

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

May 28, 2020

Planning Commission Members Attended: Chairperson Wilf Sommerkorn, Vice Chairperson Joshua Sundloff, Steve Lyon, Toby Barrus, Quan Nguyen, Jared Doxey, Scott Hess.

Staff Present: Lyle Gibson, Dan Jessop, Heather Nielsen

Public Attendees: Abbigayle Hunt, Russel Lasson, Matt Howes, Matt Hill, Amy Headlee, Marci Preece, Megan Fink, Rose Coleman, Jennifer Ford, Chase Freebairn, Jennifer Spjut, Megan Murray, Christy Barton, Jared Carter, Sam Browning, Cal and Udy, Jared Bagner, Tyler Briggs, Jon Croasmun, Kim Nuttal, Jen Johns, Justin Humphrey, Brigham Yates, Rustin Jessen, Heather Eaton, Tammy Tran, Andre Lortz.

OPENING

The Planning Commission meeting was held on Thursday, May 28, 2020 at 7:00 p.m. via online Zoom Meeting. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present.

The minutes of the May 14, 2020 meeting were presented for approval. Steve Lyon made a motion to approve the minutes. Quan Nguyen seconded the motion and they were unanimously approved.

It was noted at the beginning of the meeting that consideration of final plat for phases 2-4 of the Orchard Ridge Subdivision would be tabled to a future meeting at request of the applicant.

PUBLIC HEARING FOR THE REZONE OF 1.47 ACRES OF PROPERTY LOCATED AT 1413 WEBB LANE FROM THE R-1-20 (SINGLE FAMILY RESIDENTIAL) TO THE R-1-14 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT TO INCLUDE THE PRUD OVERLAY ZONE FOR MIKE AND KEESHA HARDIN.

Lyle Gibson explained that several comments have been made regarding this rezone and forwarded to the Planning Commission. Lyle Gibson went on to explain that the subject property exists as a single flag lot currently with one home on nearly 1.5 acres of ground. The applicant is requesting a rezone to the property to give more flexibility with possible future development.

The difference between the R-1-20 and requested R-1-14 is the minimum lot size allowed where the R-1-20 requires lots of at least 20,000 sq. ft. in size and the R-1-14 allows lots to be 14,000 sq. ft. in size or larger. Both the R-1-20 and R-1-14 have the same allowed uses, same height, and same setbacks. R-1 Zoning: (KCC Chapter 17-12)

The PRUD overlay zone is being requested in connection with the R-1-14 to allow for flexibility in developing the property. The concept provided by the applicant indicates a lot on the far south end of the property which would most likely be accommodated as a flag lot subdivision. This would make the existing single flag lot into a double flag lot where the access driveway would be encompassed by two 18 foot wide flag stems to access the lots. If the zoning moves forward and the type of development is desirable the final details of this would be confirmed through the subdivision process. Final application of the PRUD overlay zone would take effect only after approval of an acceptable final plat.

As a rezone, this decision should be looked at based on its compatibility with the City's General Plan and how well the proposed development allowed by the zoning district fits at the specific location.

Chairperson Wilf Sommerkorn invited the applicant Michael Hardin to speak. Mr. Hardin said that he was looking to build a single family home on the lot behind them. Chairperson Wilf Sommerkorn asked Lyle Gibson if they allow the rezone to go through can it allow for more density to be built there. Lyle Gibson said yes, it could accommodate up to four houses.

Chairperson Wilf Sommerkorn opened the public hearing.

Cal and Udy asked why Mr. Hardin has not provided a plan showing what he intends to do with the lot if rezoned. Lyle Gibson said that under a rezone they do not need to submit a plan for development.

Megan Murray, Sam Browning and Jennifer Spjut asked Lyle Gibson how many homes could be built on the property if the Hardin's were to demolish the house and sale the entire property. Lyle Gibson again said that it could only hold four homes due to the flag lot building code restrictions.

Christy Barton is concerned about extra traffic on Webb Lane. She wants a development agreement written up that states only one home would be built on the additional lot. Mrs. Barton asked Lyle Gibson if there was a way they could create the flag lot and have it remain in the R-1-20 zone-scratching the entire rezone. She would like to make sure that the 20 square feet needed to remain in the current zone isn't there with a survey

Jared Carter was concerned because his property butts right up to Mr. Hardin's. He asked the Planning Commission how a home could be built on the lot with the current stream easement. He told the commission that the stream floods every spring and wanted to make them aware.

