

Kaysville City Planning Commission Meeting Minutes
June 25, 2026

The Planning Commission meeting was held on Thursday, June 25, 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, Wilf Sommerkorn, David Moore, Eries Cornelius, and Jeramy Burkinshaw

Staff in Attendance: Katie Ellis and Anne McNamara

Public Attendees: City Councilmember Abbi Hunt, Teana Error, Kim Johnson, Duane Thurber, Danielle Butters, Nicole Steed, Matt Steed, Sidney Chug, Jason Gagner, Stacey Bjerregaard, Laurene Starkey, John Mayer, Jill Mayer, Bethany Hunt, Sarah Thomas, Evelyn Johnson, Jed Stanger, Kirsten Stanger, Megan Milillo, Nathan Milillo, Mary Kay Thurber, Holly Apgar, Suzie Hansen, Jill Dredge, and Elizabeth White

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- ELECT A NEW CHAIR AND VICE CHAIR FOR PLANNING COMMISSION

Chair Packer explained that, pursuant to the Planning Commission bylaws, the election of officers is typically held during the first meeting in July. However, because the current meeting occurred just prior to July, he asked whether the Commission was comfortable conducting the election at the June 25 meeting. He noted that the Chair had the ability to suspend certain procedural rules if there were no objections.

The Commission indicated its support for proceeding with the election.

Chair Packer opened nominations for Planning Commission Chair. He nominated Commissioner Young to serve as Chair and noted that nominees were free to decline a nomination if they did not wish to serve.

Commissioner Moore supported the nomination.

Hearing no additional nominations, Commissioner Sommerkorn moved to close nominations and elect Commissioner Young by acclamation. The motion carried by unanimous voice vote, and Commissioner Young was elected Chair of the Planning Commission.

Chair Young then opened nominations for Vice Chair and nominated Commissioner Birkenshaw to serve in that role. Commissioner Moore expressed his support for the nomination, and Commissioner Sevy also voiced her support.

Hearing no further nominations, the Commission voted unanimously by voice vote to elect Commissioner Birkenshaw as Vice Chair of the Planning Commission.

Following the election, Chair Packer congratulated the newly elected officers and asked Chair Young whether she wished to assume the chairmanship immediately for the remainder of the meeting.

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Burkinshaw: Yay
Commissioner Moore: Yay
Commissioner Cornelius: Yay

4- PUBLIC HEARING FOR A REZONE REQUEST FOR THE PROPERTY LOCATED AT 820 MARE CIRCLE FROM A-5 HEAVY AGRICULTURAL TO R-1-6 SINGLE FAMILY RESIDENTIAL FOR SUZIE HANSEN

Ms. McNamara presented a request from the property owner, Susie Hansen, to rezone approximately 820 Mayor Circle from A-5 (Heavy Agriculture) to R-1-6 (Single-Family Residential). She clarified at the outset that the application was submitted solely by Ms. Suzie Hansen and was not affiliated with or connected to Symphony Homes.

Ms. McNamara reviewed the existing zoning and surrounding land uses, noting that the property is currently zoned A-5 and is primarily surrounded by residential agricultural properties. She explained that the 2022 General Plan provides support for the requested rezone through several housing-related goals, including providing a range of housing opportunities to meet residents' economic and life-cycle needs, encouraging zoning that facilitates moderate-income housing, maintaining the City's focus on single-family residential development, and supporting housing affordability. She further noted that the Future Land Use Map designates the area for single-family residential use, making the request consistent with the adopted land use plan.

Ms. McNamara summarized the public noticing completed for the application. A public hearing sign was posted on the property on June 18, and 78 public hearing notices were mailed to surrounding property owners. Staff received two telephone inquiries, one requesting information about the rezone process and one expressing opposition to the proposal. In addition, the Planning Commission received 19 written public comments, consisting of 17 comments in opposition, one neutral comment, and one comment from the applicant. The comments primarily addressed concerns regarding increased traffic, preservation of open space, the existing development agreement associated with the adjacent equestrian center property, increased residential density, and compatibility with surrounding large-lot residential properties.

Based upon consistency with the Future Land Use Map and the goals of the 2022 General Plan, staff recommended that the Planning Commission forward a recommendation of approval to the City Council for the rezone of 820 Mayor Circle from A-5 Heavy Agriculture to R-1-6 Single-Family Residential. Ms. McNamara concluded by noting that the applicant was present to answer questions from the Commission.

Chair Packer invited the applicant to provide an opening statement or presentation but indicated it was optional. Before opening the public hearing, he asked whether the Commission had any questions for staff.

Commissioner Sommerkorn asked whether the applicant had submitted a development concept or preliminary site plan associated with the rezone request.

Ms. McNamara responded that no development concept or site plan had been submitted with the application.

Chair Packer opened the public hearing for the rezone request at 820 Mayor Circle. He explained the public hearing procedures, asking speakers to state their name for the record and limit comments to approximately three minutes. He also requested that audience members refrain from applauding, booing, or otherwise reacting to testimony to ensure a respectful and welcoming environment for all participants.

