Kaysville City Planning Commission Meeting Minutes
May 8, 2025

The Planning Commission meeting was held on Thursday, May 8, 2025, at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Mike Packer, Commissioners Erin Young, Wilf Sommerkorn, Paul Allred, and Paul Toller

Planning Commissioners Absent: Commissioners Megan Sevy and Katie Ellis

Staff Present: Melinda Greenwood, Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, Drew Hill, Brent Hill, Andrea West, Aaron West, Steve Lyon, Jill Dredge, and Tom Kerr

1- WELCOME AND MEETING ORDER
Chair Packer welcomed all in attendance at the Kaysville City Planning Commission meeting.

2- DECLARATION OF CONFLICTS OF INTEREST
There were no conflicts of interest.

3- CONSIDERATION OF A REZONE APPLICATION FOR 13 WEST 950 NORTH (PARCEL# 08-065-0079) FROM R-A TO LI
Anne McNamara addressed the Commission regarding an item continued from the April 24 meeting concerning a proposed rezone. The continuation was requested to allow time for the applicant and city staff to collaborate on a development agreement and provide a conceptual site plan that would address concerns raised by the Commission at the April 24, 2025 meeting.

Ms. McNamara summarized the development agreement, explaining that its main objective was to restrict certain uses within the Light Industrial zoning district to avoid potential conflicts with nearby planned residential development. Specifically, several permitted and conditional uses were removed through mutual agreement with the applicant. From the list of permitted uses, utility substations, offices, small tools, and light metal products were eliminated. Conditional uses that were removed included furniture and fixture manufacturing, stone, clay, and glass products manufacturing, and fabricated metal product industries. These changes were made in direct response to compatibility concerns expressed by the Commission.

Additionally, a conceptual site plan was been submitted, reflecting ideas previously proposed by the applicant, Mr. Phil Holland. The plan was intended to provide the Commission with a clearer understanding of the potential site layout and proposed uses within the rezone area. With these adjustments in place—including the restricted use list and the conceptual layout—staff recommended approval of the rezone.

Ms. McNamara concluded by stating that the proposal was consistent with the city's General

Plan and that staff believed the submitted documents appropriately addressed the Commission's earlier concerns.

Commissioner Allred thanked the applicant and staff for their collaboration and specifically expressed appreciation for the inclusion of a conceptual site plan. He noted that the plan provided helpful context for understanding the layout of the proposed site and commented positively on the design, particularly how the more intense uses were placed farther from residential areas. He clarified that while there were no nearby homes immediately adjacent on one side of the property, it was still important to consider proximity to residential zones on the north side, where neighboring properties could be affected.

Commissioner Allred inquired about the rationale behind the specific uses that were removed from the permitted and conditional use lists in the development agreement. He asked whether the stricken uses reflected city staff's suggestions, potential tenant considerations, or some other guiding criteria.

In response, applicant Phil Holland explained that the intent was to remove uses classified as manufacturing-heavy to reduce the intensity of the proposed Light Industrial zoning. He noted that the feedback during the previous meeting indicated concern over more intense industrial uses, and they responded accordingly by eliminating those categories. Mr. Holland added that, in comparison to the General Commercial zone, the Light Industrial zone more clearly outlines permitted uses, which allowed for better refinement during the drafting of the development agreement.

Commissioner Allred continued by expressing support for the site's layout, especially the placement of retail at the front and warehousing toward the back. He emphasized that the retail component was the "crown jewel" of the project due to its value in attracting passing traffic. He added that the removal of small tools and light metal products was appropriate, as the goal was to minimize impacts such as vibration, noise, and smoke. Commissioner Allred noted that while the surrounding residential areas to the south and east were shielded, he remained particularly concerned about neighbors to the north and how they would be buffered from potential impacts.

Commissioner Allred's primary concern was regarding the inclusion of food manufacturing and processing under conditional uses. He clarified that his concerns were more general in nature and not aimed at discouraging the project but rather ensuring compatibility with nearby uses.

Mr. Holland responded that there were no plans for food manufacturing and reiterated that their objective was to avoid manufacturing altogether with the proposed uses.

