

KAYSVILLE CITY PLANNING COMMISSION

January 10, 2019

Members Attending: Chairperson Matthew Anderson, Gary Bullock, Betty Parker, Wilf Sommerkorn, Joshua Sundloff, Tamara Tran, Thomas Wood

Staff Present: Zoning Administrator Lyle Gibson

Others Present: Marilyn Walker, Glen Walker, Lisa Jones, Kim Griesemer, Brandt Knowlton, Heather Knowlton, Dave Evans, Billie Garcia, Jason Garcia, Nicholas Majors, Clark Steed, Richard Allen, Allen Francis, Devonna Cantrell, Russ Cantrell, Ron Mitchell, Paul Waldrop, Renee Waldrop, Janice Pruess, Michael Arveseth, Amy Jarman, Glenn Borders, Jim Neuner, Pam Neuner, Robert Dengg, Darrell McKinnon, Pamela Brown, Melony Warner, Bonnie Peterson, Casey Brown, Richard Olsen, Dean Wall, Brad Walters, Carole G. Walters, Janet Smith, Craig Smith, Scott Barben, Steve Einfeldt, Andy Springer, Gary Mumford, Randi Von Bose, Brandon Jones, James David, Tanya Bird, Spencer Luke

OPENING

The Planning Commission meeting was held on Thursday, January 10, 2019 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the November 29, 2018 meeting were presented for approval.

Thomas Wood made a motion to approve the minutes of the November 29, 2018 meeting. Betty Parker seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, FINISH CARPENTRY AT 228 NORTH SEEMORE DRIVE – JASON GARCIA

Lyle Gibson explained that Jason Garcia does finish carpentry and has been in business for several years. Recently he moved to 228 North Seemore Drive and is requesting a conditional use permit for a home occupation at his new address. Mr. Garcia's does not have any outside employees and any materials will stored offsite. The City does not have any record of complaints or problems with Mr. Garcia's business activity at his previous location.

Jason Garcia commented that he's a subcontractor and has an office in his home. He doesn't have any deliveries to his home and the only equipment he keeps at the home is his truck and tools.

Josh Sundloff commented that he lived by Jason Garcia when Mr. Garcia was in his previous home and there were never any adverse effects from Mr. Garcia's business.

Gary Bullock made a motion to grant a conditional use permit for a major home occupation “B”, finish carpentry at 228 North Seemore Drive for Jason Garcia. Tamara Tran seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, ELECTRICAL CONTRACTOR AT 271 EAST 200 SOUTH – RICHARD OLSEN

Lyle Gibson explained that Richard Olsen is requesting a conditional use permit for a major home occupation from his home at 271 East 200 South. Mr. Olsen is an electrical contractor and has been in business previously. He does not have any employees and would only use his home for bookkeeping and scheduling purposes.

Richard Olsen said that there would be no deliveries to his home and the only equipment kept at his home would be his truck and tools.

Betty Parker made a motion to grant a conditional use permit for a major home occupation “B”, electrical contractor at 271 East 200 South for Richard Olsen. Wilf Sommerkorn seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, MASSAGE THERAPIST AT 559 EAST 1250 SOUTH – MELONY WARNER

Lyle Gibson explained that Melony Warner lives at 559 East 1250 South and is requesting a conditional use permit in order to offer massage therapy sessions from her home. Clients will come by appointment for a fifty to ninety minute session. Sessions would be on Monday and Wednesday afternoons, and Thursday and Friday evenings. Ms. Warner has stated that she expects to have at least a ten minute break between appointments to prep for the next client.

Gary Bullock asked about how many clients Ms. Warner expects each day.

Melony Warner responded that she would likely only have two clients a day.

Thomas Wood made a motion to grant a conditional use permit for a major home occupation “B”, massage therapist at 559 East 1250 South for Melony Warner. Gary Bullock seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR AN AGRICULTURAL HOME OCCUPATION, AUTO RESTORATION AT 651 SOUTH SUNSET DRIVE – SCOTT BARBEN

Lyle Gibson explained that Scott Barben does auto restoration and is requesting a conditional use permit to run his business from his home at 651 South Sunset Drive. There is a shop behind Mr. Barben’s home at the rear of the property where he will do the auto restoration. Mr. Barben said that he only anticipates working on one car at a time, restoring one or two cars a year. There will be no customers coming to his home, and any major paint or body work is outsourced to other companies. All of the parts for the cars, as well as the project car itself, will be stored in the shop.

