

Kaysville City Planning Commission Meeting Minutes
July 11, 2024

The Planning Commission meeting was held on Thursday, July 11, 2024 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Commissioners Paul Allred, Wilf Sommerkorn, Debora Shepard, Erin Young, Michael Packer, and Megan Sevy

Planning Commissioners Absent: N/A

Staff Present: Melinda Greenwood, Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, Rick Jones, Jacquie Jones, Alexis Larson, Bryan Carling, Steven Pederson, Nicole Burton, Matthew Mann, Shauna Mann, Boyd Argyle, Norma Argyle, Dale Lisby, Kathryn Lisby, Brent Eberhard, Gina Carling, Meridith McCombs, Jason Gagner, Jamie Muirbrook, Laurene Starkey, Tara Oveson, Mark Oveson, Merrill Sheriff, B Jensen, Mike Jensen, Karl Price, Katie Ellis, Kirk Nacey, Lori Nacey, Sara Torgesen, Leroy Anderson, Tim Hirsch, Gage Jensen, Sapientia Fernandez, Dave Heath, Matt Howes, Jeff Hansen, Brent Giles, and Mark Tren.

1 - WELCOME AND MEETING ORDER

Vice Chair Shepard welcomed everyone to the July 11, 2024 Planning Commission meeting. She said that a new Chair and Vice Chair need to be elected for the 2024-2025 year.

Commissioner Allred nominated Commissioner Young and Commissioner Young nominated Commissioner Michael Packer for the Planning Commissioner Chair. The vote was unanimous in favor of Commissioner Packer as the 2024-2025 Planning Commission Chair (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Yay
Commissioner Allred: Yay

Commissioner Shepard nominated Commissioner Erin Young to be the Vice-Chair. The vote was unanimous in favor of Commissioner Young as the 2024-2025 PC Vice Chair (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Yay
Commissioner Allred: Yay

2 - DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest from the Commissioners.

3 - CONDITIONAL USE PERMIT FOR FARM ANIMALS FOR 789 EAST 80 NORTH FOR NICOLE BURTON

Anne McNamara introduced the Conditional Use Permit for 789 East 80 North for farm animals to be placed on the property. The applicant, Heather Burton wanted to place six goats on her property in the over grown grass. Having farm animals is a permissible use with a Conditional Use Permit and additional conditions that staff would recommend would be those for nuisance abatement and screening from adjacent neighbors. Ms. McNamara shared a slide with outlined areas where the goats would be placed showing sufficient space for them. Ms. McNamara recommended approval for the Conditional Use Permit.

Ms. Edstrom added that there was a Conditional Use Permit previously on this property with the previous owners. Because there had been a lapse in the use the new home owner needed to apply for a new permit.

Commissioner Shepard asked if the Conditional Use Permit was posted and if there were any comments.

Ms. McNamara said there were no public comments made regarding the permit.

Commissioner Young made the motion to approve the Conditional Use Permit for farm animals at 789 East 80 North with no additional conditions to be placed and Commissioner Sevy seconded the motion. The vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Yay
Commissioner Allred: Yay

4 - CONDITIONAL USE PERMIT FOR WASATCH KINDER-PREP PRESCHOOL LOCATED AT 556 EAST 1150 SOUTH FOR MERIDITH MCCOMBS

Mindi Edstrom introduced the Conditional Use Permit for Meridith McCombs and Wasatch Kinder-Prep. The property is located at 556 East and 1150 South and is in the R-1-8 Residential Zone. There were no other Conditional Use Permits in close proximity to the applicant's home. The applicant will have students coming to the home between 9:00am to 12:00pm Monday through Friday with activities both in the home and in the yard. There was a sign placed in their yard notifying the neighbors of the application and staff received no comments from the public. Ms. McCombs has registered her business with the State of Utah and is needing to get an

inspection from the Fire Department once she has her preschool set up and ready to go. Staff recommended approval of the Conditional Use Permit for the Major B Home Occupation located at 556 East 1150 South for Meredith McCombs.

Commissioner Allred thanked that applicant for her efforts to teach preschool.

Commissioner Shepard asked the applicant if she had a drop off and pick up plan for her preschool.

Ms. McCombs said she will have 10-12 students and that she has talked with her neighbors regarding parking drop off and pick up so as to not inconvenience them. She will have the parents line their cars by the curb on her side of the road and her neighbors across the street. The parents will then need to walk their student to the preschool. For the pick up she will walk the students to their parents who will be parked on 500 East. She is trying to prevent blocking her neighbor's mailboxes and driveways.

Commissioner Allred asked Meredith if she has any outside employees.