Commissioner Toller addressed several technical and contextual questions to the applicant. First, Commissioner Toller inquired about the absence of curb cuts on the conceptual site plan and whether access from any point other than Devi Drive would be possible if required by a future tenant.

Mr. Holland clarified that the Utah Department of Transportation, the previous owner of the property, had denied any access except through Devi Drive, confirming that this would be the sole access point for the site.

Commissioner Toller then asked about the height of nearby buildings, specifically those adjacent to the Picklr and Gigi Pip locations, and whether they reached the maximum allowed height of 35 feet.

Mr. Holland responded that those buildings were likely slightly under that limit and indicated that while the zoning allows for structures up to 35 feet tall, he did not anticipate the proposed buildings would reach that height.

Commissioner Toller concluded by noting that while the layout did not appear to be designed for a large national retailer, he assumed that there were other interested tenants for the proposed office-flex and retail space.

Mr. Holland acknowledged this, implying that interest from potential users was guiding the site's proposed design and scale.

Mr. Holland clarified that the site plan provided was highly conceptual and intended primarily to illustrate potential layouts for parking and access rather than specific development commitments. He noted that several other concept plans had been drafted but not submitted, and the layout shown was one of many possibilities. He explained that certain commercial uses, such as convenience stores, sometimes require large parcels—up to two acres—meaning they could occupy the entire frontage. The conceptual layout illustrated approximately one acre of retail frontage, but all configurations were subject to change based on future tenant needs and were not definitive.

Commissioner Toller confirmed that the 4.8-acre portion under discussion represented the remainder of the property west of the planned residential development to the east.

Mr. Holland affirmed this.

Commissioner Young asked whether any restrictions existed on the size of buildings permitted within the Light Industrial zone. She referred to a provision limiting building coverage to no more than 70% of the total area and questioned whether that would prevent the development of a single large retail structure, such as Walmart.

Mr. Holland responded that both the zoning code and the development agreement contained the 70% coverage limitation. He added that he had no intention of constructing one large flex-use building to occupy the site. He explained the retail frontage was more economically valuable than the flex space, both to the developer and to the city, and he intended to prioritize retail uses on the site. The flex-use building at the back of the lot was shown at about 30,000 square feet, and he emphasized that the goal was to balance the property's use efficiently without overbuilding.

Commissioner Young agreed that the proposed approach was appropriate for the lot, suggesting that multiple smaller buildings offering various uses would be more visually and functionally appealing.

Commissioner Allred added that the location of the proposed building along the south side of the lot was strategic. If built to the maximum allowable height, the structure would create a buffer between the residential area to the south and the retail space toward the front of the site. He pointed out that the existing creek provided a natural separation, and the building could help mitigate light pollution, especially if a 24-hour business such as a gas station were to occupy the site.

Commissioner Young concurred, stating that she liked the proposed layout, particularly the placement of the flex building in the rear as a visual and functional backdrop that would not overwhelm surrounding properties.

Chair Packer expressed his satisfaction with the revisions presented by the applicant and city staff. He noted that many of the Commission's previous concerns had been adequately addressed and thanked everyone involved for the additional work that had been done since the initial proposal.

Commissioner Allred made a motion to recommend approval of the rezone request based on staff's recommendations and Commissioner Toller seconded the motion and the vote was unanimous in favor of the motion (5-0).

Commissioner Packer: Yay
Commissioner Toller: Yay
Commissioner Young: Yay
Commissioner Sommerkorn: Yay
Commissioner Allred: Yay

4- PUBLIC HEARING FOR A REZONE FOR 388 NORTH ANGEL FROM R-1-14 SINGLE FAMILY RESIDENTIAL TO GC GENERAL COMMERCIAL

Melinda Greenwood presented a detailed report on a rezone application for the property located at 388 North Angel Street. The request seeks to change the zoning designation from R-1-14 (single-family residential) to General Commercial (GC).

Ms. Greenwood opened by noting that the property is currently surrounded by residential and agricultural uses, with the closest General Commercial zoning situated to the south at the intersection of 200 North and Angel Street. Ms. Greenwood emphasized that the city's General Plan does not support this rezone request. She walked the Planning Commission through key elements of the General Plan, particularly the Future Land Use Map, which identifies the subject property as intended for continued residential use. She explained that the future land use map is the first benchmark used to evaluate zone change requests. Several chapters in the General Plan, particularly Chapter 1—the “Placemaking Plan”—contain goals and objectives that directly oppose the proposed zoning change. These include goals to preserve Kaysville’s small-town atmosphere, maintain existing single-family neighborhoods, and focus on land use decisions that align with the established residential character of the area.

