

Kaysville City Planning Commission Meeting Minutes

August 28, 2025

The Planning Commission meeting was held on Thursday, August 28, 2025, at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Mike Packer, Commissioners Wilf Sommerkorn, Erin Young, David Moore, Rachel Lott and Paul Toller

Planning Commissioners Absent: Commissioners Paul Allred and Katie Ellis

Public Attendees: City Councilmember Abbi Hunt, Bryan Carling, Brock McKeown, Brent Bateman, Tara Oveson, Sylar Walker, Matt Hill, Matt Howes, Mike and Becky Jensen, Steve Hatch, Lorri and Kirk Nacey, Rob Henneberger, Boyd Argyle, Dexter Fisher, Trevor Pole, David McSwain, Sheila McSwain, Rick Jones, Matthew Loveland, Greg Timothy, Brian Kartchner, Lee Stenquist, Jenny White, Laura Hubrich, Ron Hubrich, Val Starkey, Brad Walters, Phil Holland, Dean Christensen, Matthew Mann, Shauna Mann, Alexis Larson, Mitchell Larson, Amy Headlee, Keith Halls, Jason Gagner, Steve Gilmore, Jason Saunders, Mason Tippitts, Paul Belnap, Patick Scott, Doug Stanger, Cami Tippitts, Joel Tippitts, Jed Stanger, Alison Stenquist, Brett Francom, and Brent Giles

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- ELECTION OF A VICE CHAIR

Commissioner Allred made the motion to elect Commissioner Young as the Vice Chair. Commissioner Lott seconded the motion, and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay

Commissioner Young: Abstained as she was not present at that meeting.

Commissioner Moore: Yay

Commissioner Sommerkorn: Yay

Commissioner Allred: Yay

Commissioner Lott: Yay

Commissioner Sevy: Yay

4- CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION FOR BEEGINNING LEARNER'S PRESCHOOL LOCATED AT 1973 WEST ORCHARD HARVEST DRIVE FOR JENNIFER WHITE

Mindi Edstrom presented the Conditional Use Permit for a Major B Home Occupation for Jennifer White to operate BeeGinning Learner's Preschool from her residence located at 1973 West Orchard Harvest Drive.

The preschool will serve up to twelve (12) students per session and operate Tuesday /

Wednesday / Thursday – 9:30 a.m. to 12:00 p.m. for children ages 4–5 and Tuesday / Thursday – 1:00 p.m. to 3:00 p.m. for children ages 3–4.

Ms. White is currently compliant with Kaysville City’s zoning regulations. She has applied for an entity number with the Utah Department of Commerce and will coordinate with the Kaysville Fire Department to complete the required fire inspection prior to beginning operation.

The preschool will operate only during the specified daytime hours. Traffic is anticipated to be limited and staggered during student drop-off and pick-up times. Ms. White has indicated these activities will be managed to minimize congestion and maintain safety for both students and neighbors.

A public notice sign was placed on the property on Friday, August 22, 2025 in compliance with city requirements. No written comments have been received at the time of this report.

Staff recommend approval of the Conditional Use Permit for Jennifer White to operate BeeGinning Learner’s Preschool at 1973 West Orchard Harvest Drive, subject to any additional conditions the Planning Commission deemed necessary under KCC 17-30-8 Standards.

The applicant was present for questions, however there were no questions for the applicant. Commissioner Allred said that a preschool is an excellent use for a neighborhood.

Commissioner Allred motioned to approve the Conditional Use Permit for Jennifer White located at 1973 West Orchard Harvest Dr. The motion was seconded by Commissioner Young, and the vote was unanimous in favor of the motion (7-0).

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Moore: Yay
Commissioner Sommerkorn: Yay
Commissioner Allred: Yay
Commissioner Lott: Yay
Commissioner Sevy: Yay

5- PUBLIC HEARING FOR A REZONE REQUEST FOR APPROXIMATELY 2053 WEST GRASSY PLAIN DRIVE (PARCEL #11-245-0002) FROM GC GENERAL COMMERCIAL TO R-1-14 SINGLE FAMILY RESIDENTIAL

Anne McNamara presented request to rezone a 1.62-acre parcel located at 2053 West Grassy Plain Drive. She said the subject property lies on the western side of Angel Street and the south side of 200 North, at the east end of Grassy Plain Drive where the road dead-ends. Ms. McNamara explained that the parcel is currently zoned General Commercial (GC), the applicant seeks a rezone to R-1-14 Single Family Residential to create four single-family residential lots.

Ms. McNamara said that according to the 2022 General Plan’s Future Land Use Map, the subject property is identified as appropriate for single-family residential development. The proposed R-1-14 zoning aligns with this designation. She concluded by saying that the rezone

supports the General Plan's goals, particularly Chapter 1, Goal 1, which promotes preserving the character of existing single-family neighborhoods by supporting compatible development. The proposed R-1-14 zoning maintains consistent setbacks with surrounding R-1-14 and R-1-20 lots (30' front yard, 8' side yard, 15' rear yard), ensuring neighborhood compatibility and functionality.

Ms. McNamara stated purpose of the R-1-14 zone is to establish quiet, low-density residential neighborhoods ideal for families. Permitted uses include single-family dwellings and compatible public/quasi-public uses (e.g., schools, parks, churches). She explained that the Planning Commission is tasked with evaluating whether the R-1-14 zone's purpose and intent are appropriately fulfilled in this location.

A total of 30 notices were mailed to property owners within a 500-foot radius, and a public notice sign was posted on the property on Friday, August 15. As of the date of the report, there no public comments had been received. Ms. McNamara said that staff recommended approval of the rezone from GC to R-1-14 based on its compliance with the General Plan and Future Land Use Map.

Chair Packer opened the meeting to the Public Hearing.

Rob Herberger stated that his backyard backs up to this property and is hoping for a trees to be planted or something else to ensure privacy for his property.

Chair Packer closed the Public Hearing.

Commissioner Lott asked for confirmation of adjacent lot sizes. Commissioner Sommerkorn said that the lots would be compatible with the surrounding single-family lots.

Commissioner Sevy made a motion to send a positive recommendation to City Council for the rezone request for 2053 West Grassy Plain Drive from General Commercial to R-1-14 Single Family. Commissioner Allred seconded the motion, and the vote was unanimous in favor of the motion (7-0).

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Moore: Yay
Commissioner Sommerkorn: Yay
Commissioner Allred: Yay
Commissioner Lott: Yay
Commissioner Sevy: Yay

6- PUBLIC HERAING FOR A REZONE REQUEST FOR APPROXIMATELY 1800 SOUTH 550 WEST FROM R-A RESIDENTIAL AGRICULTUREAL DISTRIC, A-1 LIGHT AGRICULTURAL DISTRICT, AND A-5 HEAVY AGRICULTURAL DISTRICT TO R-1-6 SINGLE FAMILY RESIDENTIAL AND R-M MULTIPLE

FAMILY RESIDENTIAL DISTRICT

Melinda Greenwood, Community Development Director presented the findings in the staff report, including the applicants request to rezone approximately 52 acres of property to a mixture of R-M and R-1-6. She explained the current uses of the properties included agricultural, equestrian and undeveloped properties. The zoning in the nearby area includes largely residential agricultural uses or large single family lots.

Ms Greenwood continued her presentation and reviewed portions of the 2022 General Plan that support the application. One of the guiding principles of the General Plan is to provide diverse housing. The application is supported by this principle, as the project includes a variety of housing from large lot single family to small lot single family as well as townhomes.

She explained the future land use map doesn't speak to density but depicts the area as being single family. Although the application requests some of the area to be rezoned for townhomes, overall, with two-thirds of the applicant's proposal showing single family, the majority of the rezone request does fit the future land use map.

She explained that Chapter 1 of the General Plan contains a goal of "Provide a range of housing options and price points that help ensure Kaysville is an affordable place to live." She continued with additional goals from the General Plan that supports the application, specifically because the development would enhance connectivity in the area.

Ms. Greenwood then discussed Chapter 3 of the General Plan, which contains the State mandated objectives for moderate income housing. Due to the focus the State has on increasing housing supply at attainable pricing and reporting and compliance determinations, she suggested the weight of the goals and objectives in Chapter 3 should hold greater weight. Specifically, Chapter 3 states we will provide a full range of housing options and rezone for density that would facilitate the production of moderate income housing.