Chair Packer further explained that the public hearing was intended to provide an opportunity for individuals to share their comments with the Commission. Questions raised during public comment would be addressed, if appropriate, after all testimony had been received rather than during each speaker's allotted time.

The Chair then invited members of the public to come forward and provide testimony.

John Mayer spoke in opposition to the rezone request. He expressed concern over the potential loss of the equestrian center and the open space it provides to the community. Mr. Mayer explained that when he purchased his home in the Sunset Equestrian Estates neighborhood, he did so with the expectation that the area would continue to support equestrian activities and preserve its rural character.

While he acknowledged that residential density was a concern, he stated that his primary concern was the loss of the equestrian facility and surrounding open space rather than the proposed density itself. He commented that he believed many residents on the west side of Kaysville shared those concerns and thanked the Commission for its consideration.

Stacey Bjerregaard spoke in opposition to the rezone request. She expressed her support for preserving the equestrian center, describing it as an important community gathering place that has provided opportunities for learning, personal growth, healing, and recreation.

Ms. Bjerregaard stated that the property embodies the small-town character identified in the City's General Plan by supporting agricultural uses, fostering community connections, and providing a place where families gather and interact. She also noted that the property serves as habitat for various animals and wildlife, including horses, cattle, blue herons, quail, ducks, and other birds. She urged the Commission to preserve the property and protect the open space and community resource it provides.

Nicole Steed spoke in opposition to the proposed rezone. She emphasized that the decision involved more than the development of nine acres, stating that it would determine whether Kaysville retained one of its remaining equestrian facilities.

Ms. Steed explained that the equestrian center serves as the home of a local 4-H program, providing youth with opportunities to develop responsibility, leadership skills, and an appreciation for agriculture. She shared that her daughter has participated in the program for several years and described the facility as an important recreational and educational resource comparable to the City's parks and sports facilities.

She noted that rising land values have made horse ownership increasingly difficult for many families, making boarding facilities such as Sunset Equestrian Center one of the few remaining opportunities for residents to participate in equestrian activities. She stated that the lesson program has experienced significant growth, citing increased visibility following construction of the nearby highway, and observed that the facility is consistently active and well utilized.

Ms. Steed referenced a recent City Council discussion recognizing the importance of preserving equestrian properties as part of Kaysville's agricultural heritage whenever reasonably possible. She expressed concern that, while additional residential development could occur elsewhere, an equestrian facility such as Sunset could not easily be replaced once lost. She urged the Commission to preserve the agricultural zoning and deny the rezone request in order to protect the City's equestrian heritage and community resource.

Mary Kay Thurber in opposition to the proposed rezone. She explained that she and her family had recently moved to Kaysville, in part because of the neighborhood's equestrian character, including the horse trails and proximity to the Sunset Equestrian Center. As horse owners, they valued the opportunity to access the facility directly from their neighborhood.

Ms. Thurber expressed disappointment that the equestrian center could be lost so soon after their move, stating that similar facilities are becoming increasingly rare in northern Utah and that, once removed, they would be difficult or impossible to replace. She emphasized the importance of preserving opportunities for youth and families to participate in equestrian activities within their own community.

She also questioned how the proposed rezone would relate to the property's existing relationship with the homeowners association and expressed concern about changing the use of the property. Ms. Thurber urged the Commission to deny the rezone request, stating that

preserving the equestrian center aligns with the community's western heritage and values. She concluded by asking for clarification regarding what the proposed R-1-6 Single-Family Residential zoning designation would permit.

Holly Apgar spoke in opposition to the proposed rezone. She stated that the decision before the Commission extended beyond a single zoning change and represented a choice about whether one of Kaysville's remaining equestrian properties would be permanently converted to residential use.

Ms. Apgar referenced the City's General Plan, noting its emphasis on preserving agricultural land, open space, and the community's rural character. She described the Sunset Equestrian Center as an important community asset that has served as home to numerous horses while providing opportunities for recreation, education, and community connections among horse owners, volunteers, trainers, and families.

She expressed concern that approval of the rezone would permanently eliminate those agricultural and equestrian opportunities. Ms. Apgar stated that, in her view, the decision was not simply about residential density, but about whether to preserve agricultural land or convert it to residential development.

Ms. Apgar also cautioned against using the discontinuation of the equestrian operation as justification for rezoning the property. She explained that boarders had received notice to vacate following the owner's decision to cease operations and stated that the closure did not reflect a lack of demand for the facility. She expressed concern that allowing a profitable agricultural use to be discontinued and then cited as support for residential rezoning could establish an undesirable precedent for future agricultural properties.

Ms. Apgar urged the Commission to recommend denial of the rezone request and allow the property the opportunity to continue as an equestrian or agricultural use.