Ms. McCombs will not have employees. She will have volunteers from time to time.

Commissioner Allred made the motion to approve the Conditional Use Permit for a Major B Home Occupation for Wasatch Kinder-Prep for Meredith McCombs with the recommendation and research performed by staff and in compliance with all State of Utah licensing regulation. Commissioner Packer seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

Commissioner Young: Yay

Commissioner Sevy: Yay

Commissioner Packer: Yay

Commissioner Shepard: Yay

Commissioner Allred: Yay

5- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR ROCK'N ROBYN PRESCHOOL LOCATED AT 916 WILLOMERE DR.

Mindi Edstrom introduced the Conditional Use Permit Rock'n Robyn Preschool noting that the preschool would operate in the basement of Robyn Eberhard's home. The preschool aims to accommodate fewer than 12 students, with no additional employees. The application included a detailed drop-off plan to ensure safety and efficiency.

Commissioner Allred raised questions about the safety and accessibility of the basement, specifically regarding the exit to the backyard, which involves ascending ten steps. He expressed concerns about public safety, particularly regarding emergency egress for children, and inquired about the presence of window wells and ladders.

Brent Eberhard, speaking on behalf of the applicant, confirmed that the basement had appropriate windows and that the home, built in 2006-2007, met current safety standards.

Commissioner Allred emphasized the necessity of a fire department inspection and approval before granting the permit, specifically focusing on the ingress and egress safety measures.

Commissioner Allred made a motion to approve the Conditional Use Permit contingent on approval from the Kaysville Fire Department. Commissioner Young seconded the motion and the Commissioners voted unanimously in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

Commissioner Young: Yay

Commissioner Sevy: Yay

Commissioner Packer: Yay

Commissioner Shepard: Yay

Commissioner Allred: Yay

Ms. Edstrom confirmed that once the fire inspection is completed and approved, the permit would be formally issued, allowing the preschool to commence operations in the fall.

6- CONSIDERATION OF A REZONE APPLICATION FOR 1735 SOUTH 550 WEST FROM A-1 LIGHT AGRICULTUREAL DISTRICT TO R-4 ON TO FOUR FAMILY RESIDENTIAL DISTRICT FOR APPLICANT BRYAN CARLING

Melinda Greenwood addressed the Planning Commission and provided an overview of the application submitted by Bryan Carling to rezone a 2.8-acre property located at 1735 South 550 West from agricultural use to a different zoning designation. Greenwood explained that the current zoning would allow for three dwelling units. She also clarified the terminology used in zoning discussions, distinguishing between low, medium, and high density, and categorized the proposed development as medium density rather than high density.

Ms. Greenwood highlighted the state's requirements for cities to include moderate-income housing elements in their general plans, a mandate that has been increasingly enforced over the past several years. She noted that non-compliance could result in penalties, including the loss of funding for city projects and fines of up to \$500 per day starting in 2025. This context is critical in understanding the pressures and constraints faced by the city in evaluating such rezoning applications.

The property in question is surrounded by undeveloped agricultural land and is accessed by a private road that is not a public right of way. The current zoning map shows the area as largely agricultural, with adjacent zones allowing for residential development on larger lots. Carling's proposal includes 27 single-family dwellings, which would be considered under the city's medium density category.

Ms. Greenwood discussed the Kaysville City General Plan adopted by the city in 2022, which includes provisions for moderate-income housing. She emphasized that while the General Plan is considered advisory in Utah, the state views the moderate-income housing elements as more mandatory. The plan's goals include providing a diverse range of housing options and maintaining the city's small-town atmosphere. Ms. Greenwood noted that while some aspects of the General Plan do not support the rezoning application, others do, particularly in relation to the need for more affordable housing.

The staff recommendation is to approve the rezoning application, considering the supportive elements of the General Plan and the state's requirements for moderate-income housing. Ms. Greenwood acknowledged public concerns about changing the area's rural character, potential traffic increases, and other impacts. However, she stressed the importance of adhering to state mandates to avoid penalties and support future city funding opportunities.

Ms. Greenwood also mentioned potential future developments by other property owners in the area, such as Ivory homes and Symphony homes, which could further change the character of the neighborhood from agricultural to residential. She noted that the city is committed to informing residents about upcoming developments and emphasized the importance of community input in the planning process.

The discussion concluded with Ms. Greenwood suggesting that if the Commissioners were inclined to approve the rezoning, they should consider implementing a Development Agreement to ensure that the development adheres to the proposed plans and addresses community concerns. This agreement could limit density, specify housing types, and manage infrastructure improvements, such as road access. She explained that the Planning Commission will deliberate and make a recommendation to the City Council, who will have the final decision-making authority.

