

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, February 22, 2017**

3 **7:00 p.m.**

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
6 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

7
8 **MEMBERS PRESENT**

9 David Hirschi, Chair

10 Logan Johnson

11 Cheylynn Hayman, Vice Chair

12 Kathy Helgesen

13
14 **MEMBERS ABSENT**

15 Kevin Daly

16 Gina Hirst

17 Becki Wright

18
19 **STAFF PRESENT**

20 Emily Hatch, Recording Secretary

21 Lisa Romney, City Attorney

22 Cory Snyder, Community Development Director

23
24 **VISITORS**

25 Interested citizens (see attached sign-in sheet)

26
27 **PLEDGE OF ALLEGIANCE**

28
29 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Hayman

30
31 **MINUTES REVIEW AND APPROVAL**

32
33 The minutes of the Planning Commission meeting held February 8, 2017 were reviewed
34 and amended. Commissioner Hayman made a **motion** to approve the minutes as amended. The
35 motion was seconded by Commissioner Helgesen and passed by unanimous vote (4-0).

36
37 **PUBLIC HEARING – GENERAL PLAN TEXT AMENDMENT, SOUTHEAST**
38 **NEIGHBORHOOD PLAN (Originally tabled at the January 25 Planning Commission) -**
39 **Consider a proposed General Plan Text Amendment regarding the future residential**
40 **density allowances in the Southeast Neighborhood [Neighborhood 1] – Centerville City**
41 **Council, c/o Mayor Paul Cutler, Applicant.**

42
43 Mr. Cory Snyder, Community Development Director, provided some background
44 information and updates on this issue. He reminded the Commission that the area encompassed

1 by the Southeast Neighborhood Plan is the area south of Parrish Lane and east of Main Street, to
2 the southern city limits. The City Council and Planning Commission had previously set a goal to
3 revise the neighborhood plan, which included looking at the issue of the Pages Lane Commercial
4 Area (the previous location of Dick's Market) and what can be done to redevelop this area. In
5 addition, there was a need to address recent trends for multi-family development. In the past,
6 citizens of the Southeast Neighborhood had expressed concerns at the impact of multi-family
7 residences on single-family neighborhoods.

8
9 Mr. Snyder said that the discussion of the Southeast Neighborhood Plan has been broken
10 into two segments for discussion: the first being the residential neighborhood and future changes
11 to this area; the second being a discussion about Pages Lane and Main Street, to take place at a
12 joint work session between the City Council and the Planning Commission, tentatively scheduled
13 for March 21. Mr. Snyder reminded the Commission that tonight's scheduled discussion is to
14 review the changes made to preliminary edits that took place prior to the the Planning
15 Commission meeting of January 25, and the updates, responses, and changes made after input
16 received on this date.

17
18 Mr. Snyder said that his perception of the overall sentiment of the January 25 meeting
19 was a desire to recognize that medium-density residential areas, both single-family and multi-
20 family and zoned as either R-1-8 or R-1-10 under previous Zoning Ordinances, had been, in the
21 past, on the low-end of the medium-density area. The Commission wanted to recognize the
22 existence of these areas as well as the potential for areas to be zoned as such in the future. The
23 language of the Plan has been updated to specifically reference medium-density, single-family
24 residences for future developments.

25
26 The second update discussed by Mr. Snyder was made in response to the difficulty posed
27 by the Old Townsite of Centerville, which is also part of the Deuel Creek Historic District;
28 however, the boundaries of the two areas don't align. The name of the Old Townsite area was
29 reinstated, and a new section has been created to address the Deuel Creek Historic District within
30 the Old Townsite.

31
32 Mr. Snyder said that the third update specifies that the area known as the Residential
33 Boulevard District along Main Street, which includes Centerville Junior High, the Riviera
34 Townhouses, and the Courtyard at Pages Lane, is part of the South Main Street Corridor Plan.

35
36 The final update discussed by Mr. Snyder was an addition to the Plan regarding the East
37 Foothills Section. The Commission expressed a reluctance, in previous meetings, to discuss
38 foothill development. The Plan now details the existence of this foothills area and references the
39 Foothill Management Plan, which states that this area is not to be developed at this time and will
40 not be developed unless certain terms and conditions are met.

