

Kaysville City Planning Commission Meeting Minutes

October 24, 2024

The Planning Commission meeting was held on Thursday, October 24, 2024 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

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

Planning Commissioners Absent:

Staff Present: Melinda Greenwood, Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, David Becker, Valerie Becker, Laurene Starkey, Matthew Loveland, Wendie Norton, Teagan Nielsen, Emma Nielsen, Bruce Stanley and Jeanel Stanley

1- WELCOME AND MEETING ORDER

Chair Packer welcomed all in attendance to the Kaysville City Planning Commission meeting.

2- DECLARATION OF CONFLICTS OF INTEREST

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

3- REZONE REQUEST AND PUBLIC HEARING FOR 1397 WILLOW BROOK LANE FROM R-1-20 SINGLE FAMILY RESIDENTIAL TO R-1-14 SINGLE FAMILY RESIDENTIAL FOR APPLICANT SYMPHONY HOMES

Anne McNamara introduced a rezone application for a 0.5-acre lot located on the western side of Angel Street. The applicant is requesting a zoning change to R-1-14 to enable the installation of a stub street for the adjacent Encore State subdivision, located directly to the west of this property. A graphic was shared to visually demonstrate the proposed rezone's effect, which is presented as a straightforward adjustment given that both R-1-20 and R-1-14 zones are designated for single-family use. Additionally, the setback requirements for these zones are similar, meaning that the rezone would not impact the surrounding neighborhood's functionality. Approving the rezone would align with the existing character of the neighborhood, supporting the goals outlined in the general plan. Only one public comment was received, expressing general support for the rezone. The staff recommended approval of this rezone as it is in line with the 2022 General Plan.

Chair Packer asked if Symphony Homes had a representative in attendance.

Matt Loveland from Symphony Homes briefly addressed the commission, expressing support for the proposed rezone. He emphasized that the rezone would improve connectivity between two neighboring communities and stated that Symphony Homes is eager to proceed with development. Loveland offered to answer any questions and thanked the commission for their time.

Commissioner Young asked if the rezone was necessary because a single lot would be placed on the property but with a smaller square footage, allowing space for the road.

Matt Loveland confirmed Commissioner Young's question, explaining that Symphony Homes owns properties on both sides of the two projects. He noted that the rezone is a practical solution to address the site's limitations while achieving the goal of connectivity between the communities.

Chair Packer opened up the meeting to a Public Hearing.

Bruce Stanley, a resident with property adjacent to the proposed stub street, voiced his opposition to the rezone and the installation of the stub road toward Webb Lane. His main concern was the anticipated increase in traffic through his neighborhood, which he felt already had sufficient access points to the new subdivision, including routes from Angel Street and Willowbrook Lane. Stanley mentioned that in initial discussions, Symphony Homes had not strongly favored the stub street. He also expressed concern about the reduction in house sizes that may accompany the rezone. Additionally, Stanley noted that his neighborhood maintains several private green spaces funded by HOA fees, and he worried that increased public traffic would lead to overuse of these areas by non-residents.

Janelle Stanley, a neighboring resident, requested clarification from Symphony Homes on the decision to add the stub street. She recalled that Symphony's original plan aimed to align lot and house sizes with those in her neighborhood. Janelle also mentioned that Symphony had previously indicated the city was requiring the stub connection to Webb Lane.

Chair Packer closed the Public Hearing and invited Mr. Loveland to come back up and address the concerns of the residents.

Matt Loveland responded to Janelle Stanley's concerns, acknowledging that Symphony Homes initially opposed the stub street. He explained that the decision to include the stub was based on staff recommendations and aimed to meet connectivity goals outlined in the Kaysville City 2022 General Plan. Mr. Loveland noted that the limitations of the site, known as the Encore Estates project, played a role in the decision-making process, as the smaller project site required careful planning to ensure adequate access. While some residents interpret these conditions as grounds to avoid the connection, he clarified that the city's General Plan prioritizes connectivity between neighborhoods, which informed staff's recommendation for the stub street and the subsequent rezone.

Loveland reassured residents that the zoning adjustment would only alter the minimum lot size and would not impact home sizes, which Symphony Homes intends to match with the existing neighborhood. He also offered to discuss additional details and address further questions if needed.

Melinda Greenwood clarified the city's stance on the proposed road stub and rezone. She explained that road placement decisions are governed by city code and fall under the discretion of the city engineer. Ms. Greenwood acknowledged Kaysville's historical challenges with community connectivity, citing the high number of cul-de-sacs as a barrier to efficient travel and neighborhood cohesion. This lack of connectivity often requires residents to drive extended distances to reach nearby homes, and the road stub is intended to mitigate such issues.

She noted that the city staff required the road stub as part of the Encore Estates subdivision project, aligning with connectivity goals in the General Plan. Although Symphony Homes initially resisted, they have now agreed to include the stub. Greenwood explained that, counterintuitively, the road stub might actually reduce traffic by providing more direct routes, especially to main roads like Angel Street.

Greenwood emphasized that the Planning Commission's decision concerns only the rezone recommendation for the property, not the road location or subdivision approval, which will proceed when code requirements are met. If approved, the rezone would permit reduced lot sizes, lowering them from 20,000 to approximately 17,000 square feet without altering setback requirements, thus maintaining the neighborhood's aesthetic. The City Council previously expressed a preference for a road stub during discussions on the Encore Estates, and staff is now upholding that directive in line with the connectivity goals laid out in the Kaysville 2022 General Plan.

Commissioner Sommerkorn reiterated that the Planning Commission's focus for the evening was solely on the rezone decision, not the street or lot design, which had already been determined by city staff. He acknowledged that although the Commission was not deciding on connectivity details, the 2022 General Plan's support for increased connectivity in Kaysville was relevant to the discussion. Commissioner Sommerkorn explained that an ideal grid pattern in the city would help disperse traffic and offer alternative routes in case of road closures due to construction or accidents. He expressed personal support for enhanced connectivity but clarified that the Commission's role was limited to recommending approval or denial of the rezone.

Commissioner Lott added that connectivity also facilitates easier access for emergency vehicles, especially in areas with multiple cul-de-sacs. She noted the importance of efficient emergency response, referencing a recent house fire on Sunset where quick access was crucial but still insufficient to prevent a total loss.

Ms. Greenwood informed the Commission that Willowbrook Lane would eventually connect to Angel Street, anticipating future development of the adjacent agricultural parcel to the south. She noted that there is already a stub road on the far east end of Willowbrook Lane, though it's a significant distance from the proposed new connection. Greenwood mentioned a conversation with the Kaysville Fire Chief, clarifying that while the stub road is not mandated by fire code, increased connectivity is beneficial for public safety, as it enhances access for first

responders. She added that connectivity also simplifies operations for street crews, such as snow plowing, underscoring the overall advantages of including the road stub in the plan.

Chair Packer inquired to the consequences if the city did not approve the rezone.

Ms. Greenwood explained that several utilities, including sewer and water lines, are currently located in the area, and the plan aims to keep these utilities within the public right-of-way, beneath the asphalt, for easier access and maintenance. If the lot remains as is, an easement would be required, allowing utility access but complicating repairs and maintenance by placing them on private property.

Without the rezone, alternatives would involve either maintaining the utilities outside the road—adding complexity and potential access issues—or relocating them, a costly and disruptive option for current utility users. Additionally, moving the stub westward would bring it closer to Angel Street, which is not ideal. Ms. Greenwood noted that the current Encore Estates subdivision layout aligns well with the stub location, avoiding an awkward connection with a nearby cul-de-sac and improving overall design and function.

Commissioner Sommerkorn addressed the potential implications of maintaining the current zoning rather than approving the rezone. He explained that, with the proposed stub street, the lot could remain its current size and retain the existing zoning, but this would create a non-conforming lot. While a non-conforming lot generally retains many of the same rights and uses, rezoning to match the reduced lot size would avoid potential restrictions that could limit certain uses compared to other lots in the neighborhood. Commissioner Sommerkorn noted that while non-conformity might not pose significant issues in this case, rezoning to a smaller lot size would be a more straightforward and consistent solution.

Chairman Mike Packer expressed his perspective that the proposed rezone would result in only a slightly smaller lot without affecting other elements such as house size, height, or setback requirements. He agreed that rezoning would create a cleaner and more consistent arrangement, as the lot would align with the neighboring R-1-14 zoning. Packer recalled previous discussions on the Encore Estates development, where the commission considered the forward-thinking approach of including a stub road to support potential future development to the south. In his view, most factors favor this rezone as a beneficial decision for the area. He then invited additional questions, comments, or feedback from the commission.

Commissioner Paul Allred made a motion to recommend approval of the rezone request for Symphony Homes at 1397 West Willowbrook Lane, changing the zoning from R-1-20 to R-1-14. He presented several findings to support his motion and welcomed feedback or additions to these points.

1. **Staff Recommendation and Compliance:** Commissioner Allred noted that city staff, after reviewing the general plan, recommended the rezone, indicating compliance with the plan's guidelines.

2. **Connectivity Benefits:** Commissioner Allred emphasized the importance of connectivity, citing evidence that greater connectivity is beneficial. Given Kaysville's numerous cul-de-sacs, including in his own neighborhood, he expressed that the city would benefit from additional through streets.
3. **Compatibility with Adjacent Zones:** Allred observed that the lot's reduced size would align with neighboring R-1-14 zoning, avoiding any issues with non-conforming lots and ensuring consistency with adjacent properties. He mentioned that while "spot zoning" is not a current concern under Utah law, this rezone would not negatively impact nearby homes.
4. **Lot and Home Compatibility:** Commissioner Allred confirmed that the resulting lot size would be at least 14,000 square feet, with setbacks and building heights remaining consistent with the neighborhood, ensuring that the home size would be compatible with those in the surrounding area.

Commissioner Allred's motion was seconded by Commissioner Young and the vote was unanimous in favor of the motion (7-0).

Commissioner Allred - Yay
Commissioner Shepard - Yay
Commissioner Young -Yay
Chair Packer - Yay
Commissioner Sevy - Yay
Commissioner Sommerkorn - Yay
Commissioner Lott - Yay

4- REZONE REQUEST AND PUBLIC HEARING FOR 109 SOUTH 1025 WEST FROM R-1-20 SINGLE FAMILY RESIDENTIAL TO R-1-14 SINGLE FAMILY RESIDENTIAL FOR APPLICANTS DAVID AND VALERIE BECKER

Anne McNamara provided context regarding the rezone request from R-1-20 to R-1-14 for the Becker family property. She explained that the rezone aims to address a significant property line discrepancy between the Becker family lot and an adjacent lot. A lot line adjustment will correct this boundary issue, but it requires the lot size to be under 20,000 square feet, which the R-1-14 zoning allows. McNamara noted that, similar to the prior rezone discussion, the setbacks for R-1-20 and R-1-14 zones are consistent, ensuring that the rezone would not alter the neighborhood's functionality or character, aligning with the General Plan's goals.

Regarding public notice, Ms. McNamara reported that 43 notices were mailed to nearby property owners, and one supportive comment was received. Based on these factors, city staff recommended approval of the rezone in alignment with the 2022 General Plan to establish a conforming lot and resolve the existing boundary issue.

Chair Packer invited the applicant to approach the Commissioners.

David Becker said applied for the rezone to address a long-standing property line discrepancy

created years ago by a previous owner. The purpose of this rezone is to allow both properties to comply with current zoning requirements, facilitating future property transactions. In response to a question, Becker clarified that the adjustment would reduce their lot size by approximately 2,300 square feet, bringing it from 0.46 acres to around 0.41 acres, or roughly 18,000 square feet.

Ms. Greenwood acknowledged the challenges faced by the two property owners involved in the rezone request and expressed appreciation for their cooperative efforts to resolve the longstanding property line issue.

Commissioner Packer clarified that the rezone would just shift the property line a few feet.

Ms. Greenwood provided further clarification on the property line discrepancy, noting that the aerial view highlighted the intended new property line location, which aligns with an existing chain-link fence. She explained that the error, made over 30 years ago, had led to a detached building being constructed right on the actual property line. Currently, this building does not meet setback requirements, lacking approximately six feet of necessary setback from the property line. Ms. Greenwood pointed out that approval of the rezone will allow the property owners to correct the issue, which remained undetected until the current property owners attempted to sell.

Chair Packer opened up the meeting for the Public Hearing.

No comments were received and Chair Packer closed the Public Hearing.

Commissioner Sommerkorn noted that while this adjustment would make the neighboring lot slightly smaller, it wouldn't impact any existing structures. Ms. Greenwood explained that the chain-link fence, long considered the actual property boundary, created a setback discrepancy. She noted that without this rezone, the city could require the property owner to demolish the detached garage, as it doesn't meet setback requirements. However, the City does not want the building to be demolished and both the Becker's and Kinney's have coordinated and prepared the necessary lot line adjustment plat, pending council approval of the rezone.

Ms. Greenwood highlighted that nonconformities, if unresolved, can create issues with refinancing, rebuilding, and lender requirements. By addressing the lot line discrepancy, the city can avoid future complications, while the neighbors retain current structures, aligning with how the property has been utilized for decades.

Commissioners, including Mike Packer and Erin Young, appreciated the cooperative solution, with Young commending both families for resolving this amicably.

Commissioner Sommerkorn made a motion to recommend approval of the rezone application of the property 109 South 1025 West for David and Valerie Becker from R-1-20 to R-1-14. Sommerkorn cited the resolution of the property line issue between neighbors, the fact that

this adjustment would not impact the status of either home, and that it brings an accessory structure into full conformity with city standards. He also noted that the rezone aligns with the city's General Plan.

Commissioner Lott seconded the motion and the vote was unanimous in favor of the motion (7-0).

Commissioner Allred- Yay
Commissioner Shepard- Yay
Commissioner Young- Yay
Chair Packer- Yay
Commissioner Sevy- Yay
Commissioner Sommerkorn- Yay
Commissioner Lott- Yay

5- APPROVAL OF THE MINUTES FROM THE OCTOBER 10, 2024 PLANNING COMMISSION MEETING

Commissioner Young made a motion to approve the minutes from the October 10, 2024 Planning Commission meeting and Commissioner Shepard seconded the motion. The vote was unanimous in favor of the motion (7-0).

Commissioner Allred- Yay
Commissioner Shepard- Yay
Commissioner Young- Yay
Chair Packer- Yay
Commissioner Sevy- Yay
Commissioner Sommerkorn- Yay
Commissioner Lott- Yay

6- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Planning Commissioners are invited to the Wasatch Front Regional Council open house on Tuesday, October 29 from 4:00-6:00 pm.

The opening for an Alternate Planning Commissioner will close on November 1, 2024.

There will be a Planning Commission meeting November 14th since staff has already received an application for a Conditional Use Permit.

Ms. Greenwood and Ms. McNamara reported on the ULUI fall workshop they went to on October 23, 2024.

7- ADJOURNMENT

Commissioner Young motioned to adjourn the meeting at 8:02 pm.