Commissioner Shepard asked for clarification on the state of utilities in the area.

Ms. Greenwood responded, confirming the presence of water and power but noting that culinary water and stormwater infrastructure would be addressed through a pioneering agreement. This indicates a significant financial responsibility for any developer starting in the area.

Bryan Carling approached the Planning Commission introduced himself as the property owner and applicant, having owned the property for about 20 years. He mentioned purchasing the land with the initial intent to possibly build and retire there, but circumstances have since changed. Carling was present to provide answers and clarifications about his development plans.

Commissioner Allred recalled a past situation where Carling opposed a neighboring development by Merrill Sheriff, particularly due to road issues.

Bryan Carling confirmed his opposition at the time, primarily because the proposed development had a long cul-de-sac without considering future development on 550 West, which the city owns. Carling explained that his current proposal is for a zoning change, suggesting a different road layout would not limit access for neighbors. He emphasized that the city and property owners need to address road width and access issues, with discussions around a 65-foot right-of-way classification for a local collector road.

Mr. Carling presented a conceptual plan highlighting the highest possible density under the proposed zoning, allowing for a 55-foot road with sidewalks and adequate parking. He described the potential layout, which included single-family townhomes, possibly attached as twin homes, with a typical setup of two-car garages, living spaces, and bedrooms.

Commissioner Sommerkorn clarified that the lots would feature individually owned units, akin to condos.

Mr. Carling clarified that the proposed townhomes would be individually owned, not condominium units, emphasizing that these homes would be structured for individual ownership. He stated his commitment to maintaining this concept in the development. Carling expressed concern over the affordability of housing in Kaysville, noting that current market conditions make it challenging for younger residents to purchase homes. He highlighted the increase in median home prices and interest rates over recent years, indicating a desire to create more accessible housing options.

Commissioner Allred noted that discussions had strayed beyond the zoning and density issues, which were the primary focus of the meeting. He emphasized the importance of clarifying the nature of the proposed housing, particularly the distinction between townhomes and other multi-family housing types like condos, duplexes, or triplexes.

Mr. Carling agreed that the goal was to provide housing options that were more attainable for local residents, particularly younger families.

Commissioner Shepard inquired about the intentions of Carling's neighbors to the south, asking if they also planned to pursue similar zoning changes.

Mr. Carling confirmed that his neighbors were interested in developing their property in a similar fashion and had expressed support for the zoning change.

Ms. Greenwood confirmed that a favorable comment had been received from the neighbors.

Commissioner Allred suggested that a coordinated development effort involving both properties could result in a more efficient and better-designed development pattern. He proposed the possibility of rear-loading options for the properties, which could improve design and utility placement.

Ms. Greenwood stated that somehow a misunderstanding had occurred between the applicant and herself and said the staff report and recommendation had been written from the standpoint of single family detached homes and not townhomes as the applicant had stated in his comments.

Commissioner Shepard asked staff whether the new information about the housing being attached townhomes, rather than detached single-family homes, would affect their recommendation.

Ms. Greenwood acknowledged that this change might impact some elements of the general plan, particularly regarding single-family housing designations. However, she stated that she thought the recommendation would still favor the proposal, given the importance of meeting moderate-income housing goals.

Commissioner Allred raised concerns about the definition and affordability of the proposed housing, emphasizing the need to clarify the project's alignment with moderate-income housing standards.

Ms. Greenwood explained the state's criteria for moderate-income housing, which involves ensuring that housing costs do not exceed 30% of the income for households earning up to 80% of the area median income. She noted that the county's area median income was approximately \$85,000, and that moderate-income housing should be affordable to households earning 80% of that figure.

Commissioner Allred emphasized the importance of using precise terminology when discussing housing affordability. He clarified the difference between "affordable housing" and "moderate-income housing," noting that the latter is the focus of the state requirements.

Bryan Carling responded by acknowledging the challenges of developing affordable housing, particularly given high land costs and environmental constraints like a high water table. He mentioned that the proposed homes would likely be two-story structures with crawlspaces due to the water table issues.

Carling also expressed a desire to support local public servants, saying that he and his family would donate \$30,000 to the city, earmarked as three \$10,000 grants for first-time homebuyers among city employees, police, or firefighters. He emphasized his long-term commitment to Kaysville, where he has lived for 32 years, and reiterated his wish for a straightforward vote on his proposal.

Commissioner Sevy Megan asked about Mr. Carling's plans for the development, questioning whether he intended to develop the property himself or sell it to another developer, given interest from large developers like Symphony Homes.