41
42 Chair Hirschi opened the public hearing at 7:16 pm.

1
2 Seeing no one with any questions or comments, Chair Hirschi closed the public hearing
3 at 7:17 pm.

4
5 Chair Hirschi requested a change in the wording of Section 12-480-2, at the start of the
6 third paragraph. He asked that the phrase “the desire of the Southeast Neighborhood” be changed
7 to “the desire of the Southeast Neighborhood community.”

8
9 Commissioner Hayman requested a change in the wording of Section 12-480-2, at the
10 start of the first paragraph. She asked that the phrase “is currently experiencing a decline” be
11 changed to “has experienced a decline.”

12
13 Chair Hirschi asked that a phrase in part b, subparagraph 3, under Centerville Deuel
14 Creek Historic District, be changed from “other elements reflecting” to “other elements which
15 reflect.” Chair Hirschi also asked that a phrase in subparagraph 4 of the same section be changed
16 from “is to be prohibited” to “is prohibited,” in order to be consistent with the phrasing used in
17 other places in the Plan.

18
19 Commissioner Hayman expressed her appreciation of the addition of medium-density
20 single-family residential housing to the plan, as that resolves her concern of limiting it to low-
21 density, single-family housing. She then asked why part a, subparagraph 3, contains the only
22 specific reference to non-single family residential development. Mr. Snyder responded that this
23 is also specified in the Deuel Creek Historic District section, and that the other areas already
24 have multi-family residences. The Plan lists non-single family residences in the Old Townsite
25 and Deuel Creek Historic District sections since it is planned to keep these areas as single-family
26 residences only.

27
28 Commissioner Hayman asked Mr. Snyder why, in part c of the Plan, which details the
29 Centerville Elementary Area, the word “immediately” was added to the description of the area,
30 which now states “The residential area immediately around the Centerville Elementary
31 School...” Mr. Snyder said that there are multi-family areas on Parrish Lane and down to City
32 Hall. The addition of the word “immediately” was an attempt to be clear that the area
33 immediately around the school is limited to single-family residences, but this does not include
34 everything around the school. Chair Hirschi asked if the word “adjacent” would improve the
35 clarity, but Mr. Snyder said this would not be accurate, since this extends beyond the property
36 immediately adjacent to the school. Commissioner Hayman asked that, in addition to using the
37 word “immediately,” the phrase “for example” be added to the sentence starting with “A number
38 of duplexes have been built,” in order to give more information as to what is meant by the area
39 *immediately* around the school. Mr. Snyder agreed, and also suggested the word “immediately”
40 be changed to “surrounding.” Commissioner Hayman suggested the word “near” instead of
41 “immediately around.” to which Mr. Snyder agreed. Mr. Snyder then gave some context
42 around the zoning of this area. Almost two years ago, the previous City Council made a motion

1 to revisit this R-M area of the Plan. The new City Council, which took over soon after, reversed
2 this. Mr. Snyder said he wrote this section of the Plan based on the actions of the new Council,
3 which did not see a need to place this R-M area into a non-conforming status, and so has left this
4 area as R-M.

5
6 Commissioner Helgesen asked that, in line 3 of part d, where it states, “The ‘Riviera
7 Townhouses,’ one of the highest density residential development in this neighborhood and is
8 located...,” the word “is” be removed. Commissioner Hayman said removing the word “and”
9 before “is located” would have the same affect. Mr. Snyder agreed to the latter suggestion. Chair
10 Hirschi asked that a comma be added after the word “neighborhood,” so it now states, “The
11 ‘Riviera Townhouses,’ one of the highest density residential development in this neighborhood,
12 is located...”

13
14 Commissioner Hayman said, that in the same section, where the Plan states, “The
15 developed areas north and east of the junior high are all low density single family,” is incorrect.
16 This should be low or medium density single family. Mr. Snyder agreed, and noted that this had
17 been missed in his most recent edits.

18
19 Commissioner Helgesen asked that, in subparagraph 2 of part d, where it says, “New
20 future or redevelopment, from Porter Lane to Pages Lane, is to done in accordance with the
21 expectations...,” the word “be” should be added before “done.” Chair Hirschi asked to remove
22 the commas around “from Porter Lane to Pages Lane.” Commissioner Helgesen also asked that
23 the word “done” be removed.