Ms. Greenwood reviewed the specifics of the rezone application and proposed project, which includes 293 housing units and would be governed by a development agreement. The project would entail 102 townhomes and 191 detached single family homes, some with at least 12,000 square feet in size and some with lots as small as 3,500 square feet. The project would also include community amenities and a bike park that would be open to the public.

Due to technical difficulties with the audio for the meeting, Chair Packer asked the Commissioners if they would like to make a motion to pause the meeting to restart the audio system so that those watching from home would be able to hear the audio.

The Commissioners voted unanimously in favor of pausing the meeting for 15 minutes to get the audio system back up and functioning.

Commissioner Packer: Yay
Commissioner Young: Yay

Commissioner Moore: Yay
Commissioner Sommerkorn: Yay
Commissioner Allred: Yay
Commissioner Lott: Yay
Commissioner Sevy: Yay

Ms. Greenwood thanked those in attendance for their patience and continued her presentation. She addressed concerns from residents who felt inadequately informed about city planning items. In response, she emphasized the city's efforts to improve transparency and public engagement. She referenced a QR code provided to assist residents in signing up for agenda notifications and news alerts from the city.

Ms. Greenwood then detailed the city's formal public noticing process, explaining that ordinances require notices to be mailed to property owners within 500 feet of the subject property. Due to the scale of the current project under consideration, notices were mailed to approximately 65 residents, focusing on six strategically selected locations near the highest residential density. Additionally, the city posted notice on the State's Public Meeting Notice website, the city's own website, and Facebook.

As of 6:30 PM on the day of the meeting, the city had received roughly 30 emails and several phone calls related to the project. The majority of the communications expressed opposition to the proposed rezone, citing concerns about increased housing density, the introduction of townhomes, smaller lot sizes, traffic and road safety, infrastructure capacity, the potential loss of a rural atmosphere, impacts on nearby schools, and reduced property values. A few residents expressed support for the rezone.

In response to the infrastructure concerns, Ms. Greenwood clarified that city staff and utility providers, including secondary water, sewer, storm water, and power representatives, met in early June to review the project. She stated that while there are engineering challenges, such as the need for grinder or lift pumps due to sewer line elevation, there are no infrastructure capacity issues that would prevent development. She noted that if there were insufficient water or sewer capacity, staff would not have brought the application forward for consideration.

Ms. Greenwood also acknowledged concerns related to the adjacent Equestrian Center and proposed building heights, reiterating the broader set of community impacts frequently raised in similar rezoning cases.

One of the more significant unresolved issues related to road connectivity. Ms. Greenwood indicated that the city prefers, along with the applicant, to extend 550 West to connect from the existing subdivision northward down to Angel Street. However, a key segment of land needed for this road extension is owned by the Sewer District, which declined to sell the necessary property when approached earlier in the year. Due to this, other unfinalized components within the proposed Development Agreement particularly regarding the road, staff

recommended that the item be continued to the next planning commission meeting scheduled for October 9. Ms. Greenwood emphasized the importance of gathering public feedback at this stage, noting that large projects often evolve based on community input and planning commission direction. She concluded by introducing the applicant, who was present to offer additional information.

Chair Packer invited the applicant, Mr. Matt Loveland of Symphony Homes, to come and speak to the Commissioners.

Matt Loveland of Symphony Homes opened his remarks by summarizing the proposed development and clarifying details. He described the project as a unique opportunity to develop approximately 50 contiguous acres within Kaysville, jointly submitted by Symphony and Ivory Homes. The proposed development would consist of 193 detached single-family homes and 102 attached single-family units (townhomes), totaling 295 units. Mr. Loveland emphasized the intent to create something special that respects the character of Kaysville, given both companies' long-standing presence in the community.

He explained that the development aims to address vital infrastructure needs and would include a public bike park to serve as a new community asset. Mr. Loveland stated that the developers had taken a measured, community-focused approach from the beginning, with early outreach to city staff and elected officials starting roughly a year prior. At the suggestion of city leaders, the team held a community open house in January, sending notices to approximately 750 households via the Sunset Equestrian HOA and distributing door hangers to over 200 additional homes. The open house drew around 150 attendees, representing 72 households.

At the open house, attendees rotated through four stations: 1) an overview of the master plan and discussion of attainable housing, 2) building typologies and land use, 3) community character and architectural preferences, and 4) parks and open space. Feedback was gathered using a mix of sticker voting and handwritten sticky notes. Mr. Loveland stated that every note was reviewed and considered.

Key Findings from Community Feedback

- **Attainable Housing:** Opinions were divided, with roughly equal numbers in favor and opposed. Some respondents expressed conditional support depending on location and context.
- **Building Typologies:** Traditional single-family homes received broad support. Cottage-style homes saw unanimous approval with no opposition. Luxury townhomes were more divisive (approx. 50/50), while transit-oriented high-density concepts (like Farmington Station) were strongly opposed.
- **Architecture:** No clear consensus emerged, but there was noticeable preference against cookie-cutter designs. Mr. Loveland acknowledged the diverse aesthetic preferences and committed to architectural variety across the project.
- **Amenities:** Residents favored dispersed passive recreation (e.g., trails, natural open space) over consolidated active spaces like ball fields. Residents also suggested creative

ideas such as a botanical garden, mini-golf, and more organic playgrounds.

- Design Engagement: A landscape architect was present during the open house to sketch ideas in real-time based on resident input.

Mr. Loveland continued saying that the application includes a combination of R-1-6 (single-family) and RM (multi-family) zoning and explained what was envisioned for each zone.

- R-1-6 Zone:
 - Intended to provide a transition from surrounding low-density neighborhoods.
 - Perimeter lots would be a minimum of 12,000 sq. ft. to buffer neighboring properties.
 - Interior lots range from 6,000 to 8,000 sq. ft., with variation in lot shapes and sizes.
 - No changes requested to base R-1-6 setbacks, though some lots would be allowed reduced frontage (minimum 50 ft., average 60 ft.) to facilitate design flexibility.
- RM Zone:
 - Includes both detached single-family homes (on 3,000–5,000 sq. ft. lots) and attached townhomes.
 - Mr. Loveland emphasized that although the RM zone allows up to 15.6 units per acre, this project would fall well below that threshold, and development would be explicitly restricted through the Development Agreement.
 - Approximately 43% of the total acreage would consist of these smaller detached units, representing Symphony's new effort to provide attainable housing in a shifting market.
 - Townhomes would have minimum lot sizes of 2,800 sq. ft., each with a two-car garage, and some units with garages at the rear to improve streetscape aesthetics.

Mr. Loveland noted that many of the homes displayed as examples are currently built by Symphony and Ivory, and any new product types would reflect architectural variety and design quality to avoid repetition and enhance curb appeal.

He continued to explain the community amenities and HOA for the proposed area.

- Planned amenities include a community pool, pickleball courts, playgrounds, and interconnected trails.
- Amenities would be distributed throughout the neighborhood, ensuring that residents are always within close walking distance.
- A separate HOA would be established for the new development, independent of the Sunset Equestrian HOA. All amenities would be privately owned and restricted to residents within the new community.

Mr. Loveland addressed the future of the adjacent Equestrian Center, clarifying several key points:

1. The Equestrian Center is a privately owned business.

2. It is not legally required to remain open or be preserved as equestrian use in perpetuity.
3. It was not included in the required open space calculation for the existing subdivision and is not part of the Sunset Equestrian HOA.
4. The property is subject to standard Kaysville zoning laws and any proposed changes would follow the regular public process.

Mr. Loveland proposed the development of a public bike park on a portion of the property, to be owned by Kaysville City. The bike park would include features such as a pump track, jump lines for varying skill levels, and natural play elements. Mr. Loveland referred to the Nine Line Bike Park in Salt Lake City as the benchmark for quality and design, and expressed strong personal support for outdoor recreation opportunities for youth.

Mr. Loveland continued to share some of the traffic and connectivity concerns.

