

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 Wednesday, June 14, 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 Kevin Daly

11 Kathy Helgesen

12 Logan Johnson (Excused at 8:10 p.m.)

13 Becki Wright

14
15 **MEMBERS ABSENT**

16 Cheylynn Hayman

17 Gina Hirst

18
19 **STAFF PRESENT**

20 Lisa Romney, City Attorney

21 Cory Snyder, Community Development Director

22 Cassie Younger, Assistant City Planner

23 Luanne Hudson, Recording Secretary

24
25 **VISITORS**

26 Interested citizens (see attached sign-in sheet)

27
28 **PLEDGE OF ALLEGIANCE**

29
30 **OPENING COMMENT/LEGISLATIVE PRAYER** – Commissioner Wright

31
32 **MINUTES REVIEW AND APPROVAL**

33
34 The minutes of the Planning Commission meeting held May 24, 2017 were reviewed and
35 amended. Commissioner Helgesen made a **MOTION** to approve the minutes as amended. The
36 motion was seconded by Commissioner Daly and passed unanimously (5-0).

37
38 **PUBLIC HEARING – ZONE MAP AMENDMENT, LEGISLATIVE DECISION,**
39 **Consider the proposed Zoning Map Amendment for the property at 2026 North Main,**
40 **Parcel number 07-073-0067, from Agricultural-Low (A-L) to Residential-Low (R-L). Chad**
41 **Morris, Applicant**

42
43 Assistant City Planner Younger reported on the request for the Zoning Map Amendment
44 from A-L to R-L. She said the zone change will facilitate development of the one-acre parcel
45 into four (4) lots. She said the property is located in the Hillside Overlay District and will need
46 to be carefully graded. She said the lot is surrounded by R-L Zoning to the east, and switching to
47 R-L is not out of character with the surrounding community. She said Staff recommended
48 approval of this request, but mentioned that the site currently contains a significant sites home.

1 She said the developer has indicated he will keep the historic home and build three other houses
2 on the lot, however, she said that is not guaranteed.

3
4 Commissioner Wright asked if the City has any recourse if the developer decides to
5 demolish the significant sites home. City Attorney Lisa Romney said if the developer decides to
6 demolish the house, the City cannot prevent the demolition, but there is an ordinance that allows
7 a delay of the permit for up to 60 days to provide the Landmarks Commission time to document
8 the historic asset.

9
10 Commissioner Daly asked Staff if backing onto Main Street is a concern, about access to
11 the lots, and about how the houses would be oriented. Mr. Snyder said the single-family
12 development ordinance provides for driveways to be used for backing out onto public streets and
13 he anticipates access for this development coming from 2050 North. He says Main Street is a
14 UDOT controlled road and UDOT honors existing access points but only approves new ones
15 under rare circumstances.

16
17 Chair Hirschi invited the applicant to speak and asked him to address the road access
18 question. Michael Derosa said he works with Chad Morris and is here to speak for the project.
19 He said they have yet to determine how the homes will be oriented, but they have thought about
20 requesting an easement to gain access to 2050 North. He said if they could use the curb cut on
21 Main Street, it would be beneficial to the project. He said they have no plans to demolish the
22 historic home.

23
24 Chair Hirschi opened the public hearing at 7:16 p.m. No members of the public came
25 forward. Community Development Director Snyder reported on a phone call he received from
26 the public. The caller did not leave a name but expressed discomfort with putting 4 homes on the
27 one-acre lot and had a preference for only 2 or 3 homes, in order to maintain the larger lot sizes
28 and agricultural nature of the area.

29
30 Seeing no one else wishing to comment, Chair Hirschi closed the public hearing at 7:18
31 p.m.

32
33 Chair Hirschi asked the applicant to respond to the caller's question about lot size. The
34 applicant answered they will abide by the Residential-Low (R-L) code regarding lot size. He said
35 the City's master plan for that neighborhood is R-L and concluded that their development will
36 bring the area into compliance with what the City envisions for that area. The applicant said
37 Chad Morris has talked with neighbors and their feedback was positive.