Josh Sundloff said that there might be some concern by the neighbors with having this business next to another auto repair shop.

Gary Bullock responded that each business is different. The auto repair business next door typically has cars coming and going off the property often. That is not the case with auto restoration because he's only working on one car at a time for a long period of time.

Scott Barben commented that he's done auto restoration in the past and have never had any complaints from the neighbors.

Gary Bullock made a motion to grant a conditional use permit for an agricultural home occupation, auto restoration at 651 South Sunset Drive for Scott Barben. Betty Parker seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR CHARLY'S ACRES #2 FOURTH AMENDED SUBDIVISION AT APPROXIMATELY 2100 WEST 200 NORTH – TERRAVENTURE DEVELOPMENT

Lyle Gibson explained that in November 2018 the City Council voted to approve a development agreement and rezone at approximately 2100 West 200 North in anticipation of the development of a new church building and storage unit facility. The applicant, Terraventure, is now requesting a subdivision to divide the property, creating a separate lot in the R-1-20 zone and another lot encompassing the LI zoning district with access provided to 200 North Street. An additional two lots will be created along 200 North in the remaining General Commercial zone. The lot in the R-1-20 district exceeds the minimum 20,000 square feet lot minimum and 90 foot frontage requirement. The LI and GC zoning districts do not have a minimum lot size or frontage requirement, however it is necessary that each lot have access via ownership to a street. Thus a strip of ownership between Lots 403 and 404 has been provided for.

Chairperson Matthew Anderson opened the Public Hearing.

There were no comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Wilf Sommerkorn made a motion to recommend preliminary plat approval for Charly's Acres #2 Forth Amended Subdivision at approximately 2100 West 200 North for Terraventure Development. Tamara Tran seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 0.71 ACRES OF PROPERTY AT 2062 SOUTH 450 EAST FROM R-1-20 (SINGLE FAMILY RESIDENTIAL) TO THE R-1-14 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT – CASEY BROWN

Lyle Gibson explained that this property is located on the corner of Shepard Lane and 450 East. The property owner, Casey Brown, is requesting to rezone the property from the existing R-1-20 zoning designation to the R-1-14 zone with the hope to be able to subdivide the land into two lots

so that another home could be built on the southern portion of their land. Both the R-1-20 and the R-1-14 zones have identical permitted uses, conditional uses, setback requirements and lot frontage requirements. The difference between the two zones is the total lot size requirement. The minimum lot size in the R-1-20 zone is 20,000 square feet while it is 14,000 square feet in the R-1-14 zone. As part of the rezone application, the applicant has provided a concept plan showing the lot split. Shepard Lane is classified as a major street per the City's Major Street Plan in Section 8-3-2.

Chairperson Matthew Anderson opened the Public Hearing.

There were no comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Gary Bullock asked where the new home would take access of.

Casey Brown responded that it would take access off of 450 East. They are planning to build a single story home measuring at about 1,500 to 1,900 square feet in size. They will be moving into the new home, and will sell their existing home.

Gary Bullock asked if Mr. Brown's neighbors knew about his plans.

Casey Brown responded that he had spoken with all of his neighbors in the cul-de-sac and they didn't have a problem with it.

Matthew Anderson commented that he feels that this rezone request meets the requirements of the General Plan.

Tamara Tran made a motion to recommend approval of the request to rezone 0.71 acres of property at 2062 South 450 East from R-1-20 (Single Family Residential) to the R-1-14 (Single Family Residential) zoning district for Casey Brown. Thomas Wood seconded the motion and it passed unanimously.

PUBLIC HEARING AND REQUEST TO REZONE 4.1 ACRES OF PROPERTY AT 1480 WEST WILLOW DRIVE AND 1576 WEST 200 NORTH FROM R-1-20 (SINGLE FAMILY RESIDENTIAL) AND R-A (RESIDENTIAL AGRICULTURE) TO THE R-2 (ONE AND TWO FAMILY RESIDENTIAL) ZONING DISTRICT TO INCLUDE THE PRUD OVERLAY ZONE – ROBERT GREEN AND JAMES NEUNER (TABLED ITEM)

