

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, September 13, 2017**

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

4
5 A quorum being present at Centerville City Hall, 250 North Main Street,
6 Centerville, Utah. The meeting of the Centerville City Planning Commission was called
7 to order at 7:05 p.m.

8
9 **MEMBERS PRESENT**

10 Cheylynn Hayman

11 Kathy Helgesen

12 David Hirschi, Chair

13 Gina Hirst

14 Logan Johnson

15
16 **MEMBER ABSENT**

17 Kevin Daly

18 Becki Wright

19
20 **STAFF PRESENT**

21 Cory Snyder, Community Development Director

22 Lisa Romney, City Attorney

23 Cassie Younger, Assistant Planner

24 Katie Rust, Recording Secretary

25 Katie Farnsworth, Recording Secretary

26
27 **VISITORS**

28 Interested citizens (see attached sign-in sheet)

29
30 **PLEDGE OF ALLEGIANCE**

31
32 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Hirst

33
34 **MINUTES REVIEW AND ACCEPTANCE**

35
36 Due to the late start of the meeting Chair Hirschi proposed that the review of the
37 minutes be moved to the end of the meeting. Commissioner Johnson made a **motion** to
38 postpone the review of the minutes. Commissioner Hayman seconded the motion,
39 which passed by unanimous vote (5-0).
40

1 **PUBLIC MEETING – FINAL SITE PLAN – KIM SAMUELSON FINAL SITE**
2 **PLAN – 318 E 1825 NORTH**
3

4 Kim Samuelson desires to construct a new accessory garage located at his place
5 of residence. He recently acquired an un-platted parcel of land adjacent to his original
6 subdivision lot and combined the land together into a single parcel. However, the added
7 parcel remains outside of the platted subdivision boundary and therefore requires site
8 plan approval for the proposed development. Staff explained the request for Final Site
9 Plan approval.

10
11 Commissioner Johnson raised a question regarding issues with building on the
12 hillside and cities being held liable for problems when they arise. Commissioner
13 Johnson posed a question to Attorney Romney regarding Issue #5 on the Planning Staff
14 Recommendations Report and asked if signing an acknowledgment of hazards and
15 risks associated with land use in this area is sufficient to protect the City in such
16 instances. Ms. Romney addressed the question by stating that the City Code requires a
17 form to be signed when building within the Hillside Overlay. The Code also requires
18 that the developer pay for a professional geological survey thus putting the burden on
19 the developer to determine the risks of the location. The City then reviews and signs off
20 on the findings. Ms. Romney explained that many communities face this issue and it is a
21 balance of regulation and private property owners' rights.

22
23 Ms. Romney commented that the Public Utility Easements have been approved
24 by the City Council for this project but a signed copy has not been received from the
25 applicant. Ms. Romney recommended a change to Condition #7 to read that the "Public
26 Utility Easement shall be submitted to the City Recorder and recorded with the Davis
27 County Recorder prior to the issuance of a building permit." The applicant has been
28 notified that this document needs to be signed.

29
30 Chris Samuelson, representative for applicant Kim Samuelson, acknowledged
31 the list of conditions and that they were acceptable with the exception of the
32 requirement to build a sidewalk.

33
34 At 7:14 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to
35 comment, Chair Hirschi closed the public hearing.

36
37 Commissioner Hayman made a **motion** to approve the Final Site Plan for the
38 proposed accessory building development for an un-platted parcel that has been
39 combined with the home located at 318 East 1825 North, with Conditions 1 - 7, with the
40 amendment to Condition #7 as suggested by Ms. Romney, and Reasons for the Action
41 (a) – (e). Commissioner Helgesen seconded the motion, which passed by unanimous
42 vote (5-0).

43 Conditions:

- 44
45
46 1. Subject to the plans and architectural concepts as submitted to the City Staff
47 on August 23, 2017.

- 1 2. All recommended street improvements shall be completed on the property as
2 part of the Building Permit process, unless a Deferral Agreement is approved
3 by the City Council.
- 4 3. Colors of the accessory building shall be sensitive to the hillside and
5 surroundings.
- 6 4. SWPP shall be added to the Grading and Drainage plan and reviewed during
7 the Building Permit Process and is to be deemed acceptable by the City
8 Engineer and Drainage Utility Manager.
- 9 5. The applicant/owner of parcel must sign an acknowledgment of hazards and
10 risks associated with land use in this area prior to the issuance of a building
11 permit for any dwelling or accessory building.
- 12 6. The applicant/owner will be required to pay any development fees that may
13 be applicable for the accessory building development of this lot.
- 14 7. Public Utility Easements shall be submitted to the City Recorder and recorded
15 with the Davis County Recorder prior to the issuance of a building permit.