24
25 Mr. Snyder said that he attempted to, with the new edits, remove the “shall” issues, so
26 there is an expectation without an implementation of the ordinance.

27
28 Commissioner Helgesen made a **motion** for the Planning Commission to recommend the
29 General Plan Amendments of the Southeast Neighborhood Plan, as amended by the Planning
30 Commission, for the following reasons. Commissioner Hayman seconded the motion.

31
32 ***Reasons for the Action:***

- 33
34 a) The Planning Commission finds that a decision to amend the General Plan is a matter
35 within the legislative discretion of the City Council as described in CZC
36 12.21.060(a).
37 b) The Planning Commission finds that Centerville City has a strong desire to maintain a
38 low density single-family environment as described in the General Plan Element,
39 “Residential Development” – Section 12-420.
40 c) The Planning Commission finds that the residential areas of the Southeast
41 Community are primarily single-family residential and should be afforded the general
42 plan polices of maintaining this style of housing.

- 1 d) The Planning Commission finds that historical single-family development in the
2 Community (e.g. R-1-8 Zoning) also falls within Medium Density for residential
3 development.
4 e) The Planning Commission finds there are still opportunities along the collector and
5 arterial streets to accommodate future housing needs, such as the redevelopment of
6 the Pages Lane Commercial area and along the Main Street commercial corridor.
7 f) The Planning Commission finds that these areas have yet to be reviewed in the
8 second phase of the neighborhood plan that will come after this first phase.
9

10 Commissioner Johnson said he appreciates all of the work and edits that have been done
11 with regards to this Plan. However, the general prohibition of high-density housing throughout
12 the language in the edits is something he said he cannot support, and wanted to be sure his
13 concerns were voiced. He said he believes this prohibition harms the long-term fiscal
14 sustainability of the City and hampers property rights and development options. Chair Hirschi
15 said he shares some of these concerns, and there may be an opportunity to revisit this issue when
16 discussing other areas in the City or when discussing the commercial areas of the City.
17

18 Chair Hirschi asked that, in reason d for the recommendation, the word “the” be
19 removed, so the reason states, “falls within Medium Density for residential development.”
20 Commissioner Helgesen said she accepted this change as part of her motion.
21

22 A roll-call vote was taken and the motion passed 3-1, with Commissioner Johnson voting
23 against the motion. Chair Hirschi said that the Plan, as amended, will be recommended to the
24 City Council. Chair Hirschi further commented that the City Council has the opportunity to
25 modify the recommendation, start over, or anything else, as this is a legislative action.
26

27 **TRAINING ON UTAH OPEN AND PUBLIC MEETINGS BY CITY ATTORNEY**
28 **LISA ROMNEY**
29

30 Lisa Romney, City Attorney, provided training on the Utah Open and Pubic Meetings
31 Act, as is required to be provided annually for each public body of the City. She informed the
32 Commission that state auditors are now required to check agendas and meetings notices for
33 compliance with the Utah Open and Public Meetings Act.
34

35 Ms. Romney presented to the Commission nine slides discussing nine rules for the
36 Planning Commission to follow regarding open meetings and compliance with statutory
37 provisions.
38

39 Ms. Romney said that Rule #1 is the most important, and one that the Planning
40 Commission should keep in mind. The purpose of the City is to conduct the people’s business.
41 Ms. Romney noted that political subdivisions exist solely to aid in the conduct of the people’s
42 business and therefore all actions and deliberations of the Planning Commission should be open

1 to the public. This allows the public to see how the Planning Commission is making decisions
2 and why.

3
4 Rule #2 states: All meetings are open unless lawfully closed. Ms. Romney further
5 explained that all meetings of the Planning Commission should be open, unless closed for
6 reasons allowed by law. The Planning Commission does not go into closed sessions often, but
7 Ms. Romney said she can provide more information and advice if and when the Planning
8 Commission needs to go into a closed session. Some examples of when this may occur are if the
9 Commission were to discuss the sale or purchase of property, pending or reasonably imminent
10 litigation, or to discuss security or safety matters.