John Adams spoke in opposition to the proposed rezone. He stated that, in his opinion, the primary issue was not whether the current owner should be required to continue operating an equestrian business, but whether property that was established as an equestrian center through a development agreement should be permitted to be rezoned for residential development.

Mr. Adams explained that the equestrian center was originally included as part of the Sunset Equestrian Estates development agreement, which allowed additional residential density in exchange for preserving approximately 19 acres as an equestrian facility and open space for the benefit of the subdivision. He stated that the development agreement identified the property as a lot within the homeowners association and provided that the equestrian center could be privately operated while remaining dedicated to that use.

Mr. Adams further stated that subsequent purchasers of the property acquired it with

knowledge of the development agreement and its intended use. He questioned whether the property could be rezoned while the development agreement remained in effect and expressed concern that the proposed rezone would conflict with those obligations.

Mr. Adams urged the Planning Commission to recommend denial of the rezone request based on the existing development agreement and the original intent of preserving the property as an equestrian center for the Sunset Equestrian Estates community.

Tina Eher spoke in opposition to the proposed rezone on behalf of herself and numerous other families who use the facility. She urged the Commission to retain the property's agricultural zoning and preserve its use as an equestrian center.

Ms. Eher referenced the original development agreement and subdivision plat, stating that Parcel A was designated as open space associated with the Sunset Equestrian Estates development and intended to remain an equestrian facility. She explained that homeowners relied on those provisions when purchasing their homes and noted that the neighborhood's equestrian-themed street names and trail system reflect that original intent.

She expressed concern that changing the property's use would conflict with the commitments made through the development agreement and stated that only the property owner would benefit from the proposed rezone, while surrounding homeowners, the equestrian community, and the City would lose an important community asset.

Ms. Eher further stated that Sunset Equestrian Center serves as more than a horse boarding facility, describing it as a community resource supporting local families, youth programs, recreation, small businesses, and Kaysville's western heritage. She disputed any suggestion that the equestrian use was no longer viable, noting that the lesson program and boarding facilities had experienced strong demand, including waiting lists for riding lessons and horse boarding. Ms. Eher concluded by urging the Commission to deny the rezone request and preserve the equestrian center for current and future generations.

Kim Johnson spoke in opposition to the proposed rezone. Although she does not live within the Sunset Equestrian Estates subdivision, she explained that the nearby equestrian center was one of the features that attracted her family to Kaysville. As horse owners, her family has participated in the Sunset Equestrian Center's programs, including its 4-H activities, and her daughter has taken riding lessons from instructors at the facility.

Ms. Johnson stated that the equestrian center reflects the character of west Kaysville and aligns with the General Plan's goal of preserving the community's unique identity. She expressed concern that, once lost, a facility of this nature could not realistically be recreated because of the significant land, infrastructure, and financial investment required.

She also stated that she believed the local equestrian community could identify another operator to continue the facility if given the opportunity. Ms. Johnson urged the Planning

Commission to recommend denial of the rezone request in order to preserve the equestrian center and its contribution to the community.

Jason Gagner spoke in opposition to the proposed rezone. He recalled that similar proposals involving the equestrian center property had been considered previously and had not been approved. He also referenced a prior development proposal involving the property, noting that legal opinions had previously been presented regarding the possibility of developing the site.

Mr. Gagner stated that, in his opinion, the original development agreement and subdivision requirements clearly established the equestrian center as an integral component of the Sunset Equestrian Estates development. He expressed concern that homeowners purchased property with the understanding that the equestrian center would remain, and that changing the zoning now would undermine those expectations.

He further suggested that removing the equestrian center could create inconsistencies with the original subdivision approvals and questioned whether altering the property's use would have broader implications for the surrounding development. Mr. Gagner encouraged the Commission to consider the commitments made when the subdivision was approved and urged that those commitments be honored when evaluating the rezone request.

Jed Stanger, a resident of Sunset Equestrian Estates, spoke in opposition to the proposed rezone. He stated that, although he had concerns regarding the proposed residential density, his primary objection was based on the property's existing legal obligations under the Sunset Equestrian Estates development approvals.

Mr. Stanger explained that he had reviewed the development agreement, recorded plat, and the subdivision's Covenants, Conditions, and Restrictions (CC&Rs). He stated that these documents identify the property as part of the Sunset Equestrian Estates development and designate it as open space to be used for an equestrian facility. He referenced language in the CC&Rs requiring the arena property to be owned and used consistent with the development agreement, while acknowledging that enforcement of CC&Rs is not the responsibility of the Planning Commission.

Mr. Stanger further noted that the recorded plat states the parcel is to remain viable open space associated with the Sunset Equestrian Estates development and may be operated by a private concessionaire as an equestrian facility. He also referenced the property's deed, which he stated conveys the property subject to existing easements, restrictions, and other recorded obligations.

Based on those recorded documents, Mr. Stanger expressed the opinion that the property should remain dedicated to its intended use as open space and an equestrian facility. He urged the Planning Commission to recommend denial of the rezone request.

