

Kaysville City Planning Commission Meeting Minutes
May 28, 2026

The Planning Commission meeting was held on Thursday, May 28, 2026, 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 Megan Sevy, Erin Young, Paul Toller, Wilf Sommerkorn and Eries Cornelius

Staff in Attendance: Katie Ellis, Mindi Edstrom, and Anne McNamara

Public Attendees: City Councilmember Josh McBride, Jill Dredge, Nick Racker, Larry Hardy, and Brent Toller

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- CONDITIONAL USE PERMIT FOR AN ELECTRONIC MESSAGE CENTER (EMC) SIGN LOCATED AT 368 NORTH MAIN STREET

Ms. McNamara presented the staff report regarding a revised Electronic Message Center (EMC) sign application for Lifetime Dental. She explained that the original sign had been approved by the Planning Commission in September 2025; however, the applicant subsequently elected to modify both the size and design of the sign. Because the proposal involved a larger sign than originally approved and EMC signs are reviewed through the Conditional Use Permit process, staff determined that the revised application should return to the Planning Commission for further review and approval.

Ms. McNamara stated the proposed sign measures approximately 7 feet 5 inches in height and 8 feet 8 inches in width, resulting in a total sign area of approximately 65 square feet. The EMC display portion of the sign would comprise approximately 36 square feet, representing roughly 55 percent of the overall sign area. She noted that the revised sign represents an increase of approximately 10 square feet compared to the previously approved sign. For comparison, Ms. McNamara displayed images of both the originally approved sign and the revised proposal and explained that both designs comply with applicable city sign standards.

Ms. McNamara stated that no additional conditions of approval were being recommended and concluded by noting that staff found the application met the required approval criteria and was recommending approval of the revised sign proposal.

Chair Packer sought clarification regarding the nature of the application and confirmed that the request primarily involved a redesign of the previously approved sign rather than a substantial change to the overall sign structure.

Ms. McNamara explained that while the overall sign dimensions remained generally consistent with the previously approved design, the proportion of the Electronic Message Center (EMC) display relative to the remainder of the sign had increased. She noted that the applicant was present and available to answer any additional questions.

Commissioner Sommerkorn asked where the sign would be located on the property. Ms. McNamara explained that the sign would be installed along the southern property boundary near the intersection, adjacent to the Main Street frontage of the site.

Chair Packer remarked that the Planning Commission had already reviewed a similar proposal several months earlier and observed that, based on staff's report, the revised sign continued to comply with applicable City requirements. Ms. McNamara added that staff had not received any public comments, concerns, or inquiries regarding the revised application.

Commissioner Young asked about the maximum size permitted for EMC signs.

Ms. McNamara explained that city code limits the size of the electronic display portion to no more than 75 percent of the total sign area. She noted that the proposed EMC display would constitute approximately 55 percent of the overall sign area and therefore remained well below the maximum threshold. Commissioner Young further inquired whether there was an overall size limitation applicable to the sign. Ms. McNamara responded that the sign would be classified as a freestanding ground monument sign and must comply with the dimensional standards established for that sign type. She clarified that the EMC regulations primarily govern the proportional relationship between the electronic display and the remainder of the sign structure.

Commissioner Sevy asked for clarification regarding the dimensional changes between the previously approved sign and the revised proposal.

Ms. McNamara explained that the revised design would be somewhat wider and shorter than the original approval while increasing the size of the electronic display portion. Commissioner Sevy summarized the changes as a slightly wider sign with a larger display area and a reduced overall height, which Ms. McNamara confirmed.

Commissioner Toller asked whether the Planning Commission had previously imposed any conditions related to brightness, illumination levels, or hours of operation when the sign was originally approved.

Ms. McNamara explained that the City's sign ordinance requires EMC signs to include dimming capabilities and prohibits glare, flashing displays, and conditions that could create hazards for motorists. However, she noted that the City's sign code does not currently establish specific measurable standards for brightness or illumination levels. As a result, staff evaluates compliance based on the ordinance requirements that signs dim appropriately and do not

create visual hazards for passing traffic.

Commissioner Toller asked whether the original September 2025 application had involved a pole sign that was later modified to a monument sign.

Ms. McNamara clarified that the Lifetime Dental proposal had always been submitted as a ground-mounted monument sign and had not changed sign types.

Ms. McNamara confirmed that another nearby application had involved a pole sign, but the Lifetime Dental sign had consistently been proposed as a monument sign.