Mr. Carling confirmed he had received offers but expressed his desire to retain the property for future equity and personal development, aiming to create housing where his children and others could live.

Commissioner Shepard opened the public hearing and asked speakers to limit their remarks to three minutes and avoid repetition.

Commissioner Sommerkorn mentioned that the Commissioners had reviewed all emailed comments.

Ms. Greenwood emphasized creating a respectful and safe environment for all speakers, requesting no applause or boos to ensure everyone felt comfortable expressing their views. Commissioner Packer clarified that the public comment period was for the commission to listen, not engage in dialogue, and that any questions raised would be addressed after the public hearing.

Leroy Wilson addressed the Planning Commission with concerns about a proposed development near Sunset Drive and a dirt road. He emphasized that if the development proceeds, the fate of the dirt road must be addressed. Wilson recounted previous issues where Woodside Homes attempted to close the road but was stopped by residents who use it for access to their properties. He argued that keeping the dirt road open is crucial for emergency access and questioned how an additional 27 homes would manage ingress and egress without it. Wilson expressed frustration over the road's current condition, blaming the city for neglect and pointing out ongoing issues with dirt and debris affecting nearby properties. He concluded by urging the Commissioners to prioritize road maintenance and consider the impact of further development on traffic and safety in the area.

Matt House, a nearby resident, expressed concerns during the meeting regarding the proposed development and its potential impact on traffic in the area. He argued that assumptions about traffic patterns favoring the southbound I-15 extension were overly optimistic, suggesting that many residents would likely travel north towards schools and churches via 515 West and Mare Drive. House pointed out that Seabiscuit Drive, which currently accommodates 29 houses, would face a substantial increase in traffic if the development were approved. He warned that the proposed rezoning, just one of many anticipated, could double traffic on Seabiscuit Drive and create further congestion in the neighborhood. House criticized the ethics of a \$30,000 first time homebuyer grant offer from Bryan Carling, stating that he perceived as a bribe, and did not pass a basic ethical test. He stressed the need to reconsider the connectivity of 550 West to Mare Drive and Seabiscuit Drive, advocating for traffic to be directed instead towards the Angel Street extension to mitigate congestion on Seabiscuit and Mare Drive. House highlighted existing traffic challenges at intersections like Western Drive and Sunset Drive, expressing doubt that current infrastructure could handle the increased volume. He concluded by urging the Commission to reconsider the development's impact on traffic flow and neighborhood safety before making a decision on rezoning.

Kathryn Lisbey, a resident of 1814 South Sunset Drive, voiced her concerns during the council meeting regarding the proposed rezoning that she feels directly affects her property. Lisbey, who has lived in her home for 27 years, emphasized the importance of preserving the rural lifestyle and spacious environment that initially attracted her family to west Kaysville. She expressed worry about the increasing density in the area due to changing rules and developments, fearing potential impacts on traffic, noise, light pollution, and property values. Lisbey acknowledged the city's pressure to accommodate moderate-income housing but urged the Commissioners to consider a more strategic and phased approach to development, similar to discussions she had with Symphony Homes, a neighboring development. She emphasized the need for clear plans and road access considerations before approving any rezoning, echoing concerns raised by fellow residents like Leroy Wilson about the safety and practicality of such developments. Lisbey concluded by appealing to the council to deny the rezoning request, emphasizing their decisions should also protect the interests of long-standing property owners like herself.

Matthew Mann, a resident living near the proposed development, expressed concerns about the potential rezoning that would increase housing density. Mann highlighted that the surrounding area is primarily zoned for larger lots, typically around half an acre, which aligns with the community's established character. He argued that approving the rezoning request could set a precedent leading to numerous similar requests, thus significantly altering the neighborhood's landscape and possibly devaluing existing properties.

Mann referenced the city's General Plan, specifically noting its encouragement for large, undeveloped properties to be developed as conservation subdivisions, which would maintain the city's small-town feel by clustering homes and preserving open space. He also pointed out that the General Plan suggests that multifamily housing should be near the city center to provide access to downtown services, whereas the proposed development is on the outskirts of the city.

Furthermore, Mann raised concerns about the impact on local infrastructure, specifically the recently repaired south Sunset Road, which would face increased traffic from the new development. He cited a community engagement survey conducted during COVID, which showed significant opposition to high-density developments in west Kaysville. Mann urged the Planning Commission to respect the wishes of the existing residents who have invested in the area and to consider the feedback from the survey, which highlighted a preference for maintaining open spaces and larger lot sizes.