Elizabeth White spoke in opposition to the proposed rezone. She stated that she and her family

chose to live in Kaysville because of its rural character and specifically selected their home due to its proximity to the equestrian center and the surrounding agricultural open space. Although she is not directly affiliated with the equestrian center, she explained that she regularly enjoys the neighborhood's walking paths, views of the horses, and peaceful atmosphere.

Ms. White expressed concern that residential development of the property would significantly alter the character of the area. She noted that construction of the nearby highway had already changed the neighborhood and stated that additional high-density residential development, new roads, and related infrastructure would further diminish the remaining open space and rural setting.

She also raised concerns regarding the impacts of additional residential development on traffic circulation, emergency services, water resources, and school capacity. Ms. White stated that these public service demands should be considered alongside the proposed increase in housing density.

Ms. White concluded by urging the Planning Commission to recommend denial of the rezone request in order to preserve one of Kaysville's remaining agricultural areas and maintain the character that attracted residents to the neighborhood.

Laurene Starkey spoke in opposition to the proposed rezone. She stated that, although she does not live in west Kaysville, she wished to address the broader implications of the request for the entire community.

Ms. Starkey recalled previous Planning Commission discussions in which residents were assured that development agreements recorded with the county would be honored and respected. She questioned what approving the proposed rezone would mean for the integrity of existing development agreements, not only for the Sunset Equestrian Estates neighborhood but for all Kaysville residents who rely on those recorded agreements.

She also expressed appreciation for preserving open spaces and community amenities that contribute to Kaysville's character, noting that such areas benefit residents throughout the city, even those who do not live immediately adjacent to them. Ms. Starkey urged the Planning Commission to recommend denial of the rezone request.

Joel Tippitts spoke in opposition to the proposed rezone. He stated that he has lived in the neighborhood for approximately 15 years and values the community, its open spaces, and Kaysville's rural character. He expressed concern that open space has continued to diminish and emphasized the importance of preserving the area's equestrian heritage.

Mr. Tippitts also referenced the existing development agreement associated with the property, stating his belief that its provisions should be honored and preserved. He expressed concern that approving the rezone could establish an unfavorable precedent by disregarding those agreements.

Mr. Tippitts urged the Planning Commission to recommend denial of the rezone request.

Bridget Lane spoke in opposition to the proposed rezone. She explained that she is a third-generation equestrian and that, after her family's property was sold for residential development, she was no longer able to keep her horses at home and now relies on boarding facilities.

Ms. Lane stated that many of her business clients board horses at Sunset Equestrian Center and emphasized that equestrian facilities are essential for residents who own horses but do not have sufficient property to keep them. She explained that her business serves clients throughout Kaysville and that the availability of local boarding facilities supports both horse owners and related small businesses.

Ms. Lane shared that she had previously attempted to purchase another local boarding facility in an effort to preserve it as an agricultural use but was unsuccessful, and that the property has since been acquired for residential development. She expressed concern that the loss of Sunset Equestrian Center would further reduce the availability of boarding facilities, negatively affecting horse owners, her business, and her employees.

She concluded by urging the Planning Commission to preserve the property as an equestrian facility and deny the proposed rezone.

Dwayne Thurber, a resident of Thoroughbred Circle, spoke in opposition to the proposed rezone. He shared that he and his family have been involved with horses for approximately 30 years and described the unique relationship that develops between riders and their horses. He stated that equestrian activities provide valuable opportunities for personal growth, responsibility, and life lessons that extend beyond horseback riding.

Mr. Thurber explained that he had observed these benefits through his daughter's involvement with horses and now sees those same values being passed on to the next generation. He expressed concern that the loss of facilities such as Sunset Equestrian Center would reduce opportunities for youth and families to experience those benefits.

As a nearby resident, Mr. Thurber also commented on the value the equestrian center adds to the neighborhood, noting that he regularly passes the property and enjoys seeing the horses, foals, and other aspects of the agricultural setting. He encouraged the Planning Commission to preserve the equestrian facility and deny the proposed rezone.

Evelyn Johnson spoke in opposition to the proposed rezone. She explained that her family owns three horses and lives near Sunset Equestrian Center, allowing her to access the facility and surrounding trail system on horseback.

Ms. Johnson stated that she has participated in riding lessons at the equestrian center and

described the facility as an important part of her experience growing as an equestrian. She expressed appreciation for the opportunities the center provides to riders and the positive impact it has had on her personally.

Ms. Johnson urged the Planning Commission to preserve the equestrian center by recommending denial of the rezone request.

Jill Mayer, a resident of Sunset Equestrian Estates, spoke in opposition to the proposed rezone. She stated that her family chose to purchase their home because of the equestrian center, trail system, and the unique character of the neighborhood. She described the equestrian facility as a community asset that would be a significant loss if it were removed.

Ms. Mayer explained that, although she does not own property suitable for keeping horses, she relies on local boarding facilities. She expressed concern that the continued loss of equestrian boarding facilities would limit opportunities for horse owners in the community.