Commissioner Cornelius asked whether the revised sign complied with all required setback standards. Ms. McNamara confirmed that the proposal met all applicable setback requirements for both the sign and the property.

Commissioner Cornelius made a motion to approve the amended Electronic Message Center sign application as presented, without additional conditions. Commissioner Sommerkorn seconded the motion, and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Cornelius: Yay
Commissioner Toller: Yay

4- REZONE REQUEST AND PUBLIC HEARING FOR PARCEL #08-242-0047 AT 768 CHRISTOPHER CIRCLE FROM R-A AGRICULTURAL RESIDENTIAL TO R-1-20 SINGLE FAMILY RESIDENTIAL

Ms. McNamara presented a request to rezone property located at 768 West Christopher Circle from the Residential Agricultural (R-A) zone to the R-1-20 Single-Family Residential zone. She explained that the property currently contains a single-family residence and that the primary purpose of the rezone request was to reduce the required rear yard setback from 30 feet in the R-A zone to 15 feet in the R-1-20 zone. The applicant was planning an addition to the residence, and the reduced setback would allow the project to proceed as designed.

Ms. McNamara noted that both zoning districts permit single-family residential uses and that the proposed zoning designation is supported by the Future Land Use Map. She further explained that the General Plan does not specifically address residential lot sizes in this area and was therefore considered neutral regarding the request. Staff mailed 49 public hearing notices to property owners within 500 feet of the subject property. Staff received two phone inquiries requesting information about the proposal and one in-person visit from a neighboring resident expressing concern that the zoning change would allow reduced setback requirements. Based on the consistency of the request with the Future Land Use Map and the limited nature of the zoning change, staff recommended approval of the rezone request.

Prior to opening the public hearing, Commissioner Toller asked for clarification regarding the proposed addition. He noted that after visiting the site, the ongoing construction activity appeared to be occurring on the west side of the property rather than at the rear of the residence, and he questioned whether permits had already been issued for the project.

Ms. McNamara explained that the project had originally been proposed as a detached accessory structure that would have complied with the existing zoning requirements. However, after reviewing the plans, the applicant decided to connect the new structure to the existing residence with a breezeway. Once the structure became attached to the home, it was considered an addition rather than an accessory building, which triggered the requirement to meet the 30-foot rear yard setback applicable in the R-A zone. Following discussions with staff and the Building Official regarding available options, the applicant elected to pursue the rezone request to reduce the rear setback requirement and allow the project to proceed as proposed.

Commissioner Cornelius stated that the applicant wished to construct an addition or attached structure and that the existing R-A zoning required a 30-foot rear yard setback. He noted that the proposed rezoning to R-1-20 would reduce the rear setback requirement and allow the applicant to proceed with the planned expansion while maintaining adequate usable yard area on the property.

Commissioner Sommerkorn observed that the construction activity visible on the property appeared to be located on the side of the residence rather than in the area affected by the setback issue. He suggested that the apparent lack of activity in the rear portion of the property was likely because the applicant had not yet received approval of the rezone request and therefore could not proceed with the portion of the project impacted by the setback requirement. Commissioner Sommerkorn stated that the applicant could clarify whether that assumption was correct.

Chair Packer asked whether the Commission wished to hear directly from the applicant and invited the applicant to come forward to provide any additional information regarding the proposal or to respond to questions raised during the staff presentation and Commission discussion.

Applicant Mr. Racker addressed the Commission and provided additional background regarding the construction activity occurring on the property. He explained that the project had experienced delays after concrete work performed by a contractor failed to meet engineering specifications. As a result, portions of the work had to be removed and reconstructed, placing the project approximately six weeks behind schedule.

Mr. Racker clarified that the proposed structure had originally been designed and approved as a detached accessory building. The current request stemmed from the desire to connect the accessory structure to the existing residence through a breezeway. He explained that while most of the addition would be located along the side of the home, a portion of the breezeway

connection would extend into the rear yard area, creating the setback conflict under the existing R-A zoning designation.

Mr. Racker emphasized that the project was not intended to utilize the full 15-foot rear setback permitted in the proposed R-1-20 zone. Instead, the structure would remain approximately 21 feet from the rear property line, providing additional separation beyond the minimum setback that would be allowed under the new zoning district. He stated that the rezoning request was intended to provide sufficient flexibility for the breezeway connection rather than to maximize development of the rear yard.

Commissioner Toller asked for additional information regarding the portion of the structure facing Kays Drive.