Regarding road connections and traffic concerns:

- The proposed layout includes the extension of 550 West and Sea Biscuit, connecting to the existing Sunset Equestrian subdivision.
- A traffic impact analysis indicated that most traffic would flow south toward two arterial roads due to a new interchange, reducing the likelihood of regular traffic moving north into Sunset Equestrian.
- The analysis estimated that only 25% of traffic from northern residents would use Sunset Equestrian as a regular exit point.
- Trails would be added to connect with the existing trail system and expand recreational access.

Mr. Loveland concluded by reiterating that no apartments were proposed in the development, and that all homes would be owner-occupied. He acknowledged the density exceeds two units per acre but emphasized that the mix of housing types is designed to serve current and future Kaysville residents, including young families seeking affordability. He requested the opportunity to address public comments after the hearing and participate in Q&A with the commission if desired.

Chair Packer explained that the public comment period is an opportunity for individuals to share their perspectives, voice concerns, or offer support. However, he emphasized that this is not intended as a forum for dialogue or real-time Q&A between speakers, the applicant, or the Commission. While residents are encouraged to pose questions as part of their comments, the Commission would not respond during their allotted time. Instead, they would listen attentively and record concerns for later review.

Following the conclusion of all public comments, Chair Packer noted that the applicant would be invited back to address any relevant points raised by the public. Afterward, the Planning Commission would deliberate among themselves. He reiterated that the Planning Commission's role is to provide a recommendation, while the final decision on the proposed rezone would be made by the City Council in a future meeting.

Finally, Chair Packer reminded attendees that due to the complexity and scale of the application, the item was expected to be continued to a later date, allowing for additional consideration and possible revisions.

He then formally opened the floor for public comment, inviting residents to approach the podium, state their name, and share their remarks in no particular order.

Jason Sanders, a resident and property owner in the Sunset Equestrian neighborhood, expressed concern regarding the proposed development and the future of the Equestrian Center. He stated that his decision to purchase two properties in the neighborhood was based on the expectation backed by a recorded plat signed by the city and county officials that the equestrian center would remain in place and that the land was designated for either open space or equestrian use. Mr. Sanders pointed out that the neighborhood's identity is tied to its equestrian theme, citing horse-themed street names and horse-only trails as examples.

He questioned the validity and durability of Development Agreements, asking why a new one is being proposed when, in his view, the city is allowing an existing agreement to be set aside. He voiced concern that Development Agreements may be easily altered over time, regardless of community input or prior commitments.

Mr. Sanders also criticized the community input process used by the applicant, particularly the sticky note and voting exercise conducted at the open house. Although he participated in the event and spoke at length with Symphony Homes representatives, he felt the input was collected in a way that limited dissent and framed responses to support the applicant's plans. He described the questions and voting setup as "leading" and noted that residents were not informed that their feedback would be presented as justification for the development during public hearings.

He further expressed personal disappointment in his interactions with Symphony Homes, noting that although he initially had positive experiences with company leadership during his home-buying process, subsequent efforts to maintain communication regarding the new development were not reciprocated. Mr. Sanders clarified that he does not oppose development in general but emphasized that growth should be done responsibly, with respect to existing agreements and recorded land use restrictions.

He concluded by stating that a lawsuit is being filed in opposition to the proposed use of the equestrian property.

Keith Halls spoke in opposition to the proposed road connection from the development to Sunset Drive. Mr. Halls noted that his property is located directly across from the proposed access point and emphasized his 40 years of experience living on Sunset Drive. He stated that the location involves a blind corner, which already presents significant safety risks. According to Halls, local police had recently issued multiple speeding citations in the area, underscoring traffic concerns.

He argued that adding approximately 300 new households accessing Sunset Drive at that point particularly with vehicles attempting to make left turns both northbound and southbound would create serious hazards. He referenced a recent three-car collision near Sunset Drive and Western Avenue, which occurred despite clear sight lines, to illustrate the potential dangers of placing an access road at a blind corner.

Mr. Halls proposed that, instead of the planned access, the development should include half-acre lots fronting Sunset Drive, consistent with what he said some residents had previously been led to expect. He suggested that traffic from the subdivision should be directed to Angel Street and routed through the existing roundabout, which he described as a safer design. He also expressed concern about the lack of sidewalks, which he felt would pose risks to children walking to school. Additionally, he recommended the inclusion of soccer and football fields, citing the success and community use of facilities at Ponds Park as an example.

Mr. Halls concluded by urging the Commission to carefully consider traffic safety and access issues on Sunset Drive as part of its evaluation of the proposal.

Tara Oveson reiterated concerns about traffic and safety. She shared a personal experience, noting that her daughter was struck by a car earlier in the week while riding her bicycle across Western Avenue. Fortunately, her daughter sustained only minor injuries, but Ms. Oveson emphasized this incident as evidence of the dangers already present in the area.

She explained that her children frequently ride their bikes to school at Endeavor and Centennial, and she is deeply concerned about the impact of adding nearly 300 new homes and an estimated 600 vehicles to the neighborhood. With only three planned access points, including one connecting Sunset Drive, Ms. Oveson said the additional traffic would significantly increase risks for children and other pedestrians. She stressed that the curve on Sunset Drive, referenced by the prior speaker, is especially hazardous.

Ms. Oveson acknowledged the difficulty with extending the road connection because the Sewer District has declined to sell the necessary property, but she suggested the city should press more strongly for a safer solution. She cited her own experience during development of her property, when she was required to give up 20 feet of land to accommodate sidewalks along Sunset Drive, as precedent for requiring adjustments in the interest of public safety. She urged the Commission to address the road alignment issue to better protect children and residents in the area.

Matthew Mann objected to the proposed rezoning for the Symphony development. Mann cited the 2022 Kaysville City General Plan, specifically page 15, which describes Kaysville as a family-oriented bedroom community and encourages that large vacant or underdeveloped parcels be developed as conservation subdivisions. He noted that such subdivisions are intended to provide a range of single-family housing types while clustering development in a way that preserves the city's small-town, pastoral, and open feel. Mr. Mann argued that the proposed

development does not align with these stated values, goals, or the future land use map. He further raised concerns about traffic impacts, stating that the addition of nearly 293 dwellings would significantly worsen congestion at the end of Sunset Drive, where the current roadway system is already strained. He urged the city to prioritize completion of the Angel Street expansion to Shepherd Lane before considering approval of a project of this magnitude.

Mr. Mann recommended that if the development were to proceed, all access points should be located exclusively on Angel Street and not on South Sunset Drive. He encouraged coordination between the city, the developer, and the Central Davis Sewer District to ensure that safe access via Angel Street could be achieved.

Mr. Mann concluded by respectfully requesting that the Planning Commission deny the rezoning request to safeguard both the interests and safety of the existing community.

Mason Tippetts, a resident in the Sunset Equestrian neighborhood, expressed concerns about the disparity in amenities between the existing HOA and the proposed new HOA for the Symphony development. Mr. Tippetts stated that because existing residents would lose their views and open space if the equestrian property were redeveloped, they felt the current HOA should have access to amenities planned for the new community, such as the pool and library. He suggested these amenities be located closer to the cul-de-sac for easier access.

Mr. Tippetts also recommended that additional trees be planted within the development to offset the increased number of homes. He expressed opposition to having townhomes near existing residences and suggested they instead be placed closer to the sewer plant. He also requested that the planned pickleball courts include basketball hoops to allow flexibility for youth recreation.

Finally, Mr. Tippetts mentioned hearing discussions about adding more homes near Mare Drive in Snow Horse and asked whether similar changes would occur in that area.

Amy Headlee spoke in opposition to the proposed rezoning. She explained that she and her family moved to Kaysville five years ago from Salt Lake County, where they experienced negative impacts of high-density housing and increasing rental properties, including rising crime and even incidents of gun violence. She emphasized that their decision to move to Kaysville was based on the community's larger lot sizes and lower density. Ms. Headlee stated that the site map for the proposal appears misleading, as many neighbors initially assumed the border lots represented half-acre parcels. She said the lots shown behind her property appear closer to quarter-acre size, which she felt was too small given the existing neighborhood character. She expressed strong opposition to the inclusion of townhomes, citing concerns that such housing often transitions from entry-level owner-occupied homes to long-term rental properties, altering neighborhood stability.

Her primary request was that the lots bordering existing homes be required to remain half-acre in size, with additional buffering provided before transitioning to higher-density areas. She

questioned whether the proposed zoning designations (R-1-6 and RM) aligned closely enough with the commitments presented by the applicant. Specifically, she worried that approving smaller-lot zoning now could allow the developer greater flexibility in the future to deviate from the proposed plan. Headlee urged the Commission to require zoning that more precisely reflects the commitments made, ensuring appropriate buffering and protecting the character of adjacent neighborhoods.

Dave McSwain expressed opposition to the proposed Symphony development, focusing primarily on traffic and density concerns. He stated that traffic on the south end of Sunset Drive is already heavy, often requiring him to wait for 10 to 16 cars before being able to enter his own driveway. He argued that introducing an additional road connection from a development of this size would overwhelm the area, particularly given its proximity to both a blind curve and the recently constructed roundabout, which he described as already congested.

Mr. McSwain emphasized that the project should not be considered until the Angel Street extension is completed, as additional access points are necessary to make the development of this scale viable. He also voiced frustration with changes in the developer's plans over time. At earlier meetings, he recalled being told there would be only four lots with greater buffering on the east side of the property, which he said no longer matches the current proposal. He further raised concerns about ownership versus rental arrangements, stating that indications of 60% ownership and 40% other arrangements raised questions about whether a significant portion of the units could become rental properties, a possibility he opposed.

Mr. McSwain concluded by stating that he is not opposed to development in general but does not believe the current proposal represents good development for the area. He cited both the inconsistency of the plans and the mismatch with existing zoning and neighborhood character as reasons for his opposition.

Steven Hatch stated that he is not opposed to development in principle, nor to the idea that Utah's housing shortage may require higher-density housing options. He acknowledged the quality of homes built by both Symphony and Ivory Homes and expressed openness to seeing them as builders in the area. However, he raised several concerns with the current proposal. Mr. Hatch's primary objection centered on the lot sizes being presented as single-family homes. According to the applicants' materials, detached homes would average 3,500 square feet per lot, only slightly larger than the 2,800 square feet proposed for townhomes. Mr. Hatch stated that although these homes may technically be classified as single-family, their size and scale would feel like town homes in practice, creating an effect like developments near Station Park.

He argued that this density is incompatible with the character of the surrounding neighborhoods and inconsistent with the "Kaysville feel." While he clarified that he does not expect half-acre lots, Mr. Hatch suggested that 6,000 square foot lots would be more appropriate and would represent a significant improvement compared to the proposed 3,500 square foot lots.

Mr. Hatch also objected to the tradeoff of the 18-acre Equestrian Center being replaced by a 1-acre bike park. As a mountain biker himself, he stated that a bike park of that size would be inadequate, describing it as better suited for toddlers rather than a true community amenity.

Rick Jones, a resident at 1809 South Sunset Drive, spoke in opposition to the proposed road connection planned directly in front of his home. He stated that this access point would primarily serve the new townhome section of the development and would funnel significant additional traffic onto Sunset Drive, creating increased pressure on an already burdened roadway.

Mr. Jones proposed an alternative, suggesting that subdivision access be redirected toward Angel Street and Shepherd Lane, with multiple entrances provided in that area rather than relying on Sunset Drive. He argued that this would better distribute traffic and alleviate concerns for existing residents living along Sunset.

In addition to traffic concerns, Mr. Jones raised objections to the proposed bike park, noting that if built as described, it would attract additional outside visitors and generate increased traffic at weekends. He stated that he was opposed to the bike park entirely, characterizing it as an unnecessary source of congestion rather than a community benefit.

Paul Belnap, a resident on Sunset Drive, disclosed that his son is a city employee but stated that they have intentionally kept communication about this development separate. He then spoke about his long history in the community, noting that his family had lived on Sunset Drive for 45 years, beginning when the area was still unincorporated county land requiring half-acre lots. He recalled that in the early 1990s, as development pressures increased, citizen committees were formed in West Kaysville to determine appropriate zoning densities. Through collaboration with residents, city officials, and developers such as Woodside Homes, the outcome established half-acre zoning east of Sunset Drive and three-quarter acre zoning west of Sunset Drive to help preserve the area's small-town and open character.

Mr. Belnap explained that he has worked with developers in the past, including Symphony Homes, to help bring infrastructure such as water to support growth. He stated that while he has never opposed responsible development and recognizes Symphony's track record of building quality homes, his personal property has never been for sale. He emphasized his desire to maintain his small farm and the rural feel of the area.

Mr. Belnap's main concern focused on the density of the current proposal and the potential for a significant percentage of rental properties within the community. He cautioned that a high share of rentals—potentially approaching 40% of units—can negatively affect neighborhood stability, create challenges for HOAs, and alter the character and nature of the community. While acknowledging that not all residents want or need half-acre lots, Mr. Belnap urged the Commission to avoid approving the level of density and rental potential included in the proposed rezoning, as it could erode the values long associated with Kaysville's west side.

Brad Walters, a Symphony homeowner and land seller to Ivory Homes, spoke in cautious opposition to the proposed development. While acknowledging that both Symphony and Ivory are respectable builders, he emphasized that they are not local developers and remain businesses motivated by profit rather than by long-term ties to Kaysville.

Mr. Walters expressed concern that a major stakeholder, the Central Davis Sewer District, was not directly involved in the discussion, even though its property and decisions are critical to the project's viability and long-term planning. He also questioned whether emergency services could adequately support the added population, citing a recent delayed response to an incident near his property.

Mr. Walters warned about the risks of an economic downturn, referring to his own experience bidding on the Sunset Equestrian property in 2008 when financial collapse left the area in turmoil, and he recommended that the city require a contingency plan from the developer. He was particularly troubled by Symphony's description of the project as a "beta" housing initiative, comparing it to releasing an untested technology product and arguing that Kaysville should not serve as an experimental site.

Finally, Mr. Walters opposed the proposed bike park, noting shifts in recreational habits toward electric bikes and instead suggesting that the developers invest in a community pool. He estimated the project value at roughly \$200 million with developer profits near \$100 million and argued that reinvesting \$5–6 million into a pool would provide a more meaningful, lasting amenity for residents.

Patrick Scott spoke in support of the proposed development. Mr. Scott explained that he was heavily involved in the original Sunset Equestrian Estates project while employed as a development manager with Woodside Homes, giving him direct knowledge of prior discussions surrounding the Equestrian Center. While he acknowledged personal misgivings about how the equestrian property was handled 15 years ago, he emphasized that circumstances have changed significantly since that time.

Mr. Scott stated that larger lots, such as half-acre or third-acre parcels, are no longer practical or attainable for most young families. He noted that the region's housing market has shifted dramatically in the past 15 years, with home values rising sharply citing examples of homes that once sold for around \$400,000 now costing approximately \$1.2 million despite being essentially the same floor plan and finish level. According to Mr. Scott, this reality underscores the need for greater density to provide more affordable and attainable housing options.

He addressed concerns about traffic and school impacts, acknowledging that some are valid but suggesting that others are overstated. In particular, he pointed out that student populations in local schools have declined as the neighborhood has aged, leaving fewer children in both schools and community programs. He argued that new families moving into attainable housing would help restore balance and vibrancy to the community. Mr. Scott concluded by stating that while design details can and should be adjusted to improve safety and livability, he is fully in

favor of increased density as a means of creating attainable housing for younger families in Kaysville.

Bryan Carling, a longtime Kaysville resident, spoke in favor of the Symphony development. Mr. Carling explained that he had previously attempted to develop his own three-acre property, which he and his wife had purchased more than 20 years ago. At the time, the area was still part of the county, but Mr. Carling worked with other landowners—personally paying for a survey and helping organize approximately 30 acres of land for annexation into Kaysville City. He recalled the rural character of the area in earlier years, including rabbit farms and agricultural properties, and stated that annexation was pursued with the goal of eventually securing city services.