She further stated her belief that there are individuals who would be interested in purchasing and continuing to operate the property as an equestrian facility while preserving the open space. Ms. Mayer urged the Planning Commission to recommend denial of the rezone request in order to preserve the equestrian center and maintain Kaysville's rural character.

Danielle Butters, a resident of Centerville and the daughter of the applicant, spoke in support of the proposed rezone. She shared her family's long history with the equestrian center, explaining that her mother's involvement with horses began after horseback riding helped her overcome childhood anxiety. She stated that this experience ultimately led her mother to establish and operate the Sunset Equestrian Center.

Ms. Butters emphasized that no one has invested more time, effort, or personal sacrifice into the equestrian facility than her mother. She described the physical, emotional, and financial commitment required to operate the business over many years and stated that her mother had explored numerous options, including meeting with potential investors and others, in an effort to keep the facility operating.

She acknowledged the community's appreciation for the equestrian center but explained that, unlike a publicly funded park or recreational facility, the equestrian center is a privately owned business whose continued operation depends on its owner's ability to sustain it. She stated that, despite her mother's efforts, continuing to operate the business was no longer feasible. Ms. Butters asked the Planning Commission to consider the circumstances facing the property owner and to support the requested rezone.

Matt Steed spoke in opposition to the proposed rezone. He stated that he has boarded a horse at Sunset Equestrian Center for the past several years and noted that boarders were given less than 30 days' notice to remove their horses when the facility ceased operations.

Mr. Steed emphasized that his concern was not that the current owner should be required to continue operating the equestrian business. Rather, he argued that the property was purchased and approved as an equestrian center and should continue to be used or marketed for that purpose. He stated that, in his opinion, several individuals would be willing to purchase and operate the facility as an equestrian center if given the opportunity.

Mr. Steed further stated that the property's development agreement and subdivision documents identify the land as an equestrian facility and expressed concern that rezoning the property solely because the current owner no longer wishes to operate the business would undermine those original commitments.

Mr. Steed urged the Planning Commission to recommend denial of the rezone request and allow the property to remain available for equestrian use under future ownership.

Meagan Milillo in opposition to the proposed rezone. She explained that she had recently moved to the neighborhood after specifically seeking a horse-friendly community and had planned to board her horse at Sunset Equestrian Center. She expressed disappointment with the staff recommendation for approval, stating that, in her opinion, it conflicted with concerns raised regarding the property's existing development agreement as well as the views expressed by many neighborhood residents.

Ms. Milillo stated that she chose to relocate to Kaysville because of its equestrian heritage, trail system, and rural character, which she felt reflected the goals of the City's General Plan. She emphasized that facilities such as Sunset Equestrian Center provide opportunities for residents who are unable to own horse property to participate in equestrian activities, making those experiences accessible to a broader segment of the community.

She also expressed concern that the proposed R-1-6 zoning would substantially increase residential density in an area characterized by larger lots and open space, which she believed would alter the existing character of the neighborhood. Ms. Milillo concluded by emphasizing the value of preserving opportunities for future generations to experience horsemanship and the agricultural heritage of Kaysville and urged the Planning Commission to recommend denial of the rezone request.

Chair Packer closed the public hearing.

Suzie Hansen, applicant and owner of Sunset Equestrian Center, addressed the Commission regarding her request to rezone the property. She expressed appreciation for the many positive comments about the equestrian center and acknowledged the meaningful role it has played in the community. She explained that while much of the public testimony focused on the emotional value of the facility, she hoped the Commission would also consider the realities of operating the business.

Ms. Hansen shared that her passion for horses began in childhood and later inspired her to

create a riding lesson program focused not only on horsemanship but also on building confidence, responsibility, and life skills for youth. She explained that for many years she operated a successful lesson program, but in recent years it became increasingly difficult to obtain suitable lesson horses. She stated that despite spending significant resources attempting to acquire safe horses, she ultimately concluded she could no longer responsibly continue the program because of concerns for student safety.

She further explained that the equestrian center required years of personal commitment, often working long hours while continually reinvesting revenue back into the facility. Although the operation was well-used and valued by the community, she stated that it had not generated sufficient income to provide her with a salary and was no longer financially sustainable. She noted that she had sought alternative solutions, including discussions with prospective buyers, but had not received any written offers to purchase and continue operating the facility as an equestrian center.

Ms. Hansen also addressed concerns regarding the 30-day notice provided to boarders, explaining that the timeline reflected standard business practice and was necessary given the financial circumstances of the operation. She emphasized that her decision to close the facility was not made lightly but came only after years of effort to keep the business operating. In closing, Ms. Hansen asked the Commission to consider both the personal and business realities that led to her application and respectfully requested approval of the proposed rezone.

Chair Packer noted that several legal questions had been raised during the public hearing and invited the City's legal counsel to provide clarification regarding the legal issues surrounding the application.