Mr. Racker explained that the rear section of the building would function as a garage, while the front portion would contain recreational space, including areas intended for activities such as pickleball, basketball, and exercise.

Commissioner Toller also asked about the construction materials.

Mr. Racker stated that the building would utilize cold-formed steel framing with full concrete footings and would be constructed in a manner more similar to a commercial building than a traditional pole barn structure.

After determining that there were no additional questions for the applicant, Chair Packer opened the public hearing and invited members of the public to provide comments regarding the proposed rezone request.

Mr. Hardy, a neighboring property owner whose residence is located adjacent to the subject property, addressed the Commission. He stated that neither he nor his family opposed the applicant's desire to improve the property or construct the proposed addition. However, he explained that because the property is situated on a corner lot, the proposed structure would be highly visible within the neighborhood, creating concerns regarding its appearance and compatibility with surrounding homes.

Mr. Hardy noted that the neighboring residence located between his property and the subject property appeared to have a substantially smaller setback than the setback applicable to the applicant's property and questioned the reason for that difference.

Mr. Hardy stated that his primary concern involved the proposed building materials and overall appearance of the structure. Based on his understanding of the proposal, the addition would include multiple uses, including garage space, mechanical work areas, recreational space, a pickleball court, climbing features, and other amenities. He expressed concern that the structure would be constructed as a metal building while the existing residence is primarily brick. Mr. Hardy indicated that when he originally moved into the neighborhood, he

understood there to be covenants requiring accessory structures to be architecturally compatible with the primary residence. He stated that it did not appear that such requirements were being incorporated into the current proposal. While reiterating that he did not oppose the applicant's plans to improve the property, Mr. Hardy expressed concern that the appearance of a large metal structure on a prominent corner lot could negatively impact neighborhood character and potentially affect surrounding property values.

Mr. Brent Toller, a nearby resident, addressed the Commission and stated that when he purchased his home in the neighborhood, he was provided with subdivision covenants that established architectural standards for homes and structures within the development. He summarized portions of the covenants, noting that residences were required to be constructed of brick, rock, stucco, or combinations of those materials. Mr. Toller described the neighborhood as one of Kaysville's premier residential agricultural areas and emphasized that the community had maintained a consistent appearance and character through adherence to those standards. He noted that other structures within the area had been constructed in a manner compatible with the homes and covenants established for the subdivision.

Mr. Toller expressed concern regarding the proposed structure and stated that he was unclear about the status of the permitting process. He observed that construction activity appeared to be continuing on the site and questioned whether the outcome of the current rezone request would ultimately affect the project. He urged the Commission to maintain consistency within the neighborhood and stated that he did not support what he characterized as spot zoning within the subdivision. Mr. Toller emphasized that the established covenants and neighborhood standards were part of what attracted homeowners to the area and contributed to property values. While acknowledging that the Planning Commission was not responsible for building permit review, he expressed concern that rezoning the property could facilitate a project that, in his view, was not consistent with the character of the neighborhood or with the expectations established by the subdivision covenants.

After determining that no additional members of the public wished to comment, Chair Packer closed the public hearing.

Chair Packer invited the applicant to respond to the concerns raised by neighboring property owners.

Mr. Racker clarified that all construction activity occurring on the property was proceeding under an approved building permit for a detached accessory building and that no work related to the proposed breezeway connection had commenced. He explained that the accessory building itself was permitted under the existing R-A zoning and could be constructed regardless of the outcome of the rezone request. The purpose of the rezoning was solely to allow the structure to be connected to the primary residence through a breezeway, which would cause the building to be subject to the principal structure setback requirements. Mr. Racker stated that the building had been designed and approved as an accessory structure before the breezeway concept was introduced.

Mr. Racker further stated that similar accessory buildings already existed within the neighborhood and noted that the proposed structure would utilize cold-formed steel framing and commercial-style construction methods that he considered to be of higher quality and greater durability than many conventional pole-barn style accessory buildings. He also noted that the property immediately to the north was zoned R-1-20 and stated that he was not seeking unique treatment or special zoning privileges. Mr. Racker indicated that he had never been provided with homeowner's association documents, covenants, conditions, or restrictions at the time he purchased the property and that concerns regarding exterior materials had not been raised during the building permit review process.

Commissioner Sommerkorn sought clarification regarding the effect of the rezoning request. Mr. Racker confirmed that the building itself remained compliant as an accessory structure under the existing R-A zoning and that the only change necessitating the rezone was the desire to connect the structure to the residence through a breezeway.