16
17 Reasons for the Action:

- 18
- 19 a) *The applicant has clearly shown how the property may be developed [CZC*
20 *12.21.110(d)(2)].*
- 21 b) *Applicable utility services and easements are required for residential*
22 *development [CZC 12.21.110(e)(2)(iii)(d) and CMC 15-5-106(8)].*
- 23 c) *A final site plan application is required for completing the process to obtain*
24 *approval to construct an accessory dwelling on un-platted parcels [CZC*
25 *12.21.110(e)].*
- 26 d) *The Development Standards and provisions set forth in the overlay zone are*
27 *required in connection with all building and construction in the Hillside Overlay*
28 *Zone [CZC 12.42].*
- 29 e) *All street improvements are required before the development and occupancy*
30 *of a building on a parcel [CZC 12.55.190(a)].*

31
32
33 **PUBLIC HEARING – FINAL SITE PLAN AND CONDITIONAL USE PERMIT–**
34 **MOTO UNITED POWERSPORTS FACILITY – 940 & 960 N 950 WEST**

35
36 Cassie Younger, Assistant Planner, reviewed the proposed Final Site Plan for
37 Moto United Power Sports at 940 & 960 North 950 West. Moto United's Conceptual Site
38 Plan was approved back in January of 2017. However, the proposed Final Site Plan has
39 changed significantly from the Conceptual Site Plan. Due to the nature of the business,
40 a Conditional Use Permit will also be required. Ms. Younger stated that all of the
41 Development Standards have been met with the exception of parking. Parking
42 requirements have been difficult to calculate based on the various lots and uses on the
43 site.

44
45 There have been discussions on the materiality of the architecture of the
46 elevations. The standards are listed in CZC 12.35.080 of the Industrial Zone provisions
47 that the predominant materials should be rock, stone, brick, CMU, etc. Current elevation
48 designs include CMU and stone tile. Moto United desires to use a more modern metal
49 and stucco design. However, due to the surrounding buildings and in consideration of

1 future developments, Staff does not recommend the use of metal and stucco be allowed
2 in the Industrial Zone in order to blend in with adjacent existing and future development.

3
4 Cory Snyder, Community Development Director, elaborated on the building
5 materials and modifications that are now proposed that include CMU as the primary
6 material with stucco as an accent material. Regarding the East elevation which faces I-
7 15, the original plan included a metal product to the different dealer doors. However,
8 that has been changed to a stone/ceramic tile. Staff believes this will be more consistent
9 with what has been approved in the past. As stated in the Zoning Code, under
10 Architecture, the two terms used for metal are "anodized aluminum" and "colored
11 metal." Metal siding is not allowed. Applicant desires to use some metal accents which
12 they will discuss with the Commission tonight. Overall, Staff believes Moto United meets
13 the Architectural Design Guidelines. Ms. Younger pointed out that no architectural plans
14 have been submitted for the second building pad on the Final Site Plan. The guidelines
15 passed in the Final Site Plan will apply to this building pad as well.

16
17 This site also requires a Conditional Use Permit. Staff believes this site is well
18 suited for this type of business. They have the accessibility from the freeway and they
19 are away from neighborhoods. This type of business will add synergy to the West side
20 for future development.

21
22 Regarding access and transportation issues, Staff believes the site may be a little
23 under-parked. Loading facilities are available on-site so there should not be any issues
24 with loading and unloading in traffic. There are no sidewalks provided for in the plan. It
25 should be noted that just north, in the Parrish Creek Planned Development project, they
26 made a lot of effort to put in nice sidewalks and boardwalks and connected them to
27 other paths in the area. Ideally, this site would be connected to the greater Westside
28 neighborhood. However, there are no requirements to have sidewalks in the Industrial
29 Zone.

30
31 Ms. Younger noted that noise and traffic could be a slight issue but they are
32 required to follow the noise and parking ordinances of the City. Also, all services related
33 to the repair and maintenance of the vehicles and machines are to be done on-site and
34 not on the street. Storage and display of model vehicles and machines will be in the
35 building as well as in the corners of the lot according to applicant's construction plan.