Katie Ellis, Assistant City Attorney, explained that the City recognized there could be legal claims related to the application but acknowledged there was no certainty as to how a court might ultimately rule. She stated that because City attorneys are general practitioners rather than land use specialists, the City had retained outside legal counsel with expertise in land use law to review the relevant documents. After reviewing the development agreements, plats, CC&Rs, and related documents, outside counsel concluded there was no legally binding requirement requiring the property to remain an equestrian center, and staff had relied upon that legal opinion in evaluating the application.

Commissioner Sommerkorn referenced the minutes from the Planning Commission's August 28, 2025 meeting, when the outside land use attorney presented his findings. He summarized that the attorney had reviewed numerous documents, including development agreements, amendments, plats, and multiple versions of the CC&Rs. While several documents expressed an intent that the property function as an equestrian center, the attorney found those statements to be inconsistent and, more importantly, not formalized into a legally enforceable restriction. Commissioner Sommerkorn noted that, according to the attorney, the plats lacked the statutory dedication language necessary to establish the property as permanent open space or common area. He observed that, although preserving the equestrian center may have been the

original intent, the required legal steps to create an enforceable restriction had not been completed.

Commissioner Sommerkorn further clarified that while individual property owners or the homeowners association could potentially pursue private legal remedies related to the CC&Rs, enforcement of those private agreements was not the City's responsibility. He emphasized that the City does not enforce CC&Rs and that any disputes regarding those documents would be matters between private parties.

Chair Packer stated that he had also reviewed the prior legal presentation and agreed with Commissioner Sommerkorn's summary. He noted that the outside attorney had concluded the property is privately owned, is not controlled by the homeowners association, and is not legally obligated to remain an equestrian center. Chair Packer reiterated that, based on the legal opinion presented to the Commission, the City had no enforceable legal basis requiring the property to continue operating as an equestrian facility.

Commissioner Sommerkorn concluded by reiterating that any legal action concerning the CC&Rs would be a private matter between the property owners and would not involve the City.

Commissioner Sommerkorn asked the applicant whether she had a development concept for the property should the requested rezone be approved. He noted that rezoning applications are typically accompanied by a conceptual development plan or proposal to help the Planning Commission understand the intended future use of the property. Staff had indicated that no such plan had been submitted with this application.

Ms. Hansen responded that her intent was to proceed one step at a time. She explained that her immediate objective was to determine whether the property could be rezoned before deciding what direction to pursue in the future. She stated that she was not currently committed to any specific development concept and that if the property were rezoned, she would evaluate her options, including the possibility of selling the property to a developer.

Ms. Hansen reiterated that her primary concern was that she could not continue operating a business that was no longer financially sustainable.

Commissioner Sommerkorn then asked why the applicant had requested R-1-6 zoning rather than another residential zoning designation that more closely matched the surrounding area.

Ms. Hansen replied that she viewed the application as the beginning of a conversation and believed there needed to be flexibility throughout the process. She explained that requesting R-1-6 allowed room for future discussions and negotiations and acknowledged that there could ultimately be a range of possible outcomes between the existing agricultural zoning and the requested residential zoning.

Commissioner Sommerkorn observed that while property owners have the right to request

rezonings without a specific development proposal, planning practices have evolved over time. He explained that cities now generally prefer rezoning requests to include a development concept and, in many cases, a development agreement that identifies how the property will be developed. He stated that, without that information, he would be reluctant to support a rezone because the Commission would have no clear understanding of the future development or the ability to establish expectations through a development agreement.

Ms. Hansen responded that, although she did not live in Kaysville, she understood the importance of neighborhood character and stated that she had no intention of pursuing any project that would diminish the quality or appearance of the area. She said that throughout her ownership of the equestrian center she had worked to create and maintain a beautiful property and would approach any future use with the same philosophy.

Chair Packer echoed Commissioner Sommerkorn's concerns, stating that the lack of a development proposal made it difficult to evaluate the request. He noted that the property's location at the end of an established neighborhood, the uncertainty surrounding the future Angel Street extension, and access considerations all made the application more challenging to evaluate without additional information. He acknowledged that requiring applicants to prepare development concepts before receiving zoning approval can require significant upfront investment but explained that those plans provide important information for the Commission's decision-making process.

Ms. Hansen acknowledged the uncertainty regarding the future road alignment and agreed that it remained an unknown. She also clarified for the record that she was not under contract with, nor negotiating with, any developer or prospective purchaser regarding the property. She stated that although she maintained positive relationships with developers in the area, no agreements or negotiations were currently underway.

Chair Packer thanked Ms. Hansen for that clarification and reiterated that the Commission was attempting to balance the rights of private property owners with the City's responsibility to consider long-term land use and neighborhood impacts.

Ms. Hansen indicated that she felt some of the development-related questions would be better answered by her representative and asked if he could address the Commission. Chair Packer indicated that she was welcome to have her representative respond.