Despite Ms. Greenwood expressing these concerns to the applicant in preliminary discussions, the applicant chose to proceed with the rezone request and offered a development agreement to limit commercial uses and help mitigate neighborhood impacts. Ms. Greenwood summarized key elements of that agreement:

- Specific use restrictions: Only two businesses, Hill Farm Swimming and Andrea West Design, would be permitted.
- Height limitations: Capped at 30 feet, consistent with residential zoning.
- Signage restrictions: No commercial signage allowed beyond a one-square-foot nameplate, consistent with existing home occupation allowances.
- Building code compliance: All structures used for business purposes, including the pool, would need to comply with commercial building standards before business licenses could be issued.
- Safety provisions: The pool must be covered when not in use, and the existing five-foot fence must be maintained.
- Off-street parking: Must be provided on-site.

Ms. Greenwood further clarified that both proposed business uses—swimming instruction and interior design—could be permitted under the city’s home occupation regulations if the property remained occupied and if the business owner was the resident. However, since the residence is now vacant, it no longer qualifies for a home occupation permit, which legally requires that someone reside on the premises. She explained that the swim school has been operating under a Major Home Occupation B permit since 2018, and with changes to city code, an Instructional Home Occupation permit might also apply, even if the business operator does not live on-site—as long as the home is still used as a residence.

Ms. Greenwood then addressed broader land use implications. She noted that while rezones are legislative and discretionary decisions made on a case-by-case basis, she had concerns about setting a precedent by rezoning this single parcel in a well-established residential neighborhood to GC. Such a change, she argued, could lead to "zone creep," making future commercial rezone requests in adjacent residential look more logical and appealing. She also discussed spot zoning, a practice widely considered illegal and generally discouraged when a property is rezoned in a way that is incompatible with surrounding land uses. Although a development agreement could help limit incompatibility, the fact remains that the proposed GC zone would contrast sharply with the surrounding residential context.

Ms. Greenwood further pointed out that the rezone would remove a viable single-family home from Kaysville’s housing stock at a time when the State of Utah is actively encouraging cities to support housing opportunities and increase the housing supply. Ms. Greenwood concluded by reiterating that these proposed business uses could remain viable under existing residential zoning if the home were occupied. Since the requested rezone is not aligned with the General Plan, does not offer significant commercial or fiscal benefit to the city, and removes a housing opportunity, she recommended denial of the application.

Ms. Greenwood opened the floor for questions from the Planning Commission and noted that the applicant was present to answer questions.

Applicant Drew Hill addressed the Planning Commission to explain the reasoning behind the rezone application for the property at 388 North Angel Street, which is owned by his father, Brent Hill. Drew began by acknowledging his personal connection to the home, having lived there most of his life. He explained that his current residence is just east of the property and that his sister—who operates the swim school—is also a close neighbor.

Mr. Hill described the house as a significant property to his family and referred to it as a historical landmark in Kaysville. He emphasized that the original structure dates back to 1889 and still retains its original brickwork. The house, he noted, was a collaborative effort between his late mother and his father, with many design elements reflecting his mother's influence. After her passing, Drew's father eventually remarried and moved out of the home, which has since remained vacant.

The Hill family's goal, Drew explained, is to preserve and maintain the home within the family, without selling it or significantly altering its character. They are not interested in renting it out, as they are concerned that outside tenants and children may not share the same level of respect for the home's legacy. As a solution, the family explored ways to repurpose the house in a manner that aligns with its current structure and aesthetics. This led to a conversation with Andrea and Aaron West, who live two doors down and operate Andrea West Design. Mr. Hill suggested that the home would serve well as a design studio, allowing Ms. West to showcase different interior design concepts while maintaining the property's original charm.