36
37 Chair Hirschi raised the issue of lighting on the property. Younger addressed the
38 lighting that will be on the freeway side and southern end of the property but no lights
39 are included on the plan along the public street. Mr. Snyder indicated there are
40 intersection lighting requirements that the Public Works Director would require. The plan
41 should be reviewed to make sure there is a street light at the T-intersection.

42
43 Chair Hirschi invited the applicant to come forward to make comments regarding
44 the Staff Report and address issues. Curtis Bingham, architect with CRSA, representing
45 the applicant addressed the Commission. Mr. Bingham presented samples of the
46 materials that are proposed for the exterior elevations. The Honda dealer is requiring a
47 metal panel, consisting of an aluminum composite four (4) mm thick, as part of their
48 branding. The metal panel is approximately a four (4) foot band on the east elevation.
49 This is the only place the metal panel would be used. Mr. Bingham then addressed an

1 issue regarding the stone tile on the elevations. He said the manufacturer did not make
2 a tile in the color of "Honda Red," so Moto United will have to do a two (2) foot wide
3 section of the red metal panel as shown on the updated elevations on each side, top to
4 bottom, of the windows of the Honda entrance. Mr. Snyder indicated that this was a new
5 change that he was not aware of. Mr. Bingham then distributed samples of the
6 proposed stone tile on the elevations.

7
8 Chair Hirschi requested the intended hours of operation. Mr. Shawn Hutchings,
9 representing Moto United, indicated the typical hours will be from 8 am – 6 pm, Monday
10 through Saturday. There are evenings when they will work until 7 pm. Chair Hirschi
11 expressed concern for the safety of the customers during the winter and the lack of
12 lighting on 950 West. Mr. Hutchings indicated that there will be no public entrance on
13 the back side of the building. All entrances will be on the south or east side. LED wall-
14 pack lights are planned for the west and north side of the building.

15
16 Commissioner Hayman then requested that the applicant share their thoughts on
17 the sidewalks to connect this property to the property to the north. Mr. Bingham
18 indicated that this issue is something that will need to be looked at given the retention
19 ponds. Mr. Snyder suggested that the engineers go through the plan to determine the
20 street cross section and width and how much there is built into the space. The closest
21 sidewalk is the bridge overpass on 1250 West. Just directly north, where the road
22 terminates, it crosses the large drainage facility and there will be sidewalks in that
23 Parrish Creek business park which will include a trail connection on the south side of
24 the property out to 1250 West. Any type of sidewalk installed will incur a gap on the
25 storm drainage area. Mr. Snyder stated that no sidewalks are required in Industrial
26 Zones. Whether there is sufficient room to include sidewalks in this area would need to
27 be researched. Chair Hirschi commented that since sidewalks are not required, a
28 request for them would fall under the Conditional Use Permit and require a public
29 hearing.

30
31 At 7:38 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to
32 comment, Chair Hirschi closed the public hearing.

33
34 Commissioner Hirst made a **motion** to approve the Final Site Plan for Moto
35 United Power Sports Dealership located at 940 and 960 North 950 West, with
36 Conditions 1 - 12 and Reasons for the Action (a) - (c) as noted in the Staff Report.
37 Commissioner Helgesen seconded the motion, which passed by unanimous vote (5-0).

38
39 Chair Hirschi wished to make note that Condition #11 should read, "...in
40 accordance with CZC 12.54."

41
42 Conditions:

- 43
44 1. Applicant shall combine the two lots (Lot 4 and 5 of the Hogan Office Park
45 Subdivision) into one parcel and submit a copy of the recorded document for
46 review and acceptance by the City Attorney prior to issuance of a building
47 permit.
48 2. Ensure that all water meters are located or relocated outside of drive
49 accesses in accordance with City Ordinances.