At the applicant's request, Zach Hartman of Land Advisors addressed the Commission on her behalf. Mr. Hartman explained that he became involved only recently after being contacted by another client who was familiar with Ms. Hansen's situation. After reviewing the publicly available documents and prior meeting materials, he agreed to assist her with the application process.

Mr. Hartman stated that the rezoning application had been submitted quickly in order to begin the public discussion and to provide the applicant with greater control over the future of the

property before pursuing any specific development proposal. He explained that the requested R-1-6 zoning was selected because it generally aligns with the City's General Plan and, in his opinion, represented a residential designation that could be compatible with the surrounding neighborhood without proposing excessive density.

He acknowledged that development agreements and conceptual site plans are commonly associated with rezoning requests and stated that he anticipated the City Council would likely require a binding development agreement before any future development proceeded. He explained that, because of the timing of the application and ongoing discussions surrounding roadway alignments and other property issues, the applicant had chosen to pursue the rezoning first and address development details later.

Mr. Hartman stated that, based on his review of the documents and public comments, there were still several unresolved issues and misconceptions surrounding the property. He indicated that he believed clarifying those issues would be an important part of any future discussions should the rezoning process continue.

Commissioner Cornelius asked the applicant a hypothetical question regarding the future of the property. He inquired whether, if the equestrian center were to receive financial assistance or funding, she would continue pursuing the requested rezone or instead choose to maintain the equestrian operation.

Ms. Hansen respectfully declined to answer the hypothetical question and deferred a response.

With no further questions for the applicant, Chair Packer thanked Ms. Hansen and her representative for their comments and returned the discussion to the Planning Commission for deliberation.

Commissioner Sommerkorn stated that he remained reluctant to support the requested rezone without a more definitive development proposal. He explained that, in his experience, most rezoning requests are accompanied by a conceptual development plan and, frequently, a development agreement that outlines how the property will ultimately be developed. He noted that the requested R-1-6 zoning would permit lot sizes as small as 6,000 square feet in an area characterized by much larger residential lots. While he was not inherently opposed to smaller lots and believed they could be compatible in certain locations, he stated that he was not comfortable recommending a blanket rezoning without a clearer understanding of the applicant's intended use of the property.

Commissioner Young stated that although the Commission had received legal guidance indicating the previous development agreement may not be legally enforceable, she did not believe that prevented the Commission from considering the intent behind those agreements when making its recommendation. She observed that many residents had purchased homes and made personal and financial decisions based on the understanding that the equestrian center would remain part of the neighborhood. She felt those expectations deserved thoughtful

consideration, regardless of the legal enforceability of the underlying documents.

Commissioner Young further stated that while she generally supports opportunities for increased housing density in appropriate locations, she believed this property represented a unique community asset. She expressed concern about the permanent loss of one of the City's remaining equestrian facilities and agricultural spaces, noting the positive impact it had provided to many members of the community. Although she sympathized with the applicant's circumstances and acknowledged the financial challenges of operating the equestrian center, she stated that she would prefer to explore alternatives to rezoning before recommending approval.

Commissioner Cornelius stated that the Planning Commission has consistently evaluated rezoning requests based on the information presented by applicants, including conceptual development plans. He noted that both individual property owners and large-scale developers are expected to provide a proposal illustrating how the property is intended to be developed. When those proposals have not been consistent with the surrounding area or have failed to adequately address community concerns, the Commission has recommended against them.

Commissioner Cornelius explained that, in evaluating the requested R-1-6 zoning, he considered many of the same issues raised during the public hearing, including school capacity, water availability, emergency access, roadway impacts, and compatibility with the surrounding neighborhood. Without a development plan identifying how those issues would be addressed, he found it difficult to support the requested rezone and indicated he was inclined to agree with the concerns expressed by the other commissioners.

Commissioner Cornelius also acknowledged the applicant's testimony regarding the financial challenges of operating the equestrian center. He stated that he understood the realities of operating a business and recognized that it was not the Commission's role to require a property owner to continue a business that was no longer financially viable. However, he emphasized that this consideration did not eliminate the Commission's responsibility to carefully evaluate whether the requested zoning designation was appropriate.

Commissioner Birkenshaw stated that he understood both the challenges of operating a business and the community's strong attachment to the equestrian center. However, he emphasized that the Planning Commission's responsibility is to evaluate land use rather than business operations, and that he believed it was important to separate the emotional aspects of the application from the land use considerations before the Commission.

Commissioner Birkenshaw stated that the uncertainty surrounding the enforceability of the previous development agreement gave him some concern. While acknowledging the legal opinion that the agreement may not be legally binding, he believed the original intent of the developer, the City, the Planning Commission, and the City Council had been to preserve the property as an equestrian center or, at a minimum, as open space for the benefit of the neighborhood.