In addition to the design studio, the family also hoped to continue operating Hill Farm Swimming, a small swim school previously run as a home occupation on the site. Mr. Hill acknowledged that submitting the rezone application inadvertently triggered a revocation of the business license due to the home no longer being owner-occupied. He clarified that they had not intended to disrupt the operation of the swim school and hoped to restore it under the new zoning arrangement.

Mr. Hill emphasized that the proposed use would involve no structural modifications to the property, no expansion of buildings, and no new construction. The family was not proposing a typical commercial development. Instead, the site would remain as-is, and the only intended uses are Andrea West Design and Hill Farm Swimming. Mr. Hill also affirmed that if Andrea West Design were to ever leave the property, the family would be willing to revert the zoning back to residential (R-1-14) and re-evaluate future options at that time.

Mr. Hill described both businesses as low-traffic, low-impact, with minimal disruption to the neighborhood. Andrea West Design would operate by appointment only, and Hill Farm Swimming runs for a six-week period during the summer, with lessons held from 9:00 a.m. to 1:00 p.m. in 45-minute increments. Most swim lesson participants are dropped off and picked up, helping to minimize congestion. He stated that adequate off-street parking is already available on-site to accommodate both uses.

Mr. Hill concluded by reiterating that the intention behind the rezone is to preserve the family legacy, maintain the property's character, and support two small, neighborhood-friendly businesses. The family has no plans to alter the architecture or introduce incompatible commercial activity.

Chair Packer acknowledged Mr. Hill's comments and thanked him for sharing his perspective. Chair Packer then indicated that the Planning Commission would hold off on asking any questions of the applicant until after the public hearing portion of the meeting was completed.

He formally opened the public hearing for the rezone request concerning 388 North Angel Street and invited members of the public in attendance to come forward, state their name, and provide their comments regarding the application.

Steve Lyon, a Kaysville resident, voiced strong opposition to the proposed rezone of 388 North Angel Street from Residential to General Commercial. Mr. Lyon began by emphasizing the importance of zoning in maintaining compatible land uses, traffic patterns, and neighborhood integrity. He expressed concern that the city would even consider this rezone request without a formal site plan, traffic study, or detailed documentation of necessary changes.

Mr. Lyon criticized the applicant's casual mention of reverting the property back to residential zoning if the commercial use did not work out, calling that approach untenable and procedurally flawed. Drawing from his own experience working in city government—specifically referencing a city in Texas—he warned against the practice of spot zoning, which he described as detrimental to long-term land use planning and a potential precedent that could erode the consistency and reliability of zoning decisions across Kaysville.

Mr. Lyon further noted that the surrounding area is entirely residential, aside from a defined and appropriately located commercial corner at 200 North and Angel Street. In his view, inserting a commercial zone into the middle of a functioning residential neighborhood undermines the purpose of zoning protections, and creates incompatible land use conditions. Mr. Lyon also pointed out the absence of a traffic study and parking plan, both of which would be required for a legitimate commercial operation. He cautioned that converting the home to meet commercial building codes, including ADA compliance and safety upgrades, would likely incur significant costs—potentially between $500,000 and $750,000—which he believes had not been fully accounted for by the applicant. Mr. Lyon warned that increased traffic generated by commercial activity, particularly during daytime business hours, could pose a safety burden in a neighborhood with children walking to nearby schools.

Mr. Lyon concluded by acknowledging the applicants' desire to preserve the home but reiterated his belief that the proposed solution is not appropriate for the site or neighborhood. Instead, he suggested that if the applicants were serious about operating commercial businesses, they should consider selling the property and locating it in an existing commercial area. He stressed that approving this rezone could open the door to a pattern of rezoning homes for commercial uses based on financial convenience, thereby weakening zoning integrity citywide. He urged the Planning Commission to follow the staff recommendation and deny the rezone request.

Andrea West, a Kaysville resident and business owner, spoke in support of the rezone application during the public hearing. Andrea West lives in the Hill Farms neighborhood, just two doors south of the subject property at 388 North Angel Street, and noted her deep familiarity with the community, both as a resident and as the interior designer who helped develop the Hill Farms community in partnership with Destination Homes.

Ms. West emphasized that she understands and respects the concerns raised during the public hearing and appreciates that they are being thoughtfully considered. However, she also spoke to the historical and aesthetic value of the Hill family home, which she described as the architectural “anchor” for the surrounding neighborhood. Ms. West explained that the layout and design of Hill Farms were created in harmony with the look and feel of the Hill home, which played a central role in shaping the visual character of the area.