3. All applicable Utility Provider Sheets shall be submitted as part of the final site plan application.
4. Applicant will need to provide a stand-alone storm drain easement for the Northeast corner of the lot; the developer will need to provide a legal description for easement with Final Site Plan application. The storm drain easement must be submitted to the City Council for acceptance and recorded with the Davis County Recorder's Office prior to issuance of a building permit.
5. Public Utility Easements are to be vacated in the middle of the site.
6. Adequate fire safety measures and protections have been checked by South Davis Metro Fire Department.
7. Landscaping Plan is as approved, with Staff verification of the internal parking lot landscaping calculations at Building Permit, as amended and submitted on September 7, 2017.
8. The north building shall follow the same architectural style and materiality of the main building (Commission to weigh in on the use of the metal materials at the entry points), as approved by the Planning Commission that fits the architectural requirements as stated in CZC 12.35.080.
9. Construction plans and documents are amended and approved by the City Engineer at the time of Building Permit.
10. Parking calculations for repair, sales, warehouse, and display areas shall be adequately accounted for, staff verified, and amended if necessary at Building Permit.
11. All signs on site shall be compliant in accordance with CZC 12.54.
12. Final Site Plan approval is subject to the approval of Conditions listed for the Conditional Use Permit for this site.

Reasons for the Action

- a) *The final site plan submittal has adequately shown how the property may be developed [Section 12.21.110(e)].*
- b) *The development appears to be consistent with the goals and objectives found within the Centerville City General Plan [Section 12-480-3].*
- c) *The Final Site Plan that has been submitted depicts how the site could be appropriately developed and with some alteration could be designed to comply with the applicable provisions of the Industrial – High Zone and other relevant regulations, including a Conditional Use Permit, as discussed in the Planning Staff Report.*

Commissioner Helgesen made a **motion** for the Planning Commission to approve the Conditional Use Permit for Moto United Power Sports Dealership located at 940 and 960 North 950 West, subject to Conditions 1-9 and Reasons for Action (a) and (b) in the Staff Report. Commissioner Hayman seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. Conditional Use Permit is subject to the Final Site Plan as approved by the Planning Commission.

- 1 2. Conditional Use Permit shall only apply to the property at 940 and 960 North
- 2 950 West.
- 3 3. The Conditional Use Permit is limited to the use of “Vehicle and Equipment
- 4 Rental or Sale”.
- 5 4. All unloading of vehicles and equipment shall be done on-site and not in the
- 6 public right of way.
- 7 5. The test driving of vehicles shall be limited to driving on-site and shall be
- 8 prohibited in the public right of way unless such vehicles are authorized on
- 9 public streets by state or local laws.
- 10 6. All outdoor storage and display vehicles shall be kept on site and not in the
- 11 public right of way.
- 12 7. All signs and promotional elements shall be in compliance with CZC 12.54.
- 13 8. Any washing and detailing operations for vehicles and related equipment shall
- 14 be addressed in their drainage and constructions plans and meet the storm
- 15 water management provisions of the City.
- 16 9. The use shall comply with the City’s Noise ordinance as stated in CMC
- 17 7.09.010.

18
19 Reasons for the Action

- 20
- 21 a) *The use does not appear to have any negative impacts to the existing*
- 22 *property and the surrounding community that have not been mitigated by the*
- 23 *conditions of approval [CZC 12.21.100(e)(3)(A-D), 12-21-100(e)(5)(A-K)].*
- 24 b) *Meets the requirement listed in order to approve a Conditional Use Permit as*
- 25 *listed in CZC 12.21.100(d)(1), which is required for “Vehicle and equipment*
- 26 *rental or sale,” in Table of Uses, Chapter 12.36.*
- 27

28 Mr. Bingham wished to clarify that the sample materials that were passed around
29 to the Commission for examination are acceptable in the Final Site Plan as approved.
30 Chair Hirschi, along with the Commissioners, indicated they are acceptable.

31
32
33 **PUBLIC HEARING – GENERAL PLAN AMENDMENT – PAGES LANE**
34 **COMMERCIAL DISTRICT**

35
36 Cory Snyder, Community Development Director, provided a recap of the process
37 over the past several months. The City Council tasked the Commission with looking at
38 the Southeast Neighborhood General Plan. This process was segmented into
39 residential areas and the Pages Lane Commercial Area, which includes a section about
40 Main Street. Back in May of this year a public forum was held to invite residents,
41 business owners and property owners to share their ideas with the Commission. In
42 June, a joint work session with the Council and the Commission was held to discuss
43 real property value and Park Impact Fees. In August, the Commission hosted a
44 discussion with business and property owners, further narrowing down the ideas and
45 establishing scenarios that carry the base framework of those ideas. Details of each
46 scenario are included in the Staff Report. Mr. Snyder explained this area has been
47 divided into the “eastern side” and the “western side.” In general, the western side is
48 maintaining some commercial and the eastern side is the portion of the General Plan
49 that would be affected.