38
39 Commissioner Johnson said he thinks this request for a zoning change to R-L is
40 consistent with the City's plan for the area. He made a **MOTION** for the Planning Commission
41 to approve the Zone Map Amendment at 2026 North Main Street from Agricultural-Low (A-L)
42 to Residential-Low (R-L) with the Reasons for the Action (a-b) as suggested in the Staff Report.
43 The motion was seconded by Becki Wright and it passed unanimously (5-0).

44
45 **REASONS FOR THE ACTION:**

- 46 a) A zone map amendment of this parcel is consistent with the General Plan for
47 Neighborhood 3, Northeast Neighborhood. [12-48-4].

- 1 b) The Planning Commission finds that the preferred base density for all of Centerville is a
2 low density of 4 units/acre, which is consistent with the R-L request (*see 12-480-5,*
3 *Residential Densities/Development*).
4

5 **PUBLIC HEARING – PRELIMINARY SUBDIVISION AND FINAL SITE PLAN,**
6 **Administrative Decision, Consider the proposed Final Site Plan and Preliminary**
7 **Subdivision for the Parrish Creek Planned Development at 1030 North 950 West. Roy**
8 **Swalberg, Tom Stewart Construction, Applicant**
9

10 Assistant City Planner Younger said the Parris Creek Business Development PDO was
11 approved by the City Council in March. She said a few things have changed since the
12 Conceptual Plan was last before the Commission. Previously the plan included wooden
13 pedestrian walkways connecting to the Legacy Trail. The Final Site Plan is missing that detail
14 and Staff recommends it be added as a condition of approval.
15

16 Assistant City Planner Younger also recommended adding a condition to stipulate that
17 the developer/property owner be responsible for maintaining the landscaped median. She
18 explained that Public Works also had a concern about the placement of trees along the curb and
19 gutter and she recommended a condition to specify tree placement at 6 ½ feet from curb and
20 gutter in order to avoid root/concrete problems.
21

22 Mr. Snyder said one issue on the wooden sidewalk is that the County needs to provide
23 direction on access, easement and flood control regarding a ditch and that has not yet been
24 decided.
25

26 Chair Hirschi invited the applicant to speak. Roy Swalberg of Stewart Construction said
27 he was not sure about the wooden sidewalk issue because it was an idea they had kept from the
28 previous developer's plan. He said they intend to meet the County's requirements. He said they
29 have ordered a current soils report and have exceeded the 10% requirement for landscaping.
30

31 Chair Hirschi opened the public hearing at 7:49 p.m. Seeing no one wishing to speak, he
32 closed the public hearing at 7:49 p.m.
33

34 Commissioner Wright wondered if the Commission is putting undue hardship on the
35 developer with an absolute requirement like 6 ½ feet for the placement of trees because tree
36 placement should be relative to the size of the space available. She said the landscape architect is
37 qualified to make the call about tree species. Mr. Snyder suggested revising the condition to say
38 tree species and placement as recommended by the landscape architect or that meets the intent of
39 the ordinance.
40

41 Commissioner Daly said the last time this application was before the Commission there
42 was discussion about the warehouse with garage doors facing Legacy Parkway and how it looked
43 unattractive. Staff said that has now been changed so the garage doors are facing inside the cul-
44 de-sac. The applicant said the building facing Legacy Parkway now matches the other two-story
45 office buildings.
46

47 Commissioner Wright asked Staff how active the wetlands are now. Mr. Snyder said
48 much of the area is an untouched natural wetland. He said the Army Corps of Engineers studies

1 the plants and delineate the edges of the wetland system, and the applicant follows the
2 requirements of the Army Corps.

3
4 Commissioner Wright made a **MOTION** for the Planning Commission to approve the
5 Final Site Plan for Parrish Creek Business Park at 1030 North 950 West, subject to conditions 1
6 – 2, condition 3 as amended, conditions 4-9, and the Reasons for the Action (a-c), as stated in the
7 Staff Report. Commissioner Johnson moved to amend Commissioner Wright’s motion in order
8 to delete the phrase “or as amended and approved by the Planning Commission” from Condition
9 5. The motion was seconded by Commissioner Helgesen and passed unanimously (5-0).

10
11 **CONDITIONS:**

- 12 1. The Final Site Plan is conditioned upon providing an updated soils report and
13 geological survey, to be deemed acceptable by the City Engineer.
- 14 2. The Developer is to provide verification of the correct landscaping calculations per
15 site and 5% internal parking lot landscaping shall be checked by staff prior to
16 issuance of any Building Permit.
- 17 3. The Developer is to reconsider/adjust the species and placement of trees as
18 recommended by the landscape architect or as needed to meet the intent of the City’s
19 ordinance. The Developer will submit an amended landscaping plan to satisfy the
20 standards of Public Works, City Engineer, and Davis County regarding the flood
21 control areas and tree placement along the curb lines of the public street.
- 22 4. The Developer/owner or future owners shall be responsible for maintaining the
23 landscaped median. Such condition shall be addressed with any subdivision approval
24 or prior to issuance of any Building Permit.
- 25 5. The expected pedestrian pathways and connections shall be provided as stated in the
26 developer’s narrative. Any related easements shall be noted on the site
27 plan/subdivision plat. Any changes or related elements shall be deemed acceptable by
28 City Staff.
- 29 6. Any detailed drainage issues shall be addressed to meet the standards of the City
30 Engineer or Davis County and part of the development’s construction drawings.
- 31 7. The developer shall obtain needed Davis County Flood Control Permit and provide
32 any related access and maintenance easements.
- 33 8. Any signage for the property shall be in accordance with CZC 12-54 and will be
34 reviewed by Staff during Building Permit review.
- 35 9. All Utility Provider sheets shall be signed and submitted to the City prior to the
36 issuance of any Building Permit.

37
38 **REASONS FOR THE ACTION:**

- 39 a) The Final site plan submittal has adequately shown how the property may be
40 developed (CZC 12.21.110(e)).
 - 41 b) The development appears to be consistent with the goals and objectives found within
42 the Centerville City General Plan (12-480-3).
 - 43 c) The Final Site Plan that has been submitted depicts how the site could be
44 appropriately developed and complies with the applicable provisions of the Industrial-
45 High (I-H) Zone and the Planned Development Overlay approval as approved on
46 March 21, 2017 by the City Council.
- 47

1 City Attorney Romney suggested amending the conditions of approval for the
2 Preliminary Subdivision to specify that the developer/property owners will be required to
3 maintain the landscaped median and wooden sidewalks as part of the final subdivision approval.
4

5 Commissioner Daly made a **MOTION** for the Planning Commission to approve the
6 Preliminary Subdivision Plat for the Parrish Creek Business Park, located at 1030 North 950
7 West, subject to the conditions 1-2, condition 3 as amended, conditions 4-6 and Reasons for the
8 Action (a-c) from the Staff Report. The motion was seconded by Commissioner Johnson and it
9 passed unanimously (5-0).
10

11 **CONDITIONS:**

- 12 1. An updated soils report and geological survey must be resubmitted to the City before
13 the review of the Final Subdivision Plat.
- 14 2. Subdivision approval is subject to the payment of bonds and fees as required by the
15 City.
- 16 3. Protective Covenants and/or plat notes shall be prepared and submitted by the
17 applicant to protect the architectural integrity of the property and site and to address
18 the obligation of the developer/property owners of the business park to maintain the
19 landscaped median and the wooden sidewalks as part of the Final Subdivision
20 approval.
- 21 4. Final Subdivision Plans must be submitted in accordance with Municipal Code Title
22 15.
- 23 5. Final Subdivision Plans will need approval of the City Council.
- 24 6. Final Subdivision Plat should note the conditions of the Planned Development
25 Overlay as approved by the City Council on March 21, 2017.
26

27 **REASONS FOR THE ACTION (FINDINGS):**

- 28 a) The Preliminary subdivision appears to be consistent with the General Plan.
- 29 b) Adequately meets Subdivision Ordinance Standards in the Municipal Code, Title 15-
30 03. The applicable review standards of the Subdivision Ordinance pertaining to a
31 Preliminary Subdivision application have been reviewed and directives established to
32 allow the proposal to proceed to preliminary subdivision plan submittal.
- 33 c) Preliminary Subdivision Plat follows the conditions stated in the Planned
34 Development Overlay as approved by the City Council on March 21, 2017.
35