Lyle Gibson explained that at their December 13, 2018 meeting the Planning Commission held a Public Hearing and discussed this proposed project. The item has been re-noticed to include the overlay zone, which requires a new Public Hearing. In the previous meeting, the Planning Commission motioned to table the request so that it could be re-noticed with the PRUD overlay zone, and also to give the applicant time to address concerns expressed during the meeting. To this the applicant has proposed a development agreement setting some limitations and constraints regarding how the property would be developed. The developer and Staff have also been in touch with the Sewer District regarding the question of capacity and ability to serve the number

of units proposed. While a formal commitment to serving the proposed 37 units has not been given, the Sewer District has acknowledged that there is potential to connect into a sewer line to the east that has more capacity than the original anticipated route. This would require approval from UTA and the pipeline company to cross their easement and property. Another issue raised was regarding culinary water pressure. The city water department believes that there are not any issues with being able to provide adequate pressure to serve the proposed development. A draft development agreement has been put together and is being presented tonight.

Lyle Gibson said that some of the emails received mentioned restrictions on the Neuner property based on existing CCNRs. Mr. Gibson spoke with the City Attorney about this and was told that the City is not a party to those covenants and restrictions, therefore those covenants do not need to necessarily affect the decision being made. The Covenants are part of the Homeowners Association which is between the homeowners of the subdivision and the HOA.

Hugh Parke stated that he is a developer working with the Green and Neuner Families on this project. When they came before the Planning Commission previously, some of the biggest concerns mentioned were street alignments and sewer capacity. Further engineering would be done as this project progresses into a subdivision. They have spoken with the sewer district and were told that the sewer infrastructure was built to handle up to two units and acre in west Kaysville. With the Hill Farms Subdivision having been developed, their capacity is running above two units an acre. There is also more development going in along Angel Street and with that, the Angel Street line probably would not be able to handle a development of more than two units per acre. The sewer district mentioned that they could likely service their project if the developer were to find a way to connect the sewer lines over to Flint Street. There is an eight inch sewer line that runs from the Smith's Marketplace property that they might be able to tie into. It was installed in anticipation of potential future development to the north. Mr. Parke said that they had also contacted Tesoro as well as UTA, and both were amenable to go under their easements. Mr. Parke said that they would prefer to not pump the sewer lines for this project. Pumping the property wouldn't be financially viable for them. There has also been concerns expressed about the Tesoro pipeline that runs along here, including landscaping along their easement. In speaking with Tesoro they indicated that they prefer to only have sod planted on their easement, but have allowed some hard surfaces in some instances. Tesoro won't allow a parallel fence along their easement, so the development will be fenced around the perimeter with the exception of the east side. They have had the property staked and found that there are two sets of pipelines that run along here. The first pipe is about eight feet to the west of UTA's property line, and the other one is at about sixteen feet.

Thomas Wood asked about the concept plan being presented tonight.

Hugh Parke said that since the previous Planning Commission meeting, they have added a roundabout to help with access for emergency vehicles. There is still a lot of tweaking to do with this to make sure they meet all the setback requirements.

Tamara Tran asked about the proposed density and if they'd considered a lesser density.

Hugh Parke responded that they have planned for thirty-seven units which is about nine units per

acre. This property is a good location for this type of higher density housing. People are looking for smaller homes where they don't have to take care of a yard. The homes will help support the neighboring commercial and will also benefit the residents that live there.

Gary Bullock asked about secondary water for this development.

Lyle Gibson responded that the developer will need to verify that they can obtain water shares for these lots. That is typically done during the process of getting subdivision approval.

Gary Bullock asked about the ingress and egress of the subdivision, and if it'd be aligned with Mountain Vistas Road.

Hugh Parke said that they don't have survey data yet, but believes that it can be done.

Josh Sundloff asked about having a traffic study done to show what the potential impact of how this rezone might change traffic in the area. Having the data in front of us is better than having to make assumptions.

Thomas Wood said that the Commission had received many emails from the neighboring residents regarding this proposed development. In those emails they addressed several concerns and stated that they are primarily against this development for the following reasons: townhouses do not preserve the character of existing neighborhoods, two story townhouses sitting fifteen feet from existing properties does not preserve privacy, petroleum pipelines detract from a good living environment, traffic safety concerns from dead-end roadways, traffic safety concerns from vehicles entering and exiting the townhomes, lack of amenities, and the sewer collection system was not designed for high density housing.

Gary Bullock commented that he appreciated the emails because it's good to hear how the residents are feeling about these items.