Commissioner Sommerkorn summarized that the proposed rezoning would not alter the building footprint but would simply allow the connected structure to comply with the setback requirements applicable to a principal building. Mr. Racker agreed with that characterization.

Commissioner Sevy asked whether an active homeowners association existed within the subdivision. Mr. Racker responded that no homeowner's association was currently active.

Commissioner Sevy noted that covenants and restrictions are often administered through such associations.

Commissioner Sommerkorn explained that private covenants and restrictions are generally not enforced by the City and instead are matters between property owners. He stated that enforcement of private covenants typically occurs through civil action between affected property owners and is not within the City's regulatory authority. Commissioner Sommerkorn further observed that the request before the Commission involved only a zoning change and not the design, materials, or appearance of the proposed structure. He also noted that the property directly north of the subject property was already zoned R-1-20 and therefore shared the same setback standards being requested through the rezone. For that reason, he did not view the request as creating a compatibility issue with adjacent properties.

Commissioner Young expressed curiosity regarding the neighboring property that appeared to have a reduced setback. In response, Ms. McNamara stated that she had reviewed the subdivision plat but that the age and quality of the documents made it difficult to immediately determine the circumstances associated with that property's setbacks.

Commissioner Toller stated that while many of the concerns raised by the public were outside the scope of the Commission's review, the matter before the Commission was a rezoning request. He expressed concern about changing the zoning of a single property that was largely

surrounded by properties carrying a different zoning designation.

Commissioner Toller stated that he viewed the request as inconsistent with sound planning principles and public policy and indicated that, on that basis, he would not support the rezone.

Commissioner Sommerkorn disagreed, explaining that because the rear property line abutted land already zoned R-1-20, the proposed zoning designation would align the rear setback requirements of adjacent properties. He stated that the request appeared to be a logical extension of the existing zoning pattern rather than an isolated zoning inconsistency.

Commissioner Cornelius concurred, noting that both the subject property and the neighboring property to the north would share the same zoning designation and setback standards. He stated that he understood the applicant's desire to remain within legal development parameters and did not have concerns with the request.

Chair Packer asked Commissioner Sommerkorn to elaborate on his earlier statement that "spot zoning" was no longer a recognized legal concept.

Commissioner Sommerkorn explained that while the term historically referred to situations where a single parcel was zoned differently from surrounding properties, modern land use law generally treats rezoning decisions as legislative actions subject to local discretion. He stated that courts no longer view spot zoning as an independent legal prohibition, although it may still be discussed as a planning philosophy or policy consideration when evaluating zoning requests.

Chair Packer stated that he had initially shared some of the concerns expressed regarding rezoning a single parcel within an established neighborhood. However, he noted that the request was distinguishable because the property directly abutted land already zoned R-1-20. He explained that absent that adjacency, he would have had greater concerns regarding the planning implications of rezoning a single lot. Chair Packer also observed that the remaining development standards between the two zones were largely similar.

Commissioner Sommerkorn agreed and stated that he would likewise have concerns if the property were in the center of a larger R-A zoned area with no connection to adjacent R-1-20 zoning. Because the rear property line directly adjoined property already zoned R-1-20, he viewed the request as a logical extension of an existing zoning boundary rather than an isolated zoning change.

Commissioner Sommerkorn also referenced a prior application considered by the Planning Commission involving a corner lot where an addition could not comply with setback requirements. He recalled that the applicant had sought a variance, but because the request did not meet the strict standards required under state law for granting a variance, the Commission instead suggested that a zoning change could be a more appropriate solution. He noted that the City Council ultimately approved that zoning amendment, allowing the project to proceed.

Commissioner Cornelius asked whether the City had any zoning requirements that would require an accessory building to match the architectural style or materials of the primary residence.

Commissioner Sommerkorn responded that no such requirements existed within the zoning code unless specifically authorized by ordinance. He further explained that state legislation adopted several years earlier prohibited local governments from imposing architectural design standards on single-family and two-family dwellings. Ms. McNamara added that any design-related provisions contained in City planning documents were recommendations rather than enforceable requirements.

Commissioner Young made a motion to recommend approval of the rezone request for property located at 768 West Christopher Circle from Residential Agricultural (R-A) to R-1-20 Single-Family Residential. Commissioner Sommerkorn seconded the motion, and the vote was in favor of the motion (5-1).