Ms. West shared her gratitude that the Hill family approached her with the opportunity to operate Andrea West Design from the property. Ms. West clarified that her business is a small, two-person design studio run by her and her husband, and they are committed to preserving and maintaining the home's historical integrity. She likened the vision to that of other established communities where historic homes have been repurposed for small businesses, adding walkability, charm, and a sense of place to the neighborhood.

Ms. West concluded by expressing her belief that allowing this limited and carefully managed commercial use could enhance the community’s character rather than disrupt it.

Chair Packer then thanked her and formally closed the public hearing, noting no other commentors and moved the discussion back to the Planning Commission for discussion.

Commissioner Allred stated he did not support the proposed rezone of 388 North Angel Street from R-1-14 to General Commercial. While he acknowledged that the proposed uses—a swim school and interior design office—were generally compatible with the surrounding area in terms of their scale and function, he emphasized that the zoning mechanism being used to allow those uses was not appropriate.

Commissioner Allred explained that applying a General Commercial zone designation to a single residential lot in an otherwise residential neighborhood was not the correct approach and amounted to spot zoning, a practice cities typically seek to avoid. He stated the rezone was not necessary to achieve the intended outcome and that there were better regulatory tools available that would avoid changing the zoning classification.

Commissioner Allred proposed that the city consider a text amendment to the zoning ordinance that would allow professional office uses in residential zones under specific conditions, such as requiring a conditional use permit, even if the home is not owner-occupied. He cited previous experience working in other municipalities where similar approaches were taken through ordinances such as a "Professional Office Zone" to accommodate older homes in residential areas that were no longer viable for residential occupancy but still suitable for low-impact commercial use.

Commissioner Allred concluded that the use of General Commercial zoning in this context was not warranted, and that the city should explore amending its code to support low-impact, professional uses in residential structures without needing to change the base zoning designation. He stated that, for these reasons, he would vote to deny the application.

Commissioner Young offered her perspective on the rezone request expressing that she had considered multiple factors and had mixed views. Initially, she noted that the idea of a General Commercial zone in the middle of a residential neighborhood was concerning and potentially incompatible. However, she stated that many of her concerns were alleviated by the inclusion of a development agreement, which limits the allowable uses and imposes restrictions to prevent broader commercial development in the future.

Commissioner Young emphasized that one of her primary considerations was the preservation of the historic home on the property. She acknowledged the Hill family's long-standing stewardship of the home and expressed confidence in their commitment to maintaining its character. She noted that preserving such a property can be challenging, particularly when family circumstances change, and residential occupancy is no longer desired.

While open to the suggestion made by Commissioner Allred about exploring a text amendment or alternative zoning mechanism, Commissioner Young indicated that she was unfamiliar with that process and would need additional information. She remained interested in the concept as a future discussion point but did not believe it should prevent consideration of the current application.

Commissioner Young also commented on the broader issue of the housing supply and density, noting that she is generally supportive of increasing housing availability. However, she pointed out that in this specific case, the Hill family had already contributed significantly to that objective through prior development of surrounding land that was once part of the family farm. Commissioner Young concluded by raising a technical concern about whether the applicant was prepared and able to bring the building into compliance with commercial code, which would be required if the rezone were approved. She expressed interest in hearing from the applicant on that point to ensure feasibility and code compliance if the rezone were to proceed.

Drew Hill responded to Commissioner Erin Young's question regarding the feasibility of bringing the property into compliance with commercial code requirements, particularly ADA accessibility. Mr. Hill stated that, based on his understanding, making the home accessible was reasonable and achievable. He noted that the front doors are double doors, wide enough to accommodate accessibility standards, and that a wrap-around porch and sidewalk infrastructure already exist, which would allow for the addition of a compliant ramp with minimal effort.

Mr. Hill walked through the onsite parking layout on the aerial map and pointed out that the property includes four dedicated parking stalls off Angel Street, along with additional parking on a large circular driveway. There are also other informal parking spots around the property, including one under a tree. Mr. Hill indicated that there is ample off-street parking for the proposed uses and added that he would not expect the parallel parking off Angel Street to be utilized frequently.