Robert Green, the trustee of the Jay Green estate and youngest son of his, said that his dad owned a lot of the ground in this area and if he had not developed the land a lot of the neighbors here in the audience wouldn't be here tonight. When his uncle sold the property where the Smith's Marketplace is, many of the neighbors were strongly against its development. The commercial uses have definitely had an impact on the surrounding neighborhood as there are lights on and deliveries coming all day and night. As the owner of this property, he has been unsure of what would be the best use for the neighborhood and this property. Mr. Jake Garn sent out an email before the meeting to his neighbors about this request telling them what to say and how to say it. In that email it was mentioned that three Councilmen have already said that they'd vote against it. Mr. Green stated that he feels the emails from Councilman Garn were inappropriate. We all need to use common sense because we are here tonight to work it out. We just want to do what will work best here for the community and for the city. UTA has indicated that they plan to put in light rail in the next fifteen or twenty years along their easement here, next to the walking trail, and will need a stop here. That light rail will change the dynamics in this area. Mr. Green said that they had considered developing single family homes here but there isn't an interest for it. Nobody wants to build a large expensive home on a busy arterial street and next to busy

commercial uses.

Chairperson Matthew Anderson opened the Public Hearing.

Lisa Jones, the daughter of the Over's that live at 1488 West Willow Drive, said that this development will run right next to her parent's property and they will be the most impacted by this. They have a copy of the protective covenants for their subdivision which states that: "all lots in the subdivision shall be known and described as residential lots and no main structure shall be erected, altered, placed or permitted to remain on any residential lot other than a detached single family dwelling, not to exceed two stories in height and a minimum of two car attached garage." The Neuner's lot next door is proposed to be subdivided and will only be a negative impact to her parents. Their subdivision covenants also state that: "These covenants are to run with the land and shall be binding on all parties, successors or persons claiming under them for a period of twenty years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless no instrument is signed by a majority of the then owners of the lots and has been recorded changing said covenants in whole or in part." They were able to get a majority of signatures from the property owners in this subdivision stating that they wish for all of the lots to remain whole and intact, thereby preserving all existing homes quality and value. They have a binding contract here that those who bought in this subdivision felt protected by. Developing the Green's property is not what they have concern about, but rather it's the Neuner's property being subdivided is what they are against. The Green's have a right to develop their property, but the Neuner's should be bound by their subdivision covenants and excluded from this rezone request.

Paul Waldrop said that he was at the previous meeting where this was discussed and there are a few issues mentioned at that meeting that have not been addressed. The first is in regards to storm water runoff. Those that live on Seemore Drive often have their basements flooded when there is a big storm. Each home has a sump pumps which dumps the water into a storm drain. Then that water runs west into some containment ponds, but once those ponds fill up the water backs up into their basements. There is nowhere for that water to go and this problem needs to be addressed before we just add to the problem by developing this property. Mr. Waldrop added that the setbacks shown on this concept plan are incorrect. This high density housing development doesn't fit with the rest of the neighborhood. The city doesn't have a master plan of what types of developments will be built where in west Kaysville. We need to have a better idea of where these types of developments are most appropriate in the city before approving any more of them. We also need to have more than just a concept plan shown so that the neighbors know exactly what is being proposed.

Andy Springer said that he lives in west Kaysville and is concerned about potential pipeline leaks that could occur here. This is a very public area with many homes already built along the pipelines. It's only a matter of time before an incident occurs and we should do what we can to prevent more homes being built alongside them.

Gary Mumford said that he would have liked to have seen the property owners reach out to the surrounding neighbors regarding their development plans. The sewer capacity issue is very concerning. It has been mentioned that the city would like to start working on the General Plan

this fall. This development should be delayed until the Plan can be reviewed so we have some better direction of what to anticipate west of Flint Street. Approving townhouses here will be setting a precedent. Mr. Mumford said that he's heard that there are plans to run an aqueduct along the rail trail as well, and it doesn't seem that it would be appropriate to run a sewer system perpendicular to that water line aqueduct. Maintain the character of the existing neighborhoods by putting in a buffer to help with any negative impact these townhomes would have.