Mr. Carling described his family's long history in Kaysville, noting that he has lived in the city for over 30 years and that all five of his children were born, raised, and graduated from Davis High. He expressed concern that none of his children could now afford to buy a home in Kaysville, observing that rising prices and higher interest rates have made housing unattainable for younger generations. He characterized this as residents "raising the drawbridge" after securing their own housing, leaving little opportunity for others to stay in the community.

Mr. Carling explained that he eventually sold his property to Symphony Homes after city officials, including the Mayor, suggested that a small-scale independent application like his would not succeed. He stated that Symphony has invested heavily, demonstrated reliability, and consistently delivered quality developments over several decades. In his view, Symphony has acted honestly and in good faith, and he expressed trust in their ability to deliver what is proposed through a binding Development Agreement.

On traffic concerns, Mr. Carling noted that current congestion on Sunset Drive is partially due to the closure of Shepherd Lane, and he suggested that reopening and improving Shepherd Lane would alleviate some of the pressure. He expressed confidence in city staff's ability to address traffic issues through the planning process. Mr. Carling concluded by strongly encouraging the Planning Commission to recommend approval of the rezone, allowing the City Council to work out final details and conditions.

Matt House raised objections focused on rentals and traffic impacts. He began by stating that while he acknowledges the need for higher density housing in Utah, he believes such development should be restricted to family ownership rather than rentals. He argued that corporate investors often purchase homes in new developments and turn them into rental properties, undermining the goal of creating affordable housing for families. House strongly urged that no rentals be permitted within the proposed subdivision.

Mr. House also highlighted the scale of anticipated traffic impacts, noting that 300 homes would initially generate approximately 600 vehicles, but over time particularly as children reach driving age this number could realistically rise to 900 or more vehicles. He described this increase as unmanageable for the area. He disputed the applicant's assertion that traffic would

not flow north, insisting that based on the current street layout, significant volumes of traffic would move toward Seabiscuit Drive and Sunset Drive. He predicted that the intersection of Equestrian and Sunset would require a traffic light within five years due to the increased congestion.

Referencing a recent car accident in the area, Mr. House emphasized that the roadway network is already strained and unsafe. He recommended that the proposed development not connect traffic through Seabiscuit Drive, as residents there strongly oppose becoming a northbound outlet for hundreds of vehicles. Instead, he favored separating the neighborhoods to prevent overflow traffic. He compared the situation to the planning of Farmington High School, where neighborhood connections were prioritized over major roadways, resulting in inefficient and congested routes. House urged the city not to repeat that mistake in Kaysville, stressing that neighborhood streets were not designed to carry such volumes of traffic.

Matt Hill, a resident of the Sunset Equestrian Center community, expressed strong opposition to the proposed rezoning and emphasized the long-standing significance of the Equestrian Center to neighborhood identity. He noted that the equestrian facility has been a central feature of the community, reflected in its name and street designations, and stated that many residents have worked for years to preserve it. Mr. Hill explained that the existing Development Agreement requires mutual consent from both Symphony Homes and the city before the equestrian use could be removed, and he recounted how the neighborhood originally organized when the prior owner attempted to sell the center for high-density development.

Mr. Hill described prior outreach to Symphony Homes, explaining that residents approached the company years ago seeking assurances that any future development would remain congruent with surrounding neighborhoods. At that time, Mr. Hill recalled, Symphony representatives promised to “have the community’s back,” and residents in turn expressed willingness to support Symphony if development proceeded in line with existing zoning patterns. He said this history makes current events feel like a “bait and switch,” as the current proposal departs significantly from both the neighborhood’s expectations and Symphony’s traditional building practices in the area.

Mr. Hill concluded by stating that the neighborhood believes Symphony could still be a positive partner if the company builds consistent with the types of homes it is known for and has constructed in the community before, rather than pursuing a higher-density approach that conflicts with resident expectations.

Mark Oveson, a resident at 779 South Sunset Drive, spoke regarding traffic and safety concerns related to Sunset Drive. He noted that the roadway design encourages higher speeds, with many drivers unintentionally exceeding the posted 30 mph limit because of how smooth and comfortable the road feels to drive on. Oveson referenced his family’s personal experience, reminding the Commission that his daughter was recently struck by a car while crossing Western Drive, underscoring the risks already present in the area.

Mr. Oveson warned that adding new subdivision access onto Sunset Drive could create another hazardous traffic situation like Western Drive, particularly with the increased volume of vehicles attempting to make left-hand turns. He proposed that the city explore measures to slow down traffic on Sunset Drive, even if it means reducing driver priority. Potential options he suggested included roundabouts, traffic circles, or signalized intersections to better regulate speeds and improve safety. He concluded by stressing that without such interventions, Sunset Drive will become increasingly unsafe as more traffic is introduced through new development connections.

Trevor Pole expressed opposition to the proposed development, emphasizing concerns about density, rentals, and community character. Mr. Pole explained that he moved to the neighborhood about five years ago, choosing it for its quiet, rural feel, larger homes, and sense of safety. He contrasted this with his own experience starting out in smaller, less desirable neighborhoods and argued that new residents should likewise work their way toward higher-end housing, rather than expecting higher density as the norm in established areas.

Mr. Pole recommended that any new development should be designed to match existing neighborhood patterns, with half-acre lots preferred, or at minimum, slightly smaller lots that still provide meaningful yards. He noted that he works at Northrop Grumman, where many colleagues would like to move into Kaysville but prefer larger lots and private yards, which he felt were not adequately reflected in the proposed plan. He also objected to the potential for a high percentage of rental units, stating that in his experience, rental-heavy neighborhoods lack a sense of ownership and are more prone to neglect and decline.

Mr. Pole described the proposal as an effort to “cram” in as many homes as possible for maximum profit rather than to benefit the community. He also raised concerns about school capacity, questioning whether future development would necessitate new schools or expansions, particularly given the likelihood of children attending Farmington schools. In addition, he reiterated worries about infrastructure, including sewer capacity and increased traffic, which he said must be addressed if the project were to move forward.

Joel Tippitts spoke in opposition to the proposed rezoning and development. He explained that he previously lived in East Kaysville, near Mutton Hollow and Crimson Lane by the Mercy Housing site but chose to relocate after experiencing crime and shootings in that area. One of his main reasons for moving west was the assurance of half-acre lots and preserved open space, which provided the quiet, safe environment he and his family sought.

Mr. Tippitts stated that he valued the open space around his current home, which provides expansive backyard views, and expressed frustration that the proposed townhomes at three stories tall would block those views and change the established character of the west side, which currently does not include high-density housing. He strongly opposed the inclusion of townhomes and smaller lot sizes, saying that the development would erode the lifestyle residents had expected when moving to the area.

He also raised broader environmental concerns, arguing that converting open space into dense development adds more asphalt and shingles, reducing green space and contributing to climate change. He criticized past development patterns along Sunset Drive, which he felt had suffered from poor planning, creating safety challenges as too many homes exit onto the same road. Mr. Tippitts urged that this proposal be better planned, with design features such as traffic circles or other safety measures, to avoid repeating past mistakes.

Doug Stanger expressed opposition to the proposed rezoning and development, focusing his remarks on traffic and transportation impacts. He noted that residents traveling from the west side of Kaysville to downtown have only two access points: Burton Lane over the freeway or Second North over the freeway. He argued that the proposed development's density would overwhelm Burton Lane, a road he described as not built to handle such traffic volume.

Mr. Stanger emphasized that the existing traffic patterns offer no viable alternatives for rerouting vehicles, as freeway crossings are fixed and limited. He warned that adding several hundred homes would create unmanageable congestion, particularly during peak commuting times. He specifically opposed the inclusion of higher-density units, which he believed would inevitably lead to more rental properties, increasing strain on both traffic flow and neighborhood stability.

He concluded by reiterating that the west side of town is already burdened by traffic during school and work hours, and that the scale of this development would add a significant and unsustainable increase in vehicle trips.

Jed Stanger voiced opposition to the proposed rezoning, citing legal, design, and density concerns. He emphasized that the 19-acre Equestrian Center property is subject to restrictions outlined in a recorded Development Agreement, plat notes, and CC&Rs, which he argued should prevent the site from being considered for rezoning. He questioned why the city would move forward with a proposal that appeared to conflict with those recorded restrictions.