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Cornelius: Yay
Commissioner Toller: Nay

5- APPROVAL OF THE MINUTES FROM MAY 14, 2026 PLANNING COMMISSION MEETING

Commissioner Sevy noted that while reviewing the minutes, she observed that her name had been listed as voting on an item despite not being present at the meeting. She indicated that the vote should have been attributed to Commissioner Lott rather than herself.

Commissioner Sommerkorn confirmed that the minutes could be approved with an amendment. Ms. Edstrom clarified that the motion should be to approve the minutes as amended to correct the voting record.

Commissioner Cornelius then moved to approve May 14, 2026, Planning Commission minutes with the amendment correcting the voting attribution. Commissioner Sevy seconded the motion. The motion passed unanimously among those voting. Commissioner Sommerkorn abstained, stating that he had neither attended the May 14 meeting nor reviewed the meeting recording afterward. The minutes were approved as amended. (5-0).

Commissioner Packer: Yay
Commissioner Sevy: Yay
Commissioner Young: Yay

Commissioner Sommerkorn: Abstained
Commissioner Cornelius: Yay
Commissioner Toller: Yay

6- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. McNamara reported that the June 11, 2026, Planning Commission agenda was expected to include two rezone applications. The first would be the Presbyterian Church mixed-use project, which had previously been discussed with the Commission. The second would involve a property located near Flint Street, where the applicant was requesting a rezone from R-1-20 to R-4 to add additional dwelling units to the property.

Ms. McNamara also advised that the June 25 agenda was expected to include a rezone request for the property currently occupied by the Sunset Equestrian Center. The applicant was requesting a rezone to R-1-6. She further noted that the Symphony Homes rezone application had been denied by the City Council and that the matter had reached its conclusion.

Commissioner Toller expressed appreciation for City Council Member Hunt sitting through Planning Commission meetings and noted that he had attended both the City Council meeting involving the Symphony Homes application and the Presbyterian Church proposal. He reflected on the value of Planning Commissioners attending City Council meetings where Planning Commission recommendations are considered, stating that doing so helps commissioners better understand how their recommendations are ultimately evaluated. Commissioner Toller referenced the Symphony Homes application, noting that his motion to deny the rezone had failed for lack of a second. He observed that issues surrounding development proposals often extend beyond the specific matters before the Planning Commission and suggested that commissioners consider the broader implications of their recommendations and how they may affect City Council deliberations. He emphasized that while the Planning Commission is an independent body, it should remain mindful of the governing body to which it makes recommendations.

Commissioner Sommerkorn responded by asking whether that philosophy would suggest that the Planning Commission should simply recommend what it believes the City Council is likely to approve. Commissioner Toller replied that the Commission has a responsibility to do more than that and must continue to evaluate applications based on applicable standards and their own judgment. He indicated that he had expressed his views sufficiently and thanked the Commission for allowing him to share them.

Chair Packer thanked Commissioner Toller for his comments and stated that it was important for all commissioners to feel comfortable expressing their perspectives during discussions. Ms. Edstrom reported that the public hearing notice for the Presbyterian Church rezone had been posted and that numerous public comments had already appeared on social media. She emphasized that while social media comments do not dictate outcomes, they can provide insight into community viewpoints. She also noted that the public hearing notice for the Flint Street rezone would be posted the following day and remarked that hearing a variety of

perspectives can be valuable when considering land use decisions.

Chair Packer noted that the Commission would likely be busy with several upcoming applications and reminded the Commission that the annual election of officers would occur soon. Ms. Edstrom confirmed that the Commission would select a new Chair at the end of June, with the new term beginning in July. She acknowledged Chair Packer's year of service and thanked him for his leadership.

Ms. Edstrom then provided updates regarding Planning Commission appointments. She stated that Commissioners Sevy and Cornelius were due for reappointment consideration.

Commissioner Cornelius informed the Commission that he had accepted a job opportunity in Washington, D.C., after discussing it with his family and would therefore be leaving the Planning Commission. Commissioner Sommerkorn congratulated him on the opportunity and thanked him for his service. Commissioner Cornelius expressed appreciation to Mayor Tran and the City for the opportunity to serve on the Planning Commission.

Ms. Edstrom stated that applications would be posted on the City website and that efforts would be made to ensure a full Commission by July.

7- ADJOURNMENT

Commissioner Young made the motion to adjourn the meeting at 7:48 pm.