Karl Price, a resident living at the corner of Mare Drive and 550 West, expressed his concerns about the proposed development near his home. Price emphasized that he and his neighbors chose to build and live in this community due to its small-town atmosphere and family-friendly environment. He noted that the area to the north features significantly larger and more expensive homes, valued at two to three million dollars, while the proposed development to the south would introduce medium-density housing. Price stressed that the community's

appeal lies in its single-family homes, not apartment complexes, and voiced his opposition to changing the neighborhood's character by introducing higher-density housing.

Jason Gagner addressed the Commission with concerns about the proposed high-density and moderate-density housing in his area. He recalled previous City Council discussions where it was communicated to residents along 550 West that the road would not be improved and would remain as is indefinitely. Gagner urged the city to honor this commitment made to homeowners.

He mentioned living south of the proposed development and suggested a discrepancy in the land ownership records, pointing out that the county records still list the Andersons as the owners of the land, despite a possible contract with Ira Homes. Gagner highlighted that the development of a connector road was a significant factor for these properties and questioned the city's compliance with state-imposed moderate housing requirements. He sought clarity on how the proposed subdivision would contribute to meeting these requirements, especially concerning timelines and their impact.

While acknowledging the high housing prices, Gagner argued that the proposed location was not suitable for this type of development. He suggested that more appropriate areas for such housing include places with better access to commercial amenities, like those near Antelope Drive or other underutilized spaces along 250 on Main Street. Gagner concluded by requesting that the city maintain the existing zoning, which residents had bought into and planned for.

Sapienta Fernandez, a relatively new resident living at the corner of Sunset Drive and Shepherd Drive since 2020, voiced her concerns about the proposed housing developments in her neighborhood. Fernandez shared that the quiet nature of the area was a significant factor in their decision to move there, especially considering they have two young children. She noted that prior to the construction of the roundabout, the sharp turn onto Sunset naturally slowed traffic. However, the new roundabout has turned Sunset Drive into a high-speed road, raising safety concerns for her children and others due to the increased traffic that additional housing would bring.

Fernandez emphasized her appreciation for Kaysville's small-town feel, which drew her family to move from higher-density areas like Salt Lake City and North Salt Lake. She expressed a desire to maintain the spacious and quiet environment that Kaysville provides, in contrast to the more crowded and high-density areas they left behind. She also mentioned that her neighbor across the street sold their lot to Symphony Homes, which, along with other potential rezoning and development, raises concerns about property value and community character.

Fernandez questioned the city's incentive program offering grants for moderate-income housing, suggesting that if such developments devalue existing properties, homeowners should be compensated as well. She concluded by reiterating her family's love for the quiet, spacious streets of Kaysville and their concerns about increased traffic and potential devaluation of their property if more houses are built in the area.

Steven Pederson, who resides at the corner of West Burton Drive and Sunset Drive, expressed his concerns regarding the proposed development and its impact on his neighborhood. Pederson highlighted the increase in traffic near his property, especially with no development yet occurring, indicating that future construction would likely exacerbate the issue. He emphasized the importance of maintaining the mixed rural environment that drew him to the area, including the enjoyment of rural sights and sounds such as cows and horses.

Pederson appealed to the commission to preserve the rural character of the neighborhood and to decline the rezoning request. He suggested that if development must occur, it should be reconsidered with a lower density to better align with the existing environment. Pederson concluded by reiterating his request for the commission to deny the current rezoning proposal.

Jamie Muirbrook, a resident of Mare Drive, shared her concerns about the proposed development in West Kaysville. Muirbrook emphasized the unique rural character of the area, noting that the horse-themed street names and the sounds of cows in the morning were key reasons she and her family were drawn to the neighborhood.

She highlighted a nearby therapeutic program called "Bridle of Hope," which uses horse riding and yoga to help women and young girls manage anxiety. This program, located across from the proposed development site, aligns with the rural and tranquil environment that Muirbrook values. She argued that the high-density housing proposed for the area is not a good fit, suggesting that developments would be better suited to areas closer to main streets and services.

Muirbrook also raised concerns about the potential increase in traffic, which is already an issue due to the proximity of schools. She concluded by stressing the importance of preserving the rural feel of West Kaysville, which contributes to the area's unique charm and appeal.

Jacquie Jones, a resident and developer in the area, addressed the proposed zoning changes. Jones, who built three homes between 2007 and 2011, emphasized the importance of respecting existing zoning regulations, specifically the R-1-20 zoning, which mandates larger lot sizes. She shared that as both a developer and a resident, she prioritized harmony with the surrounding neighborhood and adhered to the zoning laws in place at the time.