Mr. Stanger also challenged the developer's presentation materials, stating that the lot size illustrations were misleading. According to him, the existing homes adjacent to the proposed site sit on lots of 20,000 square feet or more, while the drawings made the new 12,000 square foot buffer lots appear comparable in size. He argued that this visual representation understated the density difference and that the proposed buffer was smaller than what is necessary to transition appropriately from the surrounding R-1-20 and RA (half-acre) zoning. On density, Mr. Stanger noted that while the developer reported an average of 5.8 units per acre, that calculation included unbuildable land beneath power line easements. He argued that if only the buildable land were considered, the effective density would be much higher than presented.

He further criticized the proposed small-lot design with rear-load garages, explaining that such layouts leave little to no front or side yard space, reducing opportunities for children to play outdoors and instead encouraging them to stay inside on electronic devices. He concluded by

recommending that the rezoning be delayed entirely until the Angel Street road extension is completed, arguing that current infrastructure cannot support the proposed project.

Val Starkey, an East Kaysville resident of 18 years, expressed his appreciation for the community but raised technical concern about the proposed housing design. He specifically questioned the feasibility of rear-load garages shown in the plans, noting that such a layout would require alleyways to provide access. Drawing from his own childhood experience living on an alleyway, Mr. Starkey cautioned that these types of configurations can create traffic and safety problems, and he sought clarification on whether alleyways were indeed part of the design.

Cammie Tippitts concerns are primarily related to parking and safety. She questioned whether the proposed development would include sidewalks, noting that similar high-density neighborhoods often lack them, which poses risks for children. Ms. Tippitts emphasized that many families own more than two vehicles or may have teenagers or extended family living with them, creating a demand for parking that exceeds what garages and driveways can accommodate. She suggested that designated parking lots within the development should be required to prevent overflow onto neighborhood streets.

She also highlighted the sharp contrast between the proposed three-story townhomes and the neighboring \$900,000 single-family homes, arguing that the density and building scale would not be compatible with existing housing patterns or zoning expectations. Ms. Tippitts voiced specific concerns about the circle near Mare Circle becoming a potential access point for townhome traffic, which she felt would increase congestion and safety risks for her neighborhood.

In addition, she anticipated that townhome visitors would park along Angel Street and other surrounding roads, compounding safety issues already present near intersections such as Jefferson and during events at Pioneer Park, where cars often line both sides of the street. She recalled a recent incident on Western Drive, where a child darted out from between parked cars on a scooter, underscoring the risks of dense parking conditions. Ms. Tippitts concluded that the proposed layout raised serious safety and compatibility concerns.

Alison Stenquist spoke about the importance of respectful transitions in development. She noted that her neighbors' lots across the street are half-acre or larger, while one adjacent property is zoned A-1 agricultural. In the current plan, however, the lots backing up to these larger parcels are only about 10,000–12,500 square feet, which she felt was not an adequate or sensitive transition.

Ms. Stenquist recalled that prior to selling, she and her husband met with Symphony Homes representatives, including one of the company's owners, to discuss their expectations. At that time, she was told the development would include half-acre lots along the borders transitioning into third- and quarter-acre lots further in. Based on those assurances, she felt comfortable selling and shared the information with her neighbors, who were also supportive of that

original plan.

She expressed disappointment that the current proposal does not reflect what was previously discussed, describing it as less sensitive to the surrounding neighborhood character. While she clarified that she is not opposed to development, she stressed that the zoning changes requested should better reflect thoughtful transitions to existing properties. Ms. Stenquist also aligned herself with other speakers' safety concerns related to traffic and density, particularly along the section bordering her property. She emphasized that while she is not opposed to development, the scale and intensity of what is being proposed does not fit the area.

Lorri Nacey explained that her home is located directly on a blind curve of Sunset Drive, where she already experiences significant safety challenges. She noted that she has been unable to back out of her driveway for years due to the traffic volume and speed, with cars frequently traveling 40–45 miles per hour despite the lower posted speed limit. The addition of an estimated 600 more vehicles from the proposed project, she argued, would worsen an already dangerous situation.

She also described the site plan as misleading, pointing out that the proposed smaller lots appeared comparable in size on paper to existing larger lots, when the difference is much greater. She said the blue-zoned section of the map looked like station park-style housing, with narrow yards and short fences, which she felt would not align with the character of her neighborhood.

In addition, Ms. Nacey raised concerns about zoning flexibility, questioning whether the approval of broad zoning categories would allow for denser housing types (such as townhomes) to be placed anywhere within the project boundaries, regardless of the current illustrative plan. She stressed the need for a zoning commitment that could not later be altered in ways that would conflict with what residents were initially told.

Brett Francom expressed opposition to the proposed density of the development while acknowledging that the land would inevitably be developed in the future. He stated that most residents in the area purchased their homes in Kaysville because of the city's established character, larger lot sizes, and small-town appeal. He warned that the proposed scale, particularly the number of homes and the inclusion of rentals, would fundamentally change that character.

Mr. Francom highlighted traffic and safety issues, referencing the recent accident on Sunset Drive and describing the difficulty of turning onto Sunset from Western Drive under current conditions. He argued that adding hundreds of homes and vehicles would create an unmanageable traffic situation for the surrounding area.

In terms of alternatives, Mr. Francom stated that residents would prefer half-acre lots throughout the development, but if that is not feasible, then at least a step-down design should

be used. He suggested half-acre lots bordering existing half-acre homes, transitioning to third acre lots, and then to quarter-acre lots closer to the highway. He contrasted this with the current proposal, which he said sought to place 300+ homes where 50 acres at half-acre density would traditionally allow for only about 100 homes. Mr. Francom concluded that the proposed density is excessive and unsupported by the area's infrastructure and transportation options.

Brent Giles explained that his home is located just east of the barriers separating his area from the Sunset Equestrian subdivision. He described his neighborhood as somewhat of an "outcast" from the larger community but said he and his family appreciate the area's agricultural character. While not opposed to development, he emphasized that the proposal needs to provide clearer planning for access and infrastructure.

Mr. Giles detailed ongoing challenges with the intersection at Mare Drive and Seabiscuit, where access has been limited for the past ten years by the existing dirt road and barriers. He noted that the dirt road frequently deteriorates, requiring maintenance by neighbors, and causes problems for basic services such as garbage collection, forcing him to haul trash cans down the road to where trucks can access them. He also described difficulties with emergency response, citing incidents where EMTs had to climb over barriers or reroute around the dirt road, delaying arrival times. He stressed that in emergencies, even small delays could have serious consequences, and a clear plan for emergency access must be included in the development process.

Mr. Giles concluded by urging the city to avoid overpopulation of the area without first ensuring that adequate infrastructure and emergency access are in place to support new housing.

Chair Packer closed the Public Hearing and invited Matt Mr. Loveland to address concerns from the public's comments.

Mr. Loveland of Symphony Homes addressed several points raised during the discussion. He began by apologizing for previously referring to the project as a "beta," clarifying that it is intended to be a flagship community for the company, one that he hopes will be a positive addition to Kaysville. He asked whether the record could be updated to reflect that correction. Mr. Loveland also acknowledged concerns about the use of feedback from the community open house, apologizing if residents felt misled. He explained that the intent had always been to gather public input to shape the project and conceded that Symphony could have communicated more clearly that the feedback would be used directly in Syphony's planning process.

On the issue of rentals, Mr. Loveland clarified that the language referring to rental percentages in the plan was included at the recommendation of city staff. He stated that the wording had been carried over from another application and was not intended to suggest that Symphony was proposing a rental-heavy community.

Mr. Loveland further clarified Symphony Homes' position on key issues raised by residents. On the rental question, he explained that the 60% owner-occupancy requirement was not Symphony's initiative but a recommendation from city staff, based on precedents in other applications. He stated that if adopted, this condition would be written into the CC&Rs and enforced by the homeowners' association, ensuring that no less than 60% of units would be owner-occupied, with no individual or corporation permitted to own more than two units. Mr. Loveland emphasized that Symphony had no intention of creating a rental community but instead sought to build homes for families.

