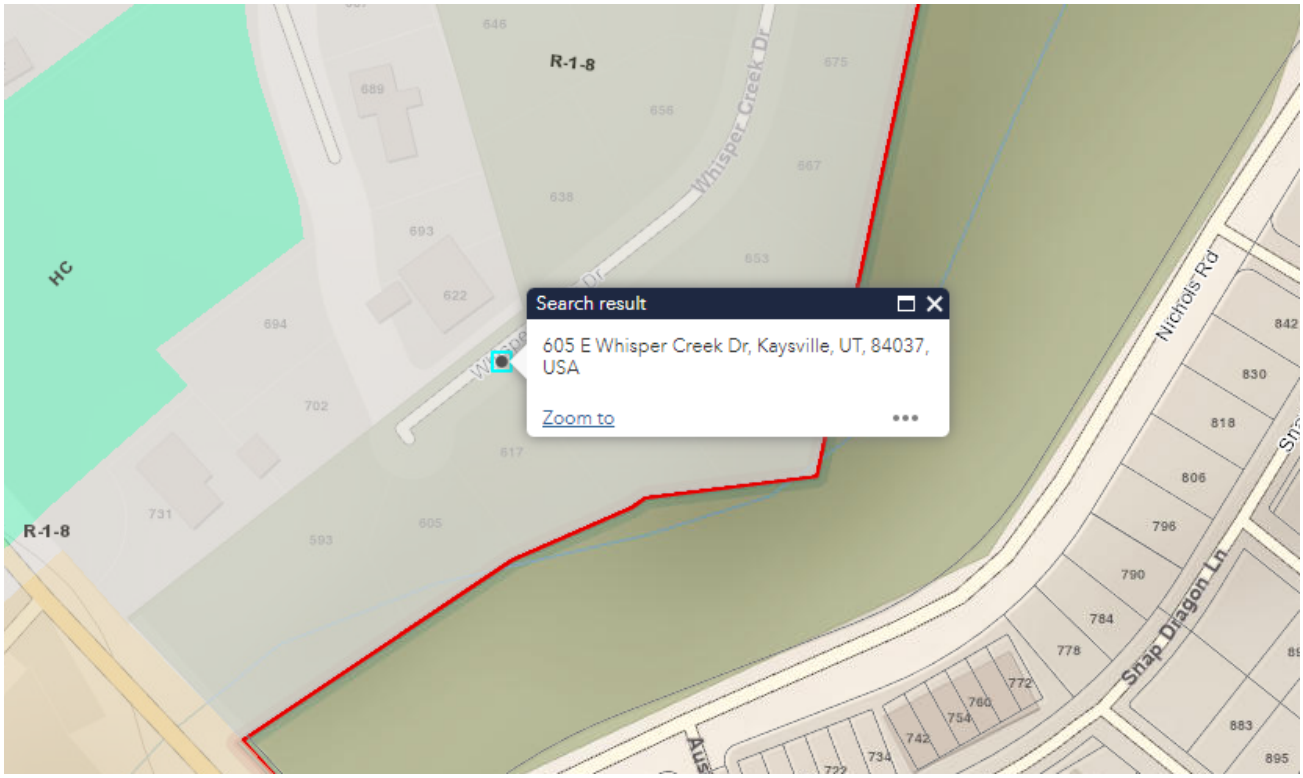
Meeting Date	September 28, 2023
Application Type	Conditional Use Permit
Applicant | Owner	Todd Johnson| Total Home Construction and Remodel
Address | Parcel ID Number	605 East Whisper Creek Drive | 07-311-0117
Lot Size	0.3 acres | 13,068 ft²
Current Use	Single Family Dwelling
Conditional Use	Major B Home Occupation

1. BACKGROUND

Mr. Johnson is the owner of Total Home Construction and Remodel, a new business here in Kaysville City. Mr. Johnson is a B100 General Contractor and has a current DOPL license with the State of Utah. He lives at the end of a cul-de-sac and has a pad on the side of his home to park equipment for business. Mr. Johnson will not have any employees or customers come to the home and all materials for construction and remodel will be delivered to the job site.

2. ZONING

The property is zoned R-1-8. KCC 17-26-4 Major Home Occupations B allows for and regulates business such as this.



3. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on September 22, 2023.

4. RECOMMENDATION

Staff is recommending approval of this Conditional Use Permit located at 605 East Whisper Creek Drive for Total Home Construction and Remodel with any conditions Planning Commission feel are necessary.

Findings for a recommendation of approval include:

1. The proposed use is consistent with the KCC 17-26-4 Major Home Occupation B regulations for Contractors that have equipment such as a trailer stored at the home.
2. The applicant has been made aware of Major B Home Occupation regulations and has agreed to comply.
3. Application has been reviewed by staff and this business is compliant with City Zoning, Department of Commerce, and Department of Public Licensing.

4. The business will not have an adverse effect on the use, enjoyment, or valuation of property in the proposed neighborhood as regulated by KCC 17-26-4 Major Home Occupation B regulations.
5. Any other findings the Planning Commission would like to make.