Randi Von Bose said that she is in favor of this development, as well as future high density housing developments in west Kaysville. Currently there are no similar high density housing located in west Kaysville, and there is a demand for it. On July 19, 2018 a group from the Utah Housing Gap Collation came to speak to the Kaysville City Council. They mentioned that there has been over a 304% increase in housing costs over the last twenty-six years. That far outpaces the national inflation rate of 3.22%. This points to an absolute need to change the course of the plans for the city and development of the remaining land. This development is a good start and will help to verify that we have the infrastructure needed. We need to be ready to make a change to allow for these developments. The east side of Kaysville shouldn't be the only area for high density housing. It should be available within the whole city.

Brandon Jones said that a rezone is a discretionary thing and the city is under no obligation to approve it. The General Plan says that areas west of I-15 are allowed a density of two units per acre, with the exception of properties along major streets where higher density could be considered. However, higher density doesn't seem to be compatible for this particular area. It would be helpful if the city created a map identifying areas where higher density housing might be considered. Having higher density housing is not necessarily a bad thing, but we need to know where the best places for it would be in the city. There needs to be more consideration of the entire city for these types of developments.

Lyle Gibson said that the city has a major street plan which indicates which streets would be considered as major streets. Those major streets are where there could potentially be higher density housing.

James David said that they live near this proposed rezone and they moved to this area because they wanted to live in single family neighborhood developments, and they liked the feel of the area. This proposal would be an extreme change to their neighborhood. It's possible that other properties in the area could also be proposed to be rezoned and subdivided but it would completely destroy the integrity of the neighborhood and significantly impact the neighbors. People have a right to develop their property, but when you move into a neighborhood you have a right to have your neighborhood preserved.

Tanya Bird said she lives just north of the Overs, and agrees with many of the comments made against this development tonight. When she first heard about this proposal she was told that there would only be eight single family homes on the property. Having thirty-seven homes here is just too high of density. Storm water is a big issue in the area because ground water levels are very high. During the process of the development of the Smith's Marketplace property she was very involved in the discussions between the developers, land owners and members of the city. Each group was very helpful and cooperative in that process. Ms. Bird said that her biggest

objection to this proposal is that there hasn't been due process with it. There has been not discussion with the neighbors and the developer. There are traffic concerns, as well as concerns with the lack of green space. Without the due process the final product will be significantly reduced. There are good results when the community is allowed to be involved. We do need more affordable housing, but this will encroach on the privacy of the adjacent neighbors. Those units that will sit closer to existing homes need to be treated differently than those that will abut 200 North Street.

Clark Steed said that he lives down the street from the Neuners and will be seeking an injunction against the Neuners if this is allowed to proceed. The development plan as it is currently written is wide open. If the residents in this development were to have an incident where they needed to get out there is only one access road. The Mountain Vistas Road is a much wider street than this one would be and there is no way that it would line up with it. There isn't any other highly inhabited areas abutting these major pipelines anywhere in the city. The number of units being proposed hasn't changed since the last Commission meeting where this was discussed and it seems that the developer doesn't not have the best interest of the city in mind.

Steve Einfeldt said that he lives in this area on 200 North and appreciates the comments being made, especially in regards to having a traffic study done. A complete traffic study needs to be done for this area. He has participated in three adhoc committees over the years and watched as the master plan was constantly changed. The master plan has always allowed for two units per acre in west Kaysville. Cluster developments are okay as long as you try to maintain that density because our services don't support the higher density. It is difficult for those living on 200 North to safely pull into traffic along this major street and have asked the city numerous times to do a traffic study of 200 North. Since the widening of 200 north, the residents no longer have parking along the street and this development will be in the same situation.

Allen Francis said that he lives on Flint Meadow Drive and supports Mr. Green in this opportunity to develop his property. However, the approach to the development has not been appropriate because requesting thirty-seven units does not fit into this area. There are other options which would help bring that number down and yet still allow for higher density housing. The developer needs to put together two or three other options for review so that the community can see what might be here in the future and provide some feedback. Let's make this something the whole community can get behind and support. Also, it seems that if a water culvert were to be built here, it would make it impossible for this developer to be able to tap into the sewer line over on the Smith's Marketplace property.

Elton Over said that he lives next door to the Neuners. If this project goes in like they are proposing it, these townhouses will be built right up against his backyard. There could be several townhomes behind his house. It will be an invasion of his privacy and negatively impact his property.