11
12 Rule #3 states: A quorum must be present to conduct business. A quorum of the Planning
13 Commission is four members. Thus, there must be four members present to hold a Planning
14 Commission meeting, though it is preferable to have as many members of the Planning
15 Commission present as possible for diversity of opinions.

16
17 Rule #4 states: Agenda items must be listed with reasonable specificity. All agenda items
18 must be described with reasonable specificity for the benefit of the public to know what topics
19 will be discussed. Ms. Romney said the City does a good job of providing detailed agenda items
20 on Novus Agenda. She also noted she likes the addition of the "decision type" that has been
21 recently added to the Planning Commission agendas, indicating whether agenda items involve
22 legislative or administrative decisions.

23
24 Rule #5 states: No action can be taken if an item is not listed on the agenda. Ms. Romney
25 noted that topics raised by the public may be discussed if they are not on the agenda, but no final
26 action may be taken on such items. The reason for this is to let the public know what is going to
27 be discussed, so relevant parties may be present, including the applicant and the developer. This
28 also serves to let Staff plan ahead and be prepared for items to be discussed.

29
30 Chair Hirschi asked if it is acceptable to discuss the historical context of something not
31 specifically listed on the agenda so long as no action is taken. Ms. Romney said it is fine to ask
32 for information in order to stay informed, as long as no action is taken. However, this becomes
33 problematic if the discussion is about a specific applicant or a pending application. In these
34 cases, the applicant should be notified of the discussion and provided an opportunity to be
35 present. Ms. Romney assured the Commission that she will speak up if a discussion ever crosses
36 the line of what is allowed.

37
38 Chair Hirschi also asked if it is acceptable to inquire as to the status of an issue. Ms.
39 Romney said it is fine to ask questions to stay informed, but it is best not to discuss details or
40 anything of substance.

41

1 Rule #6 states: Written minutes and a recording of all open meetings is required. Written
2 minutes and a recording shall be kept for all open meetings. The minutes are the official record
3 of the meeting and need to accurately reflect the discussion, conditions, and amendments made
4 by the Planning Commission. Recordings must be available within three days of the meeting,
5 though the City tries to make them available the next day, if requested. Written minutes must be
6 available three days after approval and retained permanently. Preliminary minutes must also be
7 made available and must be marked as a draft.

8
9 Rule #7 states: The Commission can only go into closed meeting for reasons allowed by
10 law. Ms. Romney noted that this item had already been discussed as part of Rule #2 and moved
11 on.

12
13 Rule #8 states: All closed meetings must be recorded, unless the meeting is to discuss
14 items such as the professional competence of an individual, the health of an individual, or
15 security matters. In these cases, the Chair of the Planning Commission must sign an affidavit to
16 swear that nothing else was discussed.

17
18 Rule #9 states: Members should not send each other electronic messages during a
19 meeting, as all communication and deliberation needs to be on record. Ms. Romney also asked
20 the Commissioners to be mindful of public perception when Commission members are focusing
21 on their electronic devices during meetings.

22
23 Chair Hirschi thanked Ms. Romney for her presentation, and encouraged everyone to
24 look at the handouts provided regarding open and closed Meetings.

25
26 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

27 1. Items scheduled for March 8, 2017:

- 28 • Parrish Creek Business PDO (Park Planned Development) Overlay Re-Zone and
29 Conceptual Site Plan
30 • Legacy Trails Amended PDO and Conceptual Site Plan
31 • Pizza Hut Conceptual Plan
32 • Conditional Use Permit, Auto Sales
33 • Legacy Commons PDO and Master Plan Project
34

35 **CITY COUNCIL ACTIONS REPORT**

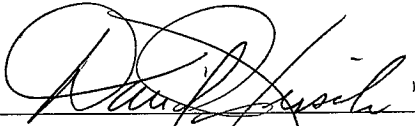
36
37 Mr. Snyder reported to the Commissioners recent actions taken by the City Council.

- 38 • **February 21, 2017:** Rezone for Johnson subdivision
39 **Motion:** Approved
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41 Chair Hirschi made a **motion** to adjourn. Commissioner Johnson seconded the motion,
42 which passed by unanimous vote (4-0).

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The meeting was adjourned at 7:59 p.m.



David Hirschi, Chair

4-8-2017
Date Approved



Emily Hatch, Recording Secretary