Regarding building code compliance, Mr. Hill acknowledged that there would need to be inspections and consultations with the Building Department and Fire Marshall, but said he was fully willing to go through that process. He expressed confidence that only minor adjustments would be required and mentioned that there are already three full bathrooms inside the home—two on the main floor and one on the upper level—with an additional exterior-accessible bathroom as well.

Mr. Hill also addressed the broader zoning context. He stated that the family's intention was not to pursue General Commercial zoning as a first option but to simply obtain a conditional use permit that would allow Andrea West Design to operate at the site. However, given the property's vacant residential status, that was not legally permissible under the current code. Mr. Hill argued that concerns over precedent were not as applicable in this case, stating that the home is unique in its age, design, and historical significance, and does not have a direct comparable in the surrounding neighborhood. He suggested that the uniqueness of the home differentiates it from others in the area, making this a distinct case rather than a precedent-setting action.

Commissioner Allred initiated a discussion about the potential for an alternative zoning solution by inquiring whether the Hill Farms subdivision was a Planned Unit Development (PUD) and whether it included a Homeowners Association (HOA).

Mr. Hill confirmed that the subdivision has an HOA but clarified that the property is not part of the HOA, despite being included in the original subdivision plat.

Commissioner Allred suggested that the property could potentially be incorporated into the PUD and HOA through a plat amendment or an amendment to the development agreement for Hill Farms. He proposed that doing so could allow the structure to be designated as an accessory use for the HOA, such as a small administrative office or community-related space, thereby allowing for limited business activities such as a design office—without requiring a full rezone to General Commercial.

Mr. Hill responded by noting that while the property is included in the development's plat, it was specifically excluded from the HOA, due to pre-existing ownership.

Commissioner Allred insisted that the property could still potentially be brought into the HOA and subdivision governance through a formal amendment, which could then support a use such as a design studio or administrative office consistent with the broader subdivision's function.

Commissioner Young asked whether such a move would legally enable the proposed use of the home as a design office.

Commissioner Sommerkorn added that the concept could be implemented through a plat amendment, implying that this alternative approach might be feasible pending legal and procedural steps.

Commissioner Sommerkorn first acknowledged that he found Commissioner Allred's earlier proposal to pursue a text amendment (allowing professional office uses in residential zones without requiring owner occupancy) to be a compelling option. He expanded on the concept by introducing additional tools based on his experience with development agreements. Citing legal precedent and practices in other Utah communities, Commissioner Sommerkorn explained that cities now have significant latitude in structuring site-specific development agreements, which can serve as a form of custom zoning without modifying the broader zoning code. He noted that cities can technically create development agreements to regulate very specific uses and conditions for individual properties—provided those agreements are adopted through the proper legislative process.

However, Commissioner Sommerkorn expressed caution about relying too heavily on development-by-agreement, noting that it undermines the foundational purpose of zoning ordinances. He referenced Orem City as an example where site-specific zoning categories have been embedded into the zoning code to address one-off circumstances. While effective, this practice can lead to a fragmented and inconsistent zoning map.

Commissioner Sommerkorn reiterated that these strategies—development agreements, text amendments, or even creating a unique zoning classification—could be viable alternatives to a full General Commercial rezone. He acknowledged that this case presented several creative possibilities worth exploring.

Commissioner Allred agreed, stating again that rezoning to General Commercial was not the appropriate tool in this situation. He reiterated his preference for a solution that would preserve the property's current zoning while allowing for low-impact professional use, either by incorporating the property into a Planned Unit Development (PUD) with a designated office function, amending the zoning text, or using a tightly tailored development agreement.

Ms. Greenwood clarified that no existing development agreement is associated with the subdivision, to her knowledge.

Commissioner Allred concluded by referencing past planning practices where older “mother” properties—like historic homes—were either integrated into or subdivided away from newly planned developments. In those cases, cities sometimes allowed such homes to serve a secondary purpose, like a clubhouse, leasing office, or community meeting space, thereby preserving the property and providing a functional use without commercial zoning.

Commissioner Young raised a key concern about whether incorporating the property into the Hill Farms HOA would result in financial responsibility for the HOA or neighborhood residents.