Spencer Luke said that he lives on Wilkie Street near here and it seems there hasn't been much substantial information given. If this development ties into the sewer line on the Smith's property, will it be able to handle the capacity from both properties? Every time Barnes Park is being watered their neighborhood has no water pressure. There won't be any for this

development either. Water pressure is not great with both culinary and secondary water. Can a fire truck turn around on these planned private streets? Also it's already hard for people to turn left onto 200 North. It will be hard for these residents to get out of their subdivision. These townhomes will be expensive and ownership will continuously turn over. They won't be considered affordable housing and won't add to the city's problem of not having affordable housing available.

Amy Jarman said she lives on the south side of 200 North in the Mountain Vistas neighborhood and are grateful that Jay Green developed their subdivision because it's a beautiful neighborhood. Ms. Jarman said that she's on their subdivision's HOA and is representing many of her neighbors that are against this development for all the reasons that people have already said. The amount of units being proposed is just too many for the area.

Brad Walters said that he's Jay Green's grandson and has no financial interest in this property. Mr. Walters said that he would like to see this approved because it meets the standards of the General Plan. High density housing is allowed along major streets. Mr. Walters said that as a business man he feels that thirty seven units is not enough. And as a father he is glad to see a development such as this being proposed because he'd like his children to have a place like this so they can live close by. Think of the facts rather than then feelings involved in this. Look toward the future and take the chance now to consider what goes there. Something much more impacting could be built here if this is denied.

Glenn Borders stated that while he sees this as a great piece of property to build on, what is being proposed is mass growth. Traffic is already busy along 200 North, especially at peak hours. If built, these townhomes will put many people into one small space. The culinary water costs have tripled since he moved here. They have been told that it's because of development in the area. Because these developers have built in the area, those already living here are paying the price. There won't be much green space here and no place for kids living here to play.

There were no further comments or questions from the public. Chairperson Matthew Anderson closed the Public Hearing.

Matthew Anderson asked about light rail being installed next to this property.

Lyle Gibson responded that he has only heard about it conceptually, but is not aware of any finite plans that it will be happening or when.

Wilf Sommerkorn said that he is involved with regional transportation with Salt Lake County and has a lot of interaction with UTA. He has heard nothing about extending light rail to the north, only south to Utah County. So far the only plans for Davis County is to increase runs for Frontrunner and adding higher capacity bus transportation.

Matthew Anderson said that he would like to know what kind of buffer would be installed to help mitigate this development from the commercial and rail trail to the east.

Tamara Tran asked if anyone has been interested in purchasing this property.

Hugh Parke said that they've had other developers look at possibly putting in larger lots here but have felt that half-acre lots would not fit in well here. Especially because of the lot's odd shape and encroaching easements. Large single family lots are just not conducive for this location.

Matthew Anderson said that the Green's property is not included in the CCNR's of the neighboring subdivision. The city also does not get involved when it comes to those CCNR's and whether this would be in violation of them.

Gary Bullock asked if Tesoro and UTA have agreed to grant them access to their easements.

Hugh Parke said that UTA and Tesoro have given them a checklist of what will need to be met in order to be permitted to encroach on their easement. Obtaining that approval takes about ten weeks and they haven't pursued a permit yet because they wanted to go through the rezone process beforehand. It is not uncommon for both entities to grant permits to access their easements in order to provide infrastructure services.

Tamara Tran asked if the developer would be willing to do only one story units for those homes that back up to the existing homes.

Hugh Parke said that one story townhomes don't seem to sell as well, but they would be willing to look into that option.

Wilf Sommerkorn commented that west Kaysville is almost built out and adding a development like this would be beneficial to the community. It fits within the General Plan and this is a good location for higher density. It seems from the comments made by neighbors that many of the residents would be okay with the higher density housing as long as the design was done correctly. Mr. Sommerkorn asked how many units per acre would be allowed within this density under a PRUD.

Lyle Gibson said that the PRUD ordinance speaks specifically to different zoning designations and how many units per square foot can be had. Under the R-2 designation it is 4,000 square feet per unit as allowed. However, the Planning Commission could limit the number of units allowed through the development agreement.

Gary Bullock commented that the state requires that the General Plan be reviewed every so many years because things are constantly evolving and changing. The current proposal would meet the requirements of the General Plan, however there is still some question about how many units would be most appropriate. Mr. Bullock said that he feels that thirty-seven units is too high for this property and doesn't seem to fit the space well. There needs to be some buffer installed and we need to address the problems with infrastructure. There are still a lot of concerns and questions to address. Mr. Bullock said that the developer needs to go to the community and help engage them and get them involved. He would like to see a revision of this plan showing a couple more options, as well as an architectural design of the units. These will not be considered low income housing and is a good location for this type of housing. It won't set a precedence because the city looks at each request on a case by case basis.

Tamara Tran said that she likes the idea of diverse housing and knows that it is needed, especially in west Kaysville. However, Mrs. Tran stated that she doesn't like the current design of the development and suggested showing other options for the layout of the lots. Thirty-seven homes seems like too many, especially with only having one access point out of the subdivision.

Gary Bullock commented that having more detailed drawings helps to alleviate some of the hesitancy of the neighbors and the Planning Commission. Mr. Bullock asked if there is a timeline for this. We also need a development agreement in place to have the assurance that the design we want will be the one that is built.

Josh Sundloff said that this could be very beneficial to the community. There have been similar developments that have added to the city and have brought wonderful people to the area. Higher density is a relative term. This is a higher density than what is typically in west Kaysville, but in relative terms thirty-seven units is not that dense. Right now all of our higher density housing is located east of I-15. This is less dense than many of the higher density subdivisions in east Kaysville. It makes sense to add more density in west Kaysville. With West Davis Corridor coming near here, the character of this area is changing. The demographics of Kaysville have and will change. There are some concerns with the infrastructure and providing utilities to this property, but all of those things can be addressed. Before this development is approved, a traffic study should be done for this project to see how this project might impact traffic in the area, as well as what the traffic would be if this were to stay in the same zone.

Thomas Wood said that the General Plan states that high density housing should be dispersed throughout the city. This project would be the first high density housing development on the west side of the city. The intent of the General Plan says that in areas such as this we are in need of this type of housing. Mr. Wood said that he is concerned about the amount of units being proposed for this property though.

Josh Sundloff asked if Kaysville's Police and Fire Departments had looked at this project yet.

Lyle Gibson responded that this development was mentioned during one of their meetings, but because this is just a concept plan it's hard for them to give feedback on it yet.

Tamara Tran suggested asking the developer for a more specific development agreement.

Wilf Sommerkorn stated that it seems that the Commission is okay with the concept of having higher density on this property, but would like to see more details about the project. Mr. Sommerkorn suggested tabling this item to ask the developer to come back with some alternative designs to review, possibly showing lower density and some buffering in those designs.

Josh Sundloff said that the Commission could also make a favorable recommendation to the Council with conditions outlined of what they would like to see for this development.

Hugh Parke said that they would prefer to have this item tabled for a few weeks to give them the opportunity to meet with the residents and those this might affect and get some feedback from

them.

Gary Bullock made a motion to table the request to rezone 4.1 acres of property at 1480 West Willow Drive and 1576 West 200 North from R-1-20 (Single Family Residential) to the R-2 (Single and Two-Family Residential) zoning district to include the PRUD overlay zone for Robert Green and James Neuner with the request that the developers provide other options to address possibly having a lesser density, provide architectural styles, showing additional green space and buffer options, and also having a traffic analysis done. Mr. Bullock also recommended that the developers meet with the neighbors to present these different options and obtain their feedback. Betty Parker seconded the motion.

Wilf Sommerkorn said that they will obviously have more traffic generated here, but how much will it impact the traffic along 200 North?

Gary Bullock said that he feels that the developer shouldn't be imposed to do a full-scale traffic study, but instead should work with city Staff to get a general idea of traffic along 200 North now and how they see it in the future based on historical data and future projections.

Josh Sundloff said that he feels it worth spending the money to have a full study done so we can see the data and make a more informed decision.

The Planning Commission voted unanimously on the motion.

CALL TO THE PUBLIC

A member of the audience asked about Title 17-34 and how this Green property development would be preserving the character of the existing neighborhood.

Josh Sundloff commented that preserving the character is very subjective because it's hard to define what the character of a neighborhood is and whether a project changes it.

A member of the audience asked about parking in the project.

Gary Bullock said that it will be addressed further into the review of the subdivision process.

REPORTS

Tamara Tran asked about creating a mixed use zone.

Lyle Gibson responded that it is currently being reviewed and discussed by city Staff. Staff hopes to have something to present to the Planning Commission in a future meeting.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, January 24, 2019 at 7:00 p.m.

ADJOURNMENT

Gary Bullock made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 10:24 p.m.