Addressing concerns about lot sizes and transition areas, Mr. Loveland pointed to the 12,000 square-foot perimeter lots and explained that in some cases the lots are even larger due to road alignments, such as along Paul Morley's undeveloped property. He insisted there was no "bait and switch" and reiterated that if the proposal were approved, the development would be built as shown in the plan. He acknowledged the difficulty of determining where a transition from larger to smaller lots should stop and asked the Planning Commission for guidance and feedback on that balance.

Mr. Loveland also highlighted the unique location of the site, noting its proximity to the freeway, the Sewer District to the south, and two arterial roads that could support higher-density housing. He argued that while Symphony is committed to building half-acre lots elsewhere in West Kaysville, this site could reasonably accommodate a different mix of housing types. He concluded by reaffirming Symphony's willingness to work with staff, the Planning Commission, and the community to refine the proposal and ensure the project is safe, compatible, and beneficial.

Commissioner Sommerkorn raised a clarifying question regarding the Sunset Equestrian Center property. He noted that earlier in the meeting it had been stated that there was no legal obligation tied to the Equestrian Center, while several residents asserted that restrictions existed through a Development Agreement, recorded plat notes, and CC&Rs.

Commissioner Sommerkorn asked Ms. Greenwood to provide a definitive clarification on whether any legally binding obligations remain in effect governing the equestrian property.

Ms. Greenwood responded to Commissioner Sommerkorn's inquiry by explaining that the city had retained outside legal counsel, Brent Bateman, to conduct a thorough review of all legal documents tied to the Sunset Equestrian Estates and the Equestrian Center property. Ms. Greenwood emphasized Bateman's qualifications, noting his past role as the Utah Property Rights Ombudsman, a unique state office that provides neutral assistance in navigating private property issues involving government entities. She expressed confidence in his expertise, stating that he is widely regarded as one of the state's leading authorities on land use law.

Ms. Greenwood stated that Mr. Bateman had reviewed a total of 13 documents, including the original Development Agreement, its three subsequent amendments, various versions of CC&Rs (Community, Covenants and Restrictions), and related plat documents. She explained for the

public's benefit that CC&Rs are essentially the rules recorded with a development, typically governing HOA requirements. Ms. Greenwood recommended that the Planning Commission direct their legal questions regarding the validity of existing restrictions to Mr. Bateman, who was present at the meeting to provide his formal opinion.

Outside counsel Brent Bateman, a Land Use Attorney with 25 years of experience and former Utah Property Rights Ombudsman, presented his findings regarding the legal status of the Sunset Equestrian Center property. Mr. Bateman emphasized that his role was as a neutral consultant for the city, with no representation of either party, and that his review was strictly focused on the law.

Mr. Bateman explained that he reviewed 13 documents, including Development Agreements, amendments, plats, and multiple versions of CC&Rs. He noted that many of these documents contained statements of intent regarding the Equestrian Center's use and management, but those statements were often contradictory and, more importantly, were never formalized into binding legal action. For example, although some plats labeled the property as "Equestrian Center," none included the statutory dedication language necessary to designate the area as common area or permanent open space.

He clarified that while documents expressed intent for the HOA to own or operate the equestrian facility, no final step was taken to legally establish such obligations. In fact, some later amendments even indicated intent to remove the area from HOA control, but those efforts also were never carried out.

Mr. Bateman concluded that, under current legal status, the Equestrian Center is simply a privately owned lot within the purview of the HOA. It is not common area, not open space, and it is not subject to perpetual preservation as an equestrian facility. As such, it remains a privately controlled property, though it is still technically subject to HOA rules and should be assessed dues like any other lot. He also confirmed that nothing in the HOA documents prohibits subdivision of the property or restricts it from alternative uses.

Skylar Walker, an attorney with Miller Harrison and privately retained counsel for Symphony Homes, addressed the Commission following Mr. Bateman's legal review. Mr. Walker stated for the record that Symphony agreed with nearly all of Mr. Bateman's conclusions but emphasized that their legal position goes further. According to Symphony's interpretation, the Equestrian Center property is not part of the HOA at all.

Mr. Walker explained that this position is based on a quit claim deed that was previously filed, which Symphony believes effectively removed the parcel from the HOA. Alternatively, he argued that even if the deed were disputed, the HOA has, over the past 15 years, either waived its rights or lost its ability to enforce CC&Rs against the Equestrian Center property.

He concluded by reaffirming Symphony's confidence that no legal barriers exist that would prevent development of the property as currently proposed. Mr. Walker emphasized that

Symphony is eager and prepared to move forward with its development plans.

Ms. Greenwood clarified the city's position regarding the legal discussions on the Equestrian Center property. She explained that while the city has retained Mr. Bateman to review documents and provide a legal opinion, the city itself does not take an official position on HOA matters. Ms. Greenwood emphasized that issues regarding HOA covenants, designations, or enforcement are contractual agreements between private parties and are not something the city will intervene in.

She noted that Mr. Bateman's review was conducted within a limited scope of work provided by the city, and his findings addressed only the questions posed to him. However, Ms. Greenwood stated that if there is disagreement between Symphony's legal counsel and the HOA or its representatives, it will be up to those parties to seek their own legal counsel and resolve the matter independently.

Finally, she pointed out that the city has intentionally avoided referencing HOA concerns including CC&Rs or designations in both the staff report and the proposed Development Agreement for this project. This approach was deliberate, Ms. Greenwood said, to keep the city from becoming involved in private contractual disputes.

Chair Mike Packer acknowledged that the Planning Commission had reached the end of its allotted meeting time. He reminded Commissioners that meetings are scheduled to end at 10:00 p.m., and if the Commission intended to continue past that hour, a motion would be required. Chair Packer noted that he had compiled a full page of questions regarding the proposed development, and he assumed other Commissioners had similar concerns. Given the time constraints, he suggested it would be more appropriate to continue the discussion at the next meeting rather than attempt to address complex issues in the few minutes remaining.

Commissioner Sommerkorn agreed that many issues raised during the public hearing and by legal counsel were fresh in the minds of the commissioners. He noted that these matters would require careful consideration, implying that it might be beneficial to carry the discussion forward while those concerns remained current and made a motion that the Planning Commission meeting continue to no later than 10:30 pm. Commissioner Allred seconded the motion, and the vote was unanimous in favor of the motion (7-0).

Commissioner Sommerkorn raised a follow-up question regarding the issue of rentals within the proposed development. He noted that both city staff and the applicant had indicated that Symphony Homes does not intend for the project to become a rental community, and that language requiring a majority of units to remain owner-occupied had been included at the city's recommendation. However, Commissioner Sommerkorn pointed out that, in practice, property owners often have the legal right to rent their homes after purchase.

He asked for clarification on how such rental restrictions would be enforced. Specifically, he inquired whether a Development Agreement could truly limit rentals, or if the responsibility

would instead fall on the HOA, and what mechanisms exist to prevent homes from being turned into rental properties despite the stated intention.

In response to Commissioner Sommerkorn's question, Ms. Greenwood clarified how the city approaches rental restrictions in a development of this nature. She explained that if the project were approved, the city's role would be to review the CC&Rs to ensure that the required ownership language such as maintaining a minimum percentage of owner-occupied units was included. Ms. Greenwood acknowledged that this appears somewhat contradictory to her earlier statement that the city does not involve itself in HOA matters, but in this case the city would confirm that the CC&Rs contain the necessary stipulations before final approval.

Ms. Greenwood emphasized, however, that the enforcement of those provisions would rest entirely with the HOA, not the city. The HOA would be responsible for monitoring ownership and ensuring that no more than the allowed percentage of homes were converted to rentals or purchased by investors. She gave the example of preventing short-term rental ownership, such as Airbnb purchases, from exceeding the limits established in the CC&Rs.

She also noted that once the CC&Rs were finalized, the city would ensure they were properly recorded with the subdivision plat at the county level. This step would be handled directly by city staff to ensure accuracy and avoid changes between the city's approval and the official county recordation. Ms. Greenwood reiterated that the city's involvement would stop at that point, and ongoing enforcement would be entirely an HOA responsibility.

Commissioner Sommerkorn spoke about lot sizes and traffic circulation. He explained that land prices are much higher now than when many surrounding neighborhoods were built, which makes large lots far more expensive. Smaller lots, while less spacious, help make housing more affordable for families. He shared an example from his own area near Highway 89, where homes on smaller lots still attracted residents similar to those in larger-lot neighborhoods.