Commissioner Allred clarified that while the property could become part of the HOA, the owners could still be solely responsible for its upkeep, as they are now. He emphasized that this approach would preserve the residential character of the subdivision while allowing a low-impact accessory use, such as a professional office, without needing a zoning change.

Commissioner Allred further suggested that the property—currently excluded from the HOA—could be reintegrated into the subdivision through a plat amendment, enabling it to serve a supportive function to the community, such as an administrative office or similar accessory use, without converting it into community property.

Mr. Hill clarified that while the property was part of the original development plat, it was intentionally excluded from the HOA due to its status as a pre-existing family home. Mr. Hill expressed concern that formally joining the HOA might unintentionally create expectations of broader community use of the home or the swimming pool, which the family does not want to turn into a shared facility or open up to the public.

Commissioner Allred responded that the terms of use could be clearly defined—through either HOA agreements or a development agreement with the city—to preserve the family's control while still allowing the desired office use. He reiterated that many communities have successfully integrated old or legacy properties as clubhouses, multipurpose rooms, or leasing offices without requiring full commercial zoning or ownership transfer.

Commissioner Sommerkorn echoed these comments and noted that while the subdivision may not have been governed by a PRUD (Planned Residential Unit Development) or existing development agreement, a new agreement could be created. He emphasized that cities now have significant flexibility under Utah law to tailor property-specific development agreements, either as standalone legislative tools or by integrating those agreements into zoning code amendments.

Mr. Hill clarified that his original intent was not to apply for General Commercial zoning but simply to gain conditional use approval for the proposed small businesses. However, the city’s current ordinance structure does not permit that on a vacant residential property, prompting the rezone application.

Commissioner Allred stated that he could not support a rezone to General Commercial under any circumstances, citing its long-term planning implications and the availability of better, more context-sensitive solutions and encouraged creative problem-solving, such as code amendments, subdivision reconfiguration, or narrowly written development agreements, to accommodate the proposed uses without undermining the zoning integrity of the surrounding neighborhood.

Commissioner Sommerkorn said that while the Planning Commission may not determine the precise path forward during the meeting, it was evident that several viable options exist to address the applicant's goals without altering the underlying zoning. He confirmed that he, like Commissioner Allred, would not support a rezone, and suggested that the conversation should shift toward exploring creative planning tools rather than proceeding with a zoning change.

Commissioner Allred agreed and expanded on a middle-ground solution: amending the existing zoning ordinance to allow for low-impact professional office uses in residential zones, under tightly defined conditions. He emphasized that such a change could be written very narrowly, for example, applying only to certain collector streets, lot sizes, or historically significant properties—ensuring it would not open the door to widespread commercial use in residential areas.

Mr. Hill responded by questioning whether this solution might also create precedent. He expressed concern that such a text amendment might broaden allowances for office uses across the city.

Commissioner's Sommerkorn and Allred clarified that a carefully drafted ordinance can limit eligibility to unique situations, thus avoiding generalized impacts.

Commissioner Toller thanked the applicant for bringing forward the proposal and acknowledged the efforts made to find a workable solution. He then sought clarification on a key point from the staff report regarding home occupation permits. Specifically, he asked whether a Major Home Occupation B permit would be allowed if the home were rented and occupied.

Ms. Greenwood responded that, under Kaysville's home occupation ordinance, certain business types—such as swim schools—may be permitted even if the business owner does not live on the property, provided the property is occupied by a resident. However, for other types of home occupations, such as professional office uses, the business owner must reside on the property to qualify. Therefore, if the home were rented and occupied by the business owner, the interior design studio could qualify through a conditional use permit under the home occupation code.

Commissioner Toller stated that while there appeared to be broad support among the commission for the current and proposed uses, he could not support the proposed rezone to General Commercial. Drawing on his own experience in city government, he reiterated his opposition to spot zoning, explaining that it sets a precedent that could compromise future planning decisions. He emphasized that his vote to deny would not be based on opposition to the current uses or the applicant, but rather on the inappropriate zoning mechanism being requested.