Megan Murray also wanted to have a development agreement written up stating that they would only build one house on the lot.

Chairperson Wilf Sommerkorn closed the public hearing.

Chairperson Wilf Sommerkorn said he would like to see more detail and an official survey showing the lots dimensions because perhaps this flag lot could be done in an R-1-20 zone.

Quan Nyguen asked if they could set limitations on this lot limiting it to only one single family house. Chairperson Wilf Sommerkorn said that could be something they could do.

Jared Doxey said he would also like to have the measurements verified to see if this could be done in the R-1-20 zone. He said it was better to measure twice and cut once.

Scott Hess made a motion to forward a favorable recommendation to the Kaysville City Council the rezone of 1.47 acres of property located at 1413 Webb Lane from the R-1-20 (Single Family Residential) to the R-1-14 (Single Family Residential) zoning district to include the PRUD overlay zone for Mike and Keesha Hardin. Josh Sundloff seconded the motion. The voting was as follows:

Scott Hess: Aye
Steve Lyon: Aye
Toby Barrus: Aye
Quan Nyguen: Nay
Vice Chairperson Josh Sundloff: Aye
Jared Doxey: Nay
Chairperson Wilf Sommerkorn: Nay

The motion passes with four Aye's to three Nay's.

PUBLIC HEARING FOR THE REZONE OF APPROXIMATELY 10 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1700 SOUTH 550 WEST, FROM THE R-A (RESIDENTIAL AGRICULTURE) AND A-5 (HEAVY AGRICULTURE) ZONES TO THE R-1-6 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT FOR IVORY HOMES.

Lyle Gibson explained that Ivory Homes is interested in a rezone at the subject property to establish a level of confidence for future development such as the concept included with this report.

Roughly 3 acres of the subject property is currently zoned A-5, where the remainder is located in the R-A zoning district. The existing zoning would allow for development of 2 units per acre with some agricultural rights in the R-A zone while the property zoned A-5 could not be further subdivided.

The requested zoning would allow for single family development with lots as small as 6,000 sq. ft. in size. The concept provided by the applicant would ultimately require the approval of the PRUD overlay zone as well in order to create a common open space subdivision on private streets that would also allow for some flexibility in the final lot size.

Kaysville City has for several years indicated to those interested in developing this area that additional access would be needed into and out of the area before development occurs. The applicant is aware of this concern, but with the anticipation of the West Davis Corridor and the

extension of Angel Street in the near future, they hoped to establish the base zone now and expect to come back at a later date once the access is resolved to work through the specific details of the development through the subdivision process and PRUD overlay zone if they receive the green light with the current request.

For now the Planning Commission is considering only the R-1-6 zoning district which is regulated through KCC Chapter 17-12.

As a rezone, this decision should be looked at based on its compatibility with the City's General Plan and how well the proposed development allowed by the zoning district fits at the specific location.

Chairperson Wilf Sommerkorn invited Ivory Homes Chase Freebairn to talk about this development.

Chase Freebairn said this subdivision would be a few years out for development since there are roads that need to be put in before they can develop. Ivory Homes would like to get the zoning in place so that they can start on the planning. They would also add an HOA to the subdivision for snow removal.

Jared Doxey said that he is worried about the density of this development and feels that it is too extreme.

Quan Nyguen asked the developer if Ivory Homes would be willing to change the density of the subdivision to put in less homes since it is such a drastic change from the surrounding subdivisions. Mr. Freebairn said that they would like the commission to vote on the request before them and that they have built these types of subdivisions all over Utah and they have turned out really well.

Chairperson Wilf Sommerkorn said, if they can't move forward with developing this subdivision without the streets being built first why are they trying to rezone this property now. Why don't they wait to make sure that the streets will be developed?

Chairperson Wilf Sommerkorn opened the public hearing.

Russell Lasson said that this rezone seems premature especially with the general plan being amended this year. The roads needed should be at least started before a subdivision and rezoning are considered.

Matt Howes was concerned because the current plan shows the only outlet road going onto Seabiscuit. He said this was too much traffic to add.

Matt Hill, Amy Headlee and Megan Fink said this subdivision was way too dense. They were worried that the traffic would be too much for the side roads to handle.

Rose Coleman said that Kaysville City is not ready for a dense development like this. She was worried about adding 56 more homes to the already tight sewer system.

Jennifer Ford said that they bought her current house under the impression that this area would never be developed due to the sewer land. She also seconded the notion that the increased traffic would be a burden on the neighborhood.