Jones acknowledged the inevitability of urban sprawl and the need to accommodate growing populations, particularly for the benefit of future generations. However, she expressed concerns that the current proposal for higher-density housing might disregard the established norms and expectations of the community. She suggested that maintaining or reconsidering a zoning category like R-1-20, which has been consistently upheld by previous builders and developers, would be a more appropriate approach.

Jones concluded by urging the Commissioners to reconsider the proposed zoning changes, emphasizing the importance of maintaining the character and integrity of the neighborhood.

Mike Jensen, a property owner across the street from the proposed development, delivered an appeal to maintain the current zoning and preserve the small-town atmosphere of Kaysville. Jensen shared a personal story about losing his son over a decade ago and how his wife, along with another grieving mother from Alpine, started an equestrian therapy program. This program, which teaches young women the skills of the "seven habits" to find hope and resilience, has grown significantly, currently serving 15 young girls and women, with plans to expand further.

Jensen emphasized the importance of the peaceful, rural environment that supports this therapeutic program. He cited the first goal of the city's general plan, which aims to preserve and protect Kaysville's small-town atmosphere by limiting changes in functioning neighborhoods. He expressed concerns that the proposed rezoning and development would drastically alter the neighborhood, impacting the environment that supports the equestrian therapy program and the community's overall character.

Jensen mentioned his long-standing efforts, along with Bryan, another resident, to maintain the local dirt road, highlighting their commitment to the area. He urged the Commission to prioritize the voices of the community and uphold the first goal of the general plan. He also questioned the feasibility of the proposed moderate-income housing, given current interest rates and economic conditions, suggesting that these homes would need to sell for around \$250,000 to be affordable.

Jensen concluded by calling for a comprehensive discussion involving all stakeholders to address the needs and preserve the heritage of Kaysville. He requested a pause on the proposed changes to ensure that any development considers the broader impact on the community and its values.

Mark Treu addressed the proposed rezoning and expressed his concerns about the process and its implications. Treu acknowledged the validity of property owners' desires to sell their land but emphasized that the focus should be on the rezoning decision itself, which he argued is currently disconnected from any specific development plans or agreements.

Treu pointed out that the intent behind the proposed rezoning is not as important as the potential outcomes and implications of the decision. He highlighted that the commission's challenge is to avoid repeating past planning mistakes and to make informed decisions that will protect the small-town character of Kaysville. He stressed that without a broader perspective on how the rezoning fits into the larger context of the area's development, it is difficult to ensure that the city's character is preserved while also accommodating growth.

He expressed his love for Kaysville, his hometown, and recognized that change is inevitable. However, Treu urged the commission to approach the decision responsibly by considering the views and needs of adjacent property owners and engaging in a comprehensive discussion about the future of the property. He recommended that the commission delay the decision to

allow for a more thorough examination and discussion of how the proposed changes will fit into the overall planning for the area.

Lori Assay, a resident whose property abuts the proposed development site, voiced her opposition to the rezoning proposal. Assay has lived in her home for about 25 years and highlighted her concern that the development would significantly alter the rural character of the area, which she values deeply. She noted that her property has traditionally been surrounded by horse properties, and the proposed 27-unit development on 2.8 acres would impact her and her family's quality of life.

Assay expressed frustration over the lack of awareness among her neighbors regarding the proposed changes, stating that many were unaware of the rezoning details until recently. She questioned the definition of "moderate-priced homes," suggesting that even homes in nearby developments, such as those at Station Park, exceed median home prices.

She also pointed out the increasing traffic congestion on Sunset Drive, exacerbated by nearby developments and the Davis corridor, which now makes it difficult for her to back out of her driveway. Assay invited the commission to visit the area to better understand the potential impact of the proposed changes. Assay requested that the commission carefully consider the perspectives of long-term residents and the impact on the community's character before making a decision on the rezoning proposal. She reiterated her opposition to the rezoning and urged the commission to take into account the concerns of Kaysville's residents.

Kirk Assay, husband of Lori Assay, expressed his concerns about the proposed rezoning. He recalled previous contentious discussions about the development of smaller lots in the area, which faced significant opposition from the community, including from individuals such as Marilyn, who strongly opposed such changes.

Assay said he thought communication tonight stinks, and as a negotiator, he criticized the staff presentation on the rezoning proposal, accusing it of being biased and focused on aspects he felt were not full transparent or relevant. He questioned whether the state's housing rules would influence the decision and if the proposal was being pushed under false pretenses.