Chair Packer offered closing remarks on the rezone request for 388 North Angel Street, expressing his appreciation for the historic value of the property and support for the proposed low-impact business uses. He acknowledged the applicant's intention to preserve the home and maintain its viability and affirmed that, from a functional standpoint, the proposed design studio and swim school were appropriate for the site. Chair Packer also noted the positive contribution of the development agreement in addressing many initial concerns.

However, Chair Packer ultimately agreed with fellow commissioners that pursuing a General Commercial rezone was not the right solution. He stated that although the development agreement helped mitigate potential future issues, better alternatives were available to allow the desired uses without altering the zoning. He expressed support for exploring alternative legal and planning mechanisms and clarified that while he could not support the rezone, he hoped the applicant would still find a workable path forward to achieve their goals.

Commissioner Toller made a motion to recommend denial of the rezone request to the City Council. He noted that the Planning Commission held no objection to the current or proposed uses, nor to the care and appearance of the property, but opposed the rezone based on the broader planning implications. Commissioner Allred seconded the motion.

Commissioner Sommerkorn reiterated his support for the motion, stating that his vote against the rezone should not be interpreted as opposition to the applicant's intended use. He emphasized the Commission's consensus that the proposal was reasonable in context and that the city should explore other legal and regulatory pathways to support it.

Chair Packer concurred, stating his agreement with Commissioner Sommerkorn and expressing readiness to proceed with the vote.

The vote was 4-1 in favor of the motion.

Commissioner Packer: Yay
Commissioner Toller: Yay
Commissioner Young: Nay
Commissioner Sommerkorn: Yay
Commissioner Allred: Yay

5- APPROVAL OF MINUTES FROM MARCH 13, 2025 PLANNING COMMISSION MEETING

Commissioner Toller made a motion to approve the minutes from the March 13, 2025 meeting and Commissioner Allred seconded the motion. The vote was unanimous in favor of the motion (5-0).

Commissioner Packer: Yay
Commissioner Toller: Yay
Commissioner Young: Yay
Commissioner Sommerkorn: Yay
Commissioner Allred: Yay

6- APPROVAL OF THE MINUTES FROM MARCH 27, 2025 PLANNING COMMISSION MEETING

Commissioner Allred made a motion to approve the minutes from the March 27, 2025 meeting and Commissioner Toller seconded the motion. The vote was unanimous in favor of the motion and Commissioner Sommerkorn and Commissioner Young abstained from voting (3-0).

Commissioner Packer: Yay
Commissioner Toller: Yay
Commissioner Young: Abstained
Commissioner Sommerkorn: Abstained
Commissioner Allred: Yay

7- APPROVAL OF THE MINUTES FROM APRIL 24, 2025 PLANNING COMMISSION MEETING

Commissioner Toller made a motion to approve the minutes from the April 24, 2025 meeting and Commissioner Allred seconded the motion. The vote was unanimous in favor of the motion and Commissioner Sommerkorn and Commissioner Young abstained from voting (3-0).

Commissioner Packer: Yay
Commissioner Toller: Yay
Commissioner Young: Abstained
Commissioner Sommerkorn: Abstained
Commissioner Allred: Yay

8- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. Greenwood reminded the Commission that the public survey related to ongoing planning efforts remains open through May 12, and noted that the city would be posting another Facebook announcement to further promote participation. Ms. Greenwood also mentioned that a draft of the market analysis had been received, though she had not yet reviewed it. She reported that the planning team is making progress in identifying key stakeholders for upcoming interviews, which will include large property owners, businesses, and owners of properties that may be suitable for redevelopment or future development.

Ms. Greenwood confirmed that the next Planning Commission meeting is scheduled for May 22, and that a Public Hearing Notice has already been posted for proposed revisions to Titles 18 and 19, which cover the city’s subdivision code. The revisions are in response to updates from the Public Works Department, particularly related to stormwater regulations, and are intended to bring the subdivision ordinance into alignment with those changes.

Ms. Greenwood provided additional updates regarding the Planning Commission's upcoming schedule. She confirmed that on June 12, there will be a joint meeting between the City Council and Planning Commission to review the initial findings of the Small Area Plan. These findings will cover existing conditions, which may include market data, traffic evaluations, and results from the public survey and stakeholder meetings.

9- ADJOURNMENT

Commissioner Toller motioned to adjourn the meeting at 8:32 pm.