He further stated that he generally does not favor restricting how property owners use their land but noted that any rezoning request should be compatible with the surrounding area. Although he was not indicating support for a rezone at that time, he stated that if a future rezoning were considered, the density should be consistent with the existing character of the neighborhood. He explained that one of the Commission's most important responsibilities is preserving neighborhood character while avoiding spot zoning. Referring to the City's various zoning classifications, Commissioner Birkenshaw stated that, in his opinion, the requested R-1-6 zoning was not an appropriate designation for the area, noting that larger-lot residential zoning would be more compatible with the surrounding development.

Chair Packer stated that, while he appreciated Kaysville's agricultural heritage and valued the remaining equestrian properties and open spaces within the community, he also recognized that the City could not require a property owner to continue operating a business that was no longer financially viable. He observed that, over time, many agricultural properties throughout the city had transitioned to other uses and stated that he was uncomfortable with the idea of requiring the final remaining property owners to preserve open space simply because other properties had already developed.

Chair Packer referenced the legal opinion previously presented to the Planning Commission, noting his understanding that the City did not have the legal authority to require the property to remain an equestrian center or permanent open space. He further explained that, while preserving open space is a community value, doing so by preventing a private property owner from realizing the market value of their property raised concerns regarding fairness and private property rights.

Addressing comments made during the public hearing, Chair Packer stated that factors such as school capacity and water availability were not significant concerns in his evaluation of the application. He noted that schools on the west side of Kaysville were currently experiencing declining enrollment and that the City routinely evaluates water availability as part of the development review process.

Chair Packer stated that his primary concerns centered on the lack of a conceptual development plan, the property's single point of access through an established neighborhood, the future Angel Street extension, and the uncertainty surrounding how the property would ultimately develop. He acknowledged that residential densities can appropriately transition throughout a community and did not believe R-1-6 zoning was inherently inappropriate within Kaysville. However, without a development proposal or additional information regarding the future use of the property, he stated that he was not comfortable recommending approval of a blanket rezoning for the site.

Commissioner Sevy expressed appreciation for Ms. Hansen's years of service to the community through the operation of the equestrian center. She acknowledged the significant positive impact the facility had made for many residents and recognized the personal, physical, and financial challenges Ms. Hansen had described in operating the business.

Commissioner Sevy stated that, despite her appreciation for the applicant's contributions and understanding of her circumstances, she believed the requested rezone represented a significant change without sufficient information regarding the future development of the property. She indicated that she shared the concerns expressed by the other commissioners and was not prepared to support the rezone request in its current form. She concluded by again thanking Ms. Hansen for her many years of dedication to the community.

Commissioner Birkenshaw made a motion to recommend that the City Council deny the request to rezone the property located at 820 Mayor Circle from A-5 to R-1-6. Commissioner Moore seconded the motion, and the vote was unanimous in favor of the motion (7-0).

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Burkinshaw: Yay
Commissioner Cornelius: Yay
Commissioner Moore: Yay

Commissioner Sommerkorn explained his vote, stating that the requested R-1-6 zoning represented a significant departure from the existing zoning pattern in the surrounding area. He stated that, while he could potentially support a rezoning request under different circumstances, he would need to see a conceptual development plan demonstrating how the property would be developed. In the absence of such a plan, he believed the requested rezone was premature and therefore supported the motion to recommend denial.

5- APPROVAL OF THE MINUTES FROM JUNE 11, 2026 PLANNING COMMISSION MEETING

Commissioner Sevy made a motion to approve the June 11, 2026 minutes and Commissioner Burkinshaw seconded the motion. The vote was unanimous in favor of the motion (7-0).

Commissioner Packer: Yay
Commissioner Sevy: Yay
Commissioner Young: Yay
Commissioner Sommerkorn: Yay
Commissioner Burkinshaw: Yay
Commissioner Cornelius: Yay
Commissioner Moore: Yay

6- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. McNamara noted that the City had recently received a rezone application from Symphony Homes requesting to rezone property on the east side of 550 West to R-1-14. She stated that the application was tentatively expected to be scheduled for Planning Commission consideration in July, although the timing would depend on several factors. If not heard in July,

she anticipated it would likely be scheduled in August.

Ms. McNamara also reported that staff was working to bring the City Center Small Area Plan back before the City Council and noted that application activity had otherwise been relatively slow.

Commissioner Sommerkorn reported that he had begun work on the City's detached accessory dwelling unit ordinance in response to recent state legislation requiring local adoption by October 1, 2026. He explained that, due to current staffing shortages, he had volunteered to assist staff with preparing the ordinance and anticipated having a draft available for review within the next week.

Ms. McNamara thanked Commissioner Sommerkorn for his assistance and noted that staff hoped to bring the detached accessory dwelling unit ordinance before the Planning Commission in the near future.

In response to an inquiry regarding the next meeting, Ms. McNamara stated that the next Planning Commission meeting was scheduled for July 9, 2026. She noted that it was possible the Symphony Homes rezone application would appear on that agenda, although the schedule remained subject to change.

7- ADJOURNMENT

Chair Packer adjourned the meeting at 8:39 pm.