Assay emphasized that the rural character of the area, saying he gets his hay from various properties in the area and he and his neighbors value for its open space and equestrian environment, should be preserved. He argued that the influx of high-density housing would undermine the reasons people chose to live in Kaysville, which is valued for its low-density, rural setting, stating that Kaysville are elite people who are different from Layton. He said he could support half acre or third acre lots. He expressed frustration over the lack of open, public dialogue about the proposed changes and warned against converting the community into a high-density area, suggesting that this would diminish the quality of life and potentially lead to more problematic developments. He concluded by urging the commission to reconsider the proposal and maintain the area's rural character, which he believes is central to the community's identity and appeal.

Alexis Larson addressed the planning commission, sharing her perspective as a recent college graduate who moved back to Kaysville with her husband. Despite the nationwide housing crisis and the typical need for affordable housing solutions, Larson expressed her opposition to the proposed rezoning.

She explained that although younger families like hers are often forced into smaller, high-density housing options due to the lack of available single-family homes, she believes that packing homes too closely together is not an ideal solution. Larson emphasized that her preference, and likely the preference of many in similar situations, is for more spacious homes rather than the dense, cramped units proposed. She stressed the importance of having enough space to grow and not feeling confined by proximity to neighbors.

Commissioner Shepard asked for any additional comments.

Commissioner Sommerkorn said they had received a number of emails in support of doing the rezone supporting affordable housing and asked if any of those residents were in attendance and willing to speak.

Bryan Carling said many of those were his children but they were too afraid to come to the meeting.

Commissioner Shepard closed the Public Hearing and asked Mr. Carling if he would come to the podium and respond to any comments or questions the Commissioners might have.

Bryan Carling expressed understanding and sympathy for the concerns raised by the community, especially regarding the uncertainties of rezoning. He emphasized that his request was simply for a rezone and that further discussions would take place at the City Council level. Carling highlighted that while he provided a conceptual plan, he was not obligated to do so and noted that a higher density could occur if the proposed road was developed. He pointed out that a more intensive use, like an overlay Planned Residential Unit Development (PRUD), could result in even higher density, which might not be as desirable for the community.

Carling acknowledged the lack of affordable housing options in Kaysville, stating that many young people, including friends of his children, could not afford to live in the area. He admitted to not knowing the exact costs of infrastructure improvements, such as sewer lines, and indicated that larger developers with more resources, like Ivory Homes or Symphony Homes, would likely handle these developments. Carling reiterated his support for property owners' rights to develop their land, suggesting that change is inevitable and necessary to accommodate future growth.

Commissioner Sommerkorn, raised questions about the road development, specifically 550 West, which was intended to be a significant local collector.

Melinda Greenwood clarified that the city's policy has been to require developers to pay for road improvements as properties are developed, rather than using taxpayer money. She noted that 550 West is planned to be a 66-foot right-of-way and that the developer would bear the cost of the road, with the city potentially contributing if necessary. She added that she had asked Mr. Carling if he had ever received a letter from the City stating 550 West would not be improved, and he indicated that he had not received such a letter.

Commissioner Sevy expressed concerns about the limited space in Kaysville for new developments, acknowledging that the city is landlocked and lacks the necessary property for significant expansion. She highlighted the financial challenges faced by first-time, second-time, and third-time homeowners, stating that current housing prices are not ideal. Sevy noted that while the proposed rezoning might not fit due to the area's constraints, Kaysville needs more modest housing opportunities for residents. She emphasized the need for solutions that allow people to continue living in the city with a little more space.

Commissioner Packer appreciated the public's comments and emails, explaining that the commission must consider the entire city. He noted that this area is one of the least densely populated parts of Kaysville and argued that similar developments exist in other parts of the city without detracting from its small-town feel. Packer supported the landowner's right to apply for a zoning change, asserting that the city's denial of the application should be based on legal grounds. He acknowledged that changes could affect views and local landscapes but emphasized that the commission's role is to consider the broader city's needs. Packer suggested that the proposal should proceed to the City Council for further discussion, although he personally preferred less dense zoning.

Commissioner Young supported the idea of reviewing the city's zoning as a whole, noting that other parts of Kaysville have also faced pushback against development. She shared her experience living in west Kaysville, where initial opposition to a new development faded once it became a thriving community. Young argued for the benefits of diverse housing options across economic levels in the city. She emphasized the importance of offering different housing types and densities to accommodate varying needs and supported the proposal going before the City Council.

Commissioner Shepard agreed that the area in question would eventually be developed, much like other parts of Kaysville. However, she sided with Commissioner Sommerkorn in believing that the proposed density might be too intense for the area. Shepard suggested that while higher density might be suitable closer to main roads or connectors, the current proposal's density level might not be appropriate.