He also noted that other states now require cities to allow lots as small as 3,000–4,000 square feet to address housing shortages. While Utah has not adopted such rules yet, he believes it may happen in the future. Commissioner Sommerkorn said smaller lots are not automatically bad, but they reduce yard space, so developers and cities need to provide parks and open space to balance that.

On traffic, he said he is concerned about the circulation plan and stressed the importance of finishing the Angel Street connection to handle the extra cars from this development. He asked staff if there are plans for when Angel Street will be completed.

Ms. Greenwood explained that completing the Angel Street connection is complicated because the city does not currently own all the needed right-of-way. Some of the land, including part of the Equestrian Center, would be affected, and acquiring it could require purchasing property at fair market value and covering additional costs such as moving fences or compensating for building impacts.

Ideally, right-of-way is donated when land is developed, with developers dedicating property for roads and building their portion. In this case, however, some of the land is owned by the Sewer District and UDOT, which will not be developing it. That means most of the cost will fall to the city.

The city has applied for a grant to help fund the road and expects to know by December if it is approved. Ms. Greenwood noted that Symphony Homes would be responsible for roughly 20–25% of the cost of constructing Angel Street, with the city covering the rest.

Ms. Greenwood confirmed that if the project is approved, the developer would dedicate the portion of right-of-way that comes from their property. By law, developers are required to pay their proportional share of road improvements, meaning Symphony Homes would be responsible for building half of Angel Street along the frontage of their land.

She then addressed the circulation issue with 550 West, explaining that the city's preference is for this road to extend from Mare Drive all the way down to the future Angel Street connection. This would better distribute traffic and improve public safety access. However, there are obstacles: the Sewer District owns part of the land needed, utilities already exist in the area, and the property is not public right-of-way. Symphony Homes previously tried to purchase the land from the Sewer District but was unsuccessful.

Ms. Greenwood emphasized that while the city strongly supports this road connection for traffic flow and emergency response, it cannot legally require the developer to build on land they do not own.

Mr. Loveland stated that Symphony Homes is fully supportive of extending the 550 West road connection through to Angel Street. He acknowledged that the city has the authority and tools to help make that happen and emphasized that the developer is willing to assist in the process.

Commissioner Allred strongly supported the idea of extending 550 West through to Angel Street, emphasizing that this connection would directly address many of the concerns raised by residents. He explained that it would relieve traffic pressure on Sunset Drive, particularly near the blind curve, and reduce risks for drivers traveling north. He also noted the importance of having more than one access point along the long frontage of the property, both for traffic flow and public safety response. He called the road connection “essential” and “critical.”

Commissioner Sommerkorn followed by asking staff about the proposed connection to Sunset Drive. He noted that, based on his own observations, the location involves a blind curve and could present safety concerns. He wanted to know whether city staff believed any additional measures were needed to address that issue.

Ms. Greenwood deferred to Dexter Fisher, the City Engineer, to address safety concerns regarding the proposed road connection to Sunset Drive.

Mr. Fisher acknowledged the significant safety concern about the blind curve. He clarified that the current concept has not yet been engineered or fully designed. Before approval, the city will require detailed engineering drawings, which will be reviewed for compliance with AASHTO and national safety standards. He assured the Commission that if the design does not meet safety requirements—such as stopping sight distances—the connection at that location would not be permitted.

Commissioner Sommerkorn asked staff to clarify why their recommendation was to continue the item rather than take action that evening.

In response, Ms. Greenwood explained that the main reason was the Development Agreement had not yet been finalized, particularly regarding the road alignment and necessary connections. She noted that the Planning Commission should have a complete draft of the agreement before making a recommendation to the City Council. Ms. Greenwood added that the purpose of the meeting was also to gather public input, which could guide adjustments to the project. She stated that staff intended to work on finalizing the agreement while considering Commission and community feedback.

Additionally, she indicated that staff and the developer would likely return to the Sewer District together to negotiate for the sale of property needed to extend 550 West through to Angel Street, which would help address circulation and safety concerns.

Commissioner Allred believed the proposed development is workable and could be attractive, especially with its architectural design features, though he personally felt the density was too low. He suggested that a more appropriate range would be 9 to 12 units per acre, despite acknowledging this was unlikely to change. He raised concerns about the absence of public facilities such as a fire station in southwest Kaysville, which he viewed as a significant public safety issue, and he noted the inconvenience of current traffic patterns, especially with Shepherd Lane closures. He also expressed disappointment that the 52-acre site included no commercial component, arguing it would have been better planned as a mixed-use node to provide nearby amenities for residents. While recognizing traffic will be greater than current estimates, he pointed out that townhomes generally produce less vehicle traffic than single-family homes. Commissioner Allred stressed the critical importance of completing the 550 West connection for safety and circulation. Overall, he concluded that while the plan could be improved, it is generally a good proposal and reflective of the city's need to adapt to housing realities.

Commissioner Moore reflected on the public comments, noting that many were heartfelt and impactful. He specifically mentioned that remarks from residents such as Mr. Belknap, Mr. McSwain, and Mr. Mann would stay with him and influence his thinking as the process moves forward. Commissioner Moore expressed appreciation for both those who spoke in opposition and those who spoke in support, acknowledging that he had written down their names and intended to carefully review their input in the coming days.

He also commended developer Mr. Loveland for his planning efforts while recognizing that changes and adjustments to the proposal are still needed. Commissioner Moore emphasized that he is still learning as a Commissioner but is committed to considering all perspectives. He closed by expressing his hope that the final outcome of this process would be a development that represents a “big win” for the entire Kaysville community.

Commissioner Young asked about the small cul-de-sac shown on the site plan, noting that it appeared to be a dead end. She inquired whether it would remain that way or be connected to other roads in the development.

Mr. Loveland explained that he personally visited each home on that cul-de-sac and asked residents for their input. The overwhelming response was that they wanted it to remain a cul-de-sac. Out of respect for that feedback, Symphony Homes’ proposal leaves it unchanged and does not connect it through to other roads.

Commissioner Sommerkorn moved to continue the item in accordance with staff’s recommendation, asking if a specific date had been set. Ms. Greenwood responded that September 25 would not allow sufficient time to resolve outstanding issues and recommended October 9 instead. Commissioner Sommerkorn then formally moved to continue the matter to the October 9 Planning Commission meeting, and Commissioner Allred seconded the motion. The Commissioners voted unanimously in favor of the motion.

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Moore: Yay
Commissioner Sommerkorn: Yay
Commissioner Allred: Yay
Commissioner Lott: Yay
Commissioner Sevy: Yay

7- APPROVAL OF THE MINUTES FROM THE JUNE 25, 2025 PLANNING COMMISSION

Commissioner Allred motioned to approve the minutes and Commissioner Lott seconded the motion. The vote was unanimous in favor of the motion (7-0).

8- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. Greenwood announced that Commissioner Katie Ellis has accepted the position as Assistant City Attorney and will begin on September 4. The city will work with the Mayor to fill her vacant Planning Commission seat, likely by revisiting the list of applicants from the recent selection process. Ms. Greenwood expressed excitement for Ms. Ellis’s new role, noting it will provide valuable legal support to Community Development and the city overall.

She also reminded Commissioners of upcoming professional conferences: the APA Conference on October 9–10 at the Gateway, the League of Cities and Towns event on October 1–3 (with a planners’ track on October 2), and the Utah Land Use Institute Conference on October 22–23 in

Sandy. Staff will send a follow-up email with dates and registration details.

Looking ahead, the next Planning Commission meeting is scheduled for September 11, which will include the Presbyterian Church rezone. The second Small Area Plan open house is set for September 16, from 6–8 p.m. at City Hall.

Finally, both Ms. Greenwood and Commissioner Sommerkorn praised the civility of the public hearing. Despite the length and intensity of the meeting, residents were respectful and constructive in their comments. Ms. Greenwood noted this was especially appreciated by staff and Commissioners who frequently manage contentious hearings.

9- ADJOURNMENT

Chair Packer adjourned the meeting at 10:25.