Jason Gagner said that he felt this subdivision would impact home values. It would also increase the overcrowding at the local school.

Tyler Briggs said he was also concerned with the increase in traffic.

Jon Croasmun, Kim Nuttal, Rose Coleman and Jen Johns said that the subdivision plan was too dense and that they were concerned about the increase in traffic as well.

Justin Humphrey and Brigham Yates said that it was too early to approve this development and that the rezone should be denied.

Chairperson Wilf Sommerkorn closed the public hearing.

Jared Doxey said that this area will be developed one day and that he is okay with that however, this subdivision plan is too drastic. The density is too high.

Toby Barrus also agreed that this plan was too dense. He also wants to wait until the roads are built.

Chairperson Wilf Sommerkorn seconded the idea that this project was too dense. He said that higher density does not equate to affordable homes. These homes are smaller but still very expensive.

Vice Chairperson Josh Sundloff said that he would like to wait until the general plan is further along.

Jared Doxey made a motion to recommend denial to the Kaysville City Council the rezone of approximately 10 acres of property located at approximately 1700 South 550 West, from the R-A (Residential Agriculture) and A-5 (Heavy Agriculture) zones to the R-1-6 (Single Family Residential) zoning district for Ivory Homes. Josh Sundloff seconded the motion and it was unanimously passed.

PUBLIC HEARING FOR THE REZONE OF 2 ACRES OF PROPERTY LOCATED AT 711 EAST CRESTWOOD ROAD FROM THE R-1-8 (SINGLE FAMILY RESIDENTIAL) TO THE A-1 (LIGHT AGRICULTURE) ZONING DISTRICT FOR RUSTIN JESSEN.

Lyle Gibson said that the subject property is approximately 2.04 acres and Justin has requested to rezone from R-1-8 to A-1. The rezone is to allow the owner more ability to use the property for agricultural purposes.

The existing R-1-8 zone is primarily for single family residential lots on 8,000 sq. ft. of property or larger. The requested zone still allows for single family residential use, but has more

agricultural allowances and requires a lot of at least 40,000 sq. ft. in size.

Chairperson Wilf Sommerkorn invited the applicant Rustin Jessen to speak. Mr. Jessen said he wants to start producing his own food and perhaps sell the extra produce on his property. He would also like to have a rooster for his chickens.

Scott Hess asked Mr. Jessen if he talked to the neighbors about the rooster. Mr. Jessen said that he had spoken with his neighbors and that they were okay with it.

Chairperson Wilf Sommerkon opened the public hearing.

Heather Eaton, a neighbor to Mr. Jessen said she was concerned about him up keeping the property because in the past he has struggled to upkeep the park strip on his property.

Chairperson Wilf Sommerkon closed the public hearing.

Steve Lyon made a motion to forward a favorable recommendation to the Kaysville City Council the rezone of 2 acres of property located at 711 East Crestwood Road from the R-1-8 (Single Family Residential) to the A-1 (Light Agriculture) zoning district for Rustin Jessen. Quan Nyguen seconded the motion and it passed unanimously.

FINAL PLAT FOR PHASE 1B OF THE ORCHARD RIDGE SUBDIVISION LOCATED AT 1406 HWY 89 FOR OVATION HOMES AND COMPASS DEVELOPMENT.

Lyle Gibson said this property which is located at the far north east corner of Kaysville City was annexed into Kaysville and received preliminary plat approvals in early 2019. Phase 1 of the development has been under construction and the development team is preparing to start development of phase 1B and have requested that consideration of phases 2 – 4 be tabled to a future date.

Phase 1B contains 9 lots which all front Orchard Ridge Lane which is to be extended eastward until reaching the Weber Basin aqueduct. All curb, gutter, and sidewalk improvements around each lot will be completed with this phase and utilities will be stubbed to the south, some of the asphalt improvements will come with phase 2 based on coordinating work around the aqueduct easement.

Quan Nyguen made a motion to approve the Final Plat for Phase 1B of the Orchard Ridge Subdivision located at 1406 HWY 89 for Ovation Homes and Compass Development. Steve Lyon seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought forward from the public to the Planning Commission.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, June 11, 2020 via Zoom Meeting.

ADJOURNMENT

Scott Hess made a motion to adjourn the meeting. Steve Lyon seconded the motion and it passed unanimously. The meeting adjourned at 10:35pm.