Commissioner Sommerkorn raised questions about the type of development allowed under the city's current zoning ordinances. He clarified that the proposal for detached units on 12,000 square foot lots would not fit within existing single-family zoning standards, which require larger lot sizes. Sommerkorn suggested that a development agreement might be necessary to specify the type of housing to be built, particularly if the council is concerned about what the

final development will look like. He also noted the trend of zoning reform across the country, where some states mandate that cities allow multiple units on residential lots. Sommerkorn proposed continuing the discussion at a future meeting to explore zoning alternatives.

Commissioner Allred provided context on Utah's urbanization, noting that the state's population is concentrated in a small geographical area due to natural features and water availability. He argued that the state is already highly urbanized and that the demand for housing necessitates smaller lots and higher density developments. Allred pointed out that the state's high birth rate and early family formation add to the housing demand, making smaller lots a practical solution.

Bryan Carling clarified his understanding of the city's zoning code. He explained that the proposal never intended individual single-family lots but rather for attached units on shared lots. He expressed willingness to work within the constraints of a Development Agreement if necessary and urged the Commissioners to consider the proposal based on existing code provisions.

Commissioner Sommerkorn motioned to continue the discussion at the next meeting on August 8, 2024 to explore other zoning options and potentially a Development Agreement. Commissioner Allred seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Yay
Commissioner Allred: Yay

Commissioner Shepard suggested making a motion to extend the meeting past 10:00pm. Commissioner Sommerkorn seconded the motion and all were in favor of extending the meeting (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Yay
Commissioner Allred: Yay

8- APPROVAL OF THE MINUTES FROM THE JUNE 13, 2024 PLANNING COMMISSION MEETING

Commissioner Packer made a motion to approve the minutes for June 13, 2024. Commissioner Sommerkorn seconded the motion and was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Abstained, not in attendance
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Abstained, not in attendance
Commissioner Allred: Yay

9- CONSIDERATION OF ESTABLISHING A TEMPORARY LAND USE REGULATION AS ALLOWED BY STATE CODE 10-9A-504 FOR APPROPRIATE CAR WASH LOCATIONS AND REGULATORY STANDARDS

Ms. Greenwood addressed ongoing issues related to car washes, focusing on recent developments and the need for new regulations. She began by explaining that the city had previously amended its code to prevent car washes east of I-15 on Main Street and 200 North. This change came after Mr. Carwash, a business adjacent to residential properties, caused significant disturbances for local residents, highlighting the general incompatibility of car washes with residential areas.

Greenwood proposed that the Planning Commission recommend to the City Council a temporary land use regulation to implement up to a 180-day moratorium on new car wash applications. This pause would allow city staff to research best practices and establish appropriate regulations. Greenwood noted that larger communities often have extensive regulations for car washes, which Kaysville currently lacks, leading to the problems experienced by residents near Mr. Carwash.

Commissioner Sommerkorn summarized the existing ordinance, clarifying that it currently prohibits auto-oriented businesses on properties fronting 200 North and Main Street, but does not address those adjacent to residential areas.

Ms. Greenwood confirmed this and elaborated on the difficulties faced by residents despite mitigation efforts by Mr. Carwash. She emphasized the need for comprehensive regulations, including lighting and noise standards, which are currently insufficient.

Commissioner Young asked whether the proposed moratorium would apply only to car washes next to residential properties or city-wide.

Ms. Greenwood confirmed that the intent was to pause all car wash applications across the city for up to 180 days.

Commissioner Allred made a motion that the Planning Commission recommend the establishment of a Temporary Land Use Regulation. This would enable a study on suitable car wash locations and regulatory standards throughout Kaysville. Commissioner Packer seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Yay
Commissioner Allred: Yay

10- APPROVAL OF THE MINUTES FROM THE JUNE 27, 2024 PLANNING COMMISSION MEETING

Commissioner Sommerkorn made a motion to approve the minutes for June 27, 2024.

Commissioner Allred seconded the motion and was unanimous in favor of the motion (5-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Abstained, not in attendance of meeting
Commissioner Allred: Yay

11 - OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Katie Ellis has been selected to fill the Planning Commissioner spot.

Our next meeting will be held July 25, 2024, but staff is considering cancelling the meeting if more applications are not received.

Ms. Greenwood told the Commissioners about the Fall APA Conference.

Commissioner Young reported back on the Spring APA Conference.

Ms. Greenwood announced the ULI Affordable Housing Conference.

12 - ADJOURNMENT

Commissioner Packer made a motion to adjourn the meeting at 10:12pm.