1
2 Mr. Snyder went on to explain Scenario "A" addresses the redevelopment of the
3 Pages Lane Commercial area and has added new language for both areas with
4 significant changes pertaining to the eastern half. In brief, residential redevelopment is
5 proposed for the eastern half with densities to be determined. Scenario "A" includes a
6 second goal that stipulates before the City moves forward on the eastern side for actual
7 rezone and redevelopment, that the City first initiates a study regarding the feasibility of
8 a park, with size to be discussed later.

9
10 Mr. Snyder then went on to explain Scenario "B" which makes no changes to the
11 western side commercial area and includes similar language to Scenario "A" for the
12 eastern half development. Where Scenario "A" differs from Scenario "B" is in language
13 that reflects a public/private partnership for an open space to buffer the area between
14 residential on the east and commercial on the west.

15
16 Mr. Snyder noted that regardless of which scenario is chosen, the western side
17 commercial will remain in its current status. Regarding the eastern commercial
18 properties, the General Plan would state that they may continue as zoned commercial
19 properties but they have an option to transition to residential areas when it is
20 appropriate and then have the discussion about the green space. The amendment does
21 not call out mixed uses but applies to future redevelopment only.

22
23 Mr. Snyder noted that the discussion regarding residential medium density was
24 Item #4 on the agenda this evening. Chair Hirschi agreed with Mr. Snyder that it would
25 not be useful to have the discussion of one without the other. Chair Hirschi thanked the
26 Staff for their work on this issue and proceeded to open the discussion for questions
27 from the commissioners.

28
29 Commissioner Johnson opened discussion regarding "densities" as they relate to
30 the General Plan and not Zoning Codes. Because this is an amendment to the General
31 Plan, Commissioner Johnson believes it would be useful to use exact terms and
32 numbers when referring to densities in the General Plan as guidelines and objectives
33 when establishing ordinances in the Zoning Code. Mr. Snyder discussed that the
34 General Plan might contain general terms and then let the cards fall where they may
35 when it comes to rezoning but that leaves all density categories up for debate when it
36 comes to the rezone process. If it is the desire of the Commission to have specific
37 limitations in certain areas, then the better option would be to set a specific number so
38 that during the rezoning process that number is reflected or has to be changed.

39
40 Attorney Lisa Romney commented that the General Plan is intended to be an
41 advisory document under Utah law and that most cities have moved away from making
42 the General Plan mandatory. However, Centerville has kept the "old school" way of
43 making some of the General Plan mandatory. For instance, when determining whether
44 to rezone a particular piece of property, the Zoning Code requires the Commission and
45 Council to determine whether the proposed rezone complies with the General Plan.
46 Typically, the General Plan provides guidelines for planning and the Zoning Code
47 implements such guidelines with more specific provisions. Given this framework, Ms.
48 Romney suggested it may be more appropriate to refer to "residential-medium" zoning
49 in the General Plan and then refer to the specific numbers for the various residential-

1 medium zones in the Zoning Code. From a legal standpoint, Ms. Romney noted that
2 the distinction between R4, R6, and R8 may be difficult to determine objectively.
3 However, the distinctions in the proposed Zoning Code amendments for R-M gradation
4 may help resolve the legal challenges. Ms. Romney would not recommend going with
5 specific density numbers in the General Plan at this time unless a property-specific
6 analysis is performed on each designation. She believes that the determination on a
7 specific number should be made at the time of the application is received and analyzed
8 as part of the rezone application review. Ms. Romney noted another benefit to leaving
9 the references more general such as “medium” and “high” in the General Plan is that
10 when the Zoning Code is amended, the General Plan does not need to be amended.

11
12 Mr. Snyder cautioned that by using a specific number in the General Plan and
13 then a gradation is adopted in the Zoning Code, the General Plan has capped the
14 density and there is not room for adjustments at a later date. Commissioner Johnson
15 noted that in the Staff Report, the language regarding “Medium Density,” and “up to 8
16 units” is outlined covering both cases. Chair Hirschi agreed this was a good point to
17 make at this time.