36 **PUBLIC HEARING – ZONE TEXT AMENDMENT, LEGISLATIVE DECISION,**
37 **Consider the proposed zone text amendment to allow "Construction Sales and Service" as**
38 **a Permitted Use in Commercial-Medium (C-M) Zones. City Council, Applicant**
39

40 Commissioner Johnson was excused from the meeting.
41

42 Community Development Director Snyder said Staff is giving a nonaligned
43 recommendation on this application, but leans toward denial. The application, that was initiated
44 by the City Council at their last meeting, is to amend the Commercial-Medium (C-M) Zone to
45 allow “Construction Sales and Service” to its table of uses.

46 Mr. Snyder said he looked to the General Plan for guidance. He said the City’s only C-M
47 Zone is on Main Street. He said it is a narrow zone used to balance out uses with nearby
48 residential neighborhoods. He said it contains a restriction on outdoor storage. He said the C-M
49 Zone no longer allows construction-related use or car dealerships.

1 Chair Hirschi invited the applicant to speak. Kyle Shupe said he is part owner of Shupe
2 Electric. He said Mayor Cutler asked if his company was interested in buying the building now
3 housing South Davis Metro Fire on Main Street. He said the idea had potential because the
4 building's fire truck bays could be used as a loading area for their electrical service vans. He
5 said their business has been a staple in Centerville for 30 years and they want to remain in
6 Centerville. He said they plan to give the building a facelift.

7
8 Chair Hirschi opened the public hearing at 8:24 p.m. Seeing no one come forward to
9 speak, he closed the public hearing at 8:24 p.m.

10
11 Commissioner Helgesen asked Staff about the possibility of allowing Construction Sales
12 and Service and prohibiting outdoor storage.. Mr. Snyder said Construction Sales and Service
13 has a broad definition that assumes the need for outdoor storage.

14
15 Commissioner Daly asked if the Commission could approve the Construction Sales and
16 Service use as long as they did not allow outdoor storage. Mr. Snyder said technically yes, but
17 he recommended against it, citing the tensions that accompany conditional use. Commissioner
18 Daly said in thinking about what is right for Main Street, he thinks this is a unique building and
19 there are probably not a lot of companies that could use it. Commissioner Daly asked the
20 applicant if they could confine their storage to inside the building. The applicant said yes.

21
22 Chair Hirschi said he has used Shupe Electric in the past and usually it just involves a
23 few phone calls. He wondered if the use could fall under general office. Commissioner Daly
24 wondered if the applicant has a retail element that would qualify under a different use. The
25 applicant said they plan to have a retail showroom for electrical products like lighting controls
26 used in smart homes. Commissioner Wright says a showroom is consistent with what the
27 Planning Commission is trying to encourage along Main Street.

28
29 City Attorney Romney suggested the Commissioners table the matter and direct staff to
30 consider drafting a narrowly defined category like "Construction Sales and Service, Limited"
31 that prohibits outdoor storage and other limitations. Several Commissioners agreed with this
32 suggestion.

33
34 Commissioner Wright made a **MOTION** to table the application for an amendment to the
35 Centerville City Zoning Ordinance in regards to Chapter 12.36 – Tables of Uses to allow
36 "Construction Sales and Service" uses in the C-M Zone and direct staff to come back with ideas
37 and recommendations on a new definition or other recommended changes. Commissioner Daly
38 seconded the motion and it passed unanimously (4-0).

39
40 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- 41 • Rezone request on Porter Lane
- 42 • Subdivision
- 43 • Text amendment for national registered homes
- 44 • Conceptual plan for a car wash on Parrish Lane

45
46 **CITY COUNCIL ACTIONS REPORT**

- 47 • A-L setbacks rejected
- 48 • Chitose Johnson approved

1 **ADJOURNMENT**

2 Commissioner Helgesen made a **MOTION** to adjourn. Commissioner Wright seconded
3 the motion, which passed unanimously (4-0). The meeting adjourned at 8:58 p.m.
4
5
6

7 _____
8 David Hirschi, Chairman

_____ 06-28-2017
Date Approved

9
10
11 _____
12 Luanne Hudson, Recording Secretary
13