18
19 Mr. Snyder noted that the reason they included both “Medium Density” and “up to
20 8 units per acre” in a private/public feature is something that’s valuable. If another
21 measure of gradation is chosen then that decision is made later and may not facilitate
22 partnering for a feature or park.

23
24 Chair Hirschi recommended striking the language, “up to 8 units” and just leave it
25 at “Medium Density.” Commissioner Johnson expressed concern about sending up the
26 recommendation to the Council without defining “Medium Density.” Mr. Snyder
27 acknowledged Commissioner Johnson’s concern but noted that he feels comfortable
28 with this because the Residential Section of the General Plan does define “Low Density
29 up to the 4, Medium Density up to 8, and High Density up to 12.”

30
31 At 8:03 p.m., Chair Hirschi opened the public hearing.

32
33 Buck Swaney, representing Dika Properties – stated that he has been in the
34 planning and development business for 20 years. He has helped many communities
35 with their General Plans and writing action plans for economic development. Mr.
36 Swaney expressed the following concept points:

- 37
38 1. The property owners have a lot of time and money in this property. It is
39 important to them that the incentives for change are crystal clear and that
40 they are not in an accordion range somewhere between 4 and 8 units per
41 acre. He explained the difference between 6 units per acre and 8 units per
42 acre means the difference between seeing a transformation or not. The
43 economics of redeveloping this property are between 8 and 10 units per acre.
44 If 8 to 10 units is allowed, chances are within a year you would see
45 transformation on this site. Otherwise, the property owners will let the
46 economics play out as they may and the property will remain as it has since
47 Dick’s moved to Parrish Lane.

- 1 2. The private/public partnership opportunities will increase with increased
2 density such as providing a clear cut density bonus for the dedication of park
3 space. For example, if you have your base line units set at 8 units per acre,
4 and the developer comes in and says we'll give you two acres of this to park,
5 you will be able to create a bonus of 50% density for each acre contributed to
6 the park. The developer is able to cluster those units together and also serve
7 the public interest by creating a decent park with little or no economic or fiscal
8 resources on the City's part. It is a win-win partnership.
9
- 10 3. The way the property currently stands it is set up for blight. With Rogers
11 Memorial and Dick's leaving, the commercial value of the property has
12 significantly decreased. The Ace Hardware lease has a 17 year fuse. If
13 something to engender change is not done, the other properties will slowly be
14 added to the lease inventory and a 17 year fuse will turn into a 20, 30 or 40
15 year fuse because the land owners have to make economic use of that land.
16
- 17 4. The opportunity to look at this as a public acquisition for a park is realistic only
18 if the City is willing to pay for the property. If Centerville City has the funds to
19 make a viable offer for the property, then the City can make an offer to
20 purchase the property for the development of a park.
21
- 22 5. Other than commercial use, the only viable economic alternative is indoor
23 storage. This would be a high quality storage site and add to the visual quality
24 of the community under the threat of blight. However, the City's Table of Uses
25 does not allow for this alternative.
26
- 27 6. The property owners are interested in transformation opportunities that are
28 realistic and economic. They want to beautify the property. If the City provides
29 them the tools they will be motivated to make the change and it will be good
30 for Centerville City and its citizens.
31

32 Chair Hirschi closed the public comment period at 8:12 p.m. Chair Hirschi
33 expressed that if the Commission is looking at sending up Scenario B, the private/public
34 partnership, it would be wise to consider the density bonus in order to obtain sufficient
35 area to make a meaningful park. Commissioner Johnson questioned if that would be
36 better addressed at the General Plan level or the Zoning Code level. Chair Hirschi said
37 he doesn't believe that leaving the language in the General Plan as just "Medium
38 Density" gives the City a lot of leeway. He suggested including some general language
39 suggesting that higher density may be available.
40

41 Mr. Snyder noted that there is a density bonus program available in the Zoning
42 Code. However, the difficulty with that system is how it would apply in this situation. Mr.
43 Snyder briefly reviewed the density bonus provisions currently in the Code.
44

45 Commissioner Hayman stated that she has not previously considered the density
46 bonus. In reviewing the two scenarios, she is struck by how small the parks are that are
47 being considering. Her desire is to see the biggest park possible. The current language
48 in both scenarios says "establish a neighborhood park, possibly two (2) to three (3)

1 acres in size.” Commissioner Hayman would like to see language in the plan that
2 encourages as large a park that the City will support if there is such support for a park.
3 Mr. Snyder agreed with Commissioner Hayman with one exception and that is the
4 language regarding the conversion of residential and what is left and is that adequate
5 space left for what is expected for the design. Commissioner Hayman expressed
6 concern that much effort has gone into getting a park and then having it be “less than
7 meaningful” would be disappointing.

8
9 Regarding Alternative A, Objective 1, Commissioner Hayman would like the
10 Parks and Recreation Committee to not only look at the need for a park in this area but
11 also consider sufficient park types, i.e., dog park, skate-park, splash pad, etc.
12 Commissioner Hirst agrees and believes this is more likely to happen with the
13 private/public partnership with the density bonus. Commissioner Hirst would like the City
14 Council to consider the cost of this redevelopment park and if there may be some other
15 way to obtain a bigger return on investment. Chair Hirschi agrees that the City Council
16 needs to weigh in on this issue and give the Commission specific counsel on the
17 feasibility of the park. He recommends sending up both scenarios.

18
19 Commissioner Hayman proposed an amendment to the language in Alternative
20 A, Pages Lane/Eastern Block Segment, Goal 2, Objective 1, to include “...and diversity
21 of park types” following “park space.” Chair Hirschi asked for other amendments to the
22 scenarios. Commissioner Johnson stated again that he is not comfortable sending the
23 scenarios to the City Council without a number regarding density (see Alternative A,
24 Pages Lane/Eastern Block Segment, Goal 1, Objective 2). Commissioner Hayman
25 disagrees and believes leaving “Medium Density” and striking out “up to 8 units per
26 acre” leaves flexibility for future planning.

27
28 Regarding Alternative A, Pages Lane/Eastern Block Segment, Goal 2, Objective
29 3, Commissioner Hayman proposes striking the language, “possibly two (2) to three (3)
30 acres in size” and replace it with “of meaningful size, e.g., at least two (2) acres in
31 size).” Commissioner Helgesen agrees in including a minimum amount of acreage.

32
33 Commissioner Hayman made a **motion** to amend the language in Alternative A,
34 Pages Lane/Eastern Block Segment, Goal 2, Objective 1, to include “...and diversity of
35 park types” following “park space.” Commissioner Hirst seconded the motion, which
36 passed by unanimous vote (5-0).

37
38 Commissioner Hayman made a **motion** to amend the language in Alternative A,
39 Pages Lane/Eastern Block Segment, Goal 2, Objective 3, to read “...to establish a
40 meaningful neighborhood park (of at least two (2) acres of size).” Commissioner Hirst
41 seconded the motion, which passed by unanimous vote (5-0).

42
43 Commissioner Hirst made a **motion** to strike the language in Alternative A,
44 Pages Lane/Eastern Block Segment, Goal 1, Objective 2, that reads, “...(up to 8 units
45 per acre).” Commissioner Hayman seconded the motion. Commissioner Johnson went
46 on record stating that he is not inclined to vote for removal of the language so that the
47 guidelines have more clarity on intention and allow for the possibility of something other
48 than Medium Density. A roll call vote was taken with Commissioners Hayman,

1 Helgesen, Hirst and Chair Hirschi assenting and Commissioner Johnson dissenting (4-
2 1).

3
4 Commissioner Hayman made a **motion** to present Alternative Scenarios A and
5 B, to the City Council with a request to receive guidance from them regarding the
6 feasibility of some type of park, including Reasons for Action a) through h) as amended.
7 Commissioner Helgesen seconded the motion which passed by majority vote (4-1), with
8 Commissioner Johnson dissenting.

9
10 Reasons for Action:

- 11
12 a) *The Planning Commission finds that a decision to amend the General Plan is*
13 *a matter within the legislative discretion of the City Council as described in*
14 *CZC 12.21.060(a).*
15 b) *The Planning Commission finds that there is a synergy distinction between*
16 *the western and eastern halves of the Pages Lane area with viable*
17 *commercial uses on the western half and long-term vacancies of within the*
18 *eastern half.*
19 c) *The Planning Commission finds there are still valuable opportunities along the*
20 *collector and arterial streets to accommodate future housing needs of the*
21 *City, such as the redevelopment of the eastern half of the Page Lane*
22 *Commercial area.*
23 d) *The Planning Commission finds that Centerville City has a strong desire to*
24 *maintain a lower density single-family environment as described in the*
25 *General Plan Element, "Residential Development" – Section 12-420.*
26 e) *The Planning Commission finds that the residential areas of the Southeast*
27 *Community are primarily single-family residential and should be afforded the*
28 *General Plan polices of maintaining, as much as reasonably possible, a*
29 *compatible style of housing.*
30 f) *The Planning Commission finds that a residential medium density is a more*
31 *appropriate and compatible residential redevelopment scenario than is*
32 *residential high.*
33 g) *The Planning Commission finds that historical single-family development in*
34 *the Community (e.g. R-1-8 Zoning) is also consistent with the lower end of*
35 *Medium Density for residential development.*
36 h) *Therefore, given the findings above, the amendments recommended by the*
37 *Planning Commission are the appropriate future land use patterns for this*
38 *neighborhood area.*

39
40 Commissioner Hayman expressed appreciation to Staff for work performed on
41 the alternatives. Mr. Snyder wished to thank the Commission for their patience with
42 Staff throughout this process. Commissioner Johnson wished to express that he doesn't
43 disagree with everything in the Alternative Scenarios, he simply wanted to send a
44 message.

45
46 **PUBLIC HEARING – ZONING TEXT AMENDMENTS FOR RESIDENTIAL-**
47 **MEDIUM ZONES**

48

1 Cory Snyder, Community Development Director, reviewed the background and
2 history of this request. The City Council requested that the Planning Commission
3 provide more tools regarding Medium Density for them to work with. The City Council
4 would like a “gradation” of the allowed densities and the tools to apply it based on
5 objective criteria.
6

7 Mr. Snyder posed the question, “If the Planning Commission adopts a “gradation”
8 of say 4, 6 and 8, along with proposed terms, how mandatory are the terms and what is
9 the City trying to accomplish?” The proposal includes three category base elements
10 from the ranges and eliminate the ranges. The objective is to 1) define the Residential-
11 Medium Zone (R-M) with its purpose and application; 2) make changes to the Tables of
12 Uses; and 3) adopt design standards, landscaping and private rights-of-way.
13

14 Regarding CZC 12.30.020, Zone Purposes, Mr. Snyder explained the reasoning
15 for certain language listed in (A) R-M-4 Zone, in the last sentence, “The expected,” was
16 included to get away from “typical uses” and used instead, “expected residential
17 development”. However, the main question remains – where does this get applied?
18

19 Regarding CZC 12.36.020, Table of Uses for Residential Uses, Mr. Snyder
20 explained that according to the Table, “multi-family” is permitted but in the Residential
21 Density Table, 5 – 8 units is conditional. Mr. Snyder explained that when discrepancies
22 occur the Code provision is applied because it is more restrictive. In order to rectify this,
23 Mr. Snyder proposes a new category, “Permitted/Conditional Allowed” where the
24 provision defines what is allowed.
25

26 Regarding CZC 12.32.055(b), Mr. Snyder explained the proposal that multi-family
27 plans require an architect to be engaged with the project to assist with design and
28 layout cohesion at a staff level. He notes that Exterior Design Standards are fairly
29 generic and not trying to create an identity. If it is included at this level, it is moved out of
30 the Conditional Use Permit requirement and alleviates tension. Likewise, it is proposed
31 that active and passive spaces for green space be planned in the beginning and kept
32 out of the CUP.
33

34 Finally, Mr. Snyder proposed that (d), Use of Public and Private Roadways, be
35 flexible with private lanes. However, he noted that these areas need to be designed well
36 to avoid the City taking over maintenance in the future. For the safety of residents, the
37 DRC suggests that wider roads, including 27’ of pavement and 2’ curb pans provides
38 the space necessary for fire and emergency vehicles to access the area. This type of
39 design would allow for 20 units. Allowing flexibility with sidewalks, alternative paths
40 connecting to public streets, etc. are good design principles.
41

42 Commissioner Hirschi thanked Staff for the report and explanation. Chair Hirschi
43 shared Commissioner Wright’s comments on this matter. Commissioner Wright “likes
44 the idea of “gradation” although calling four (4) units per acre ‘Residential Medium’ is
45 not realistic. Throughout the country, it is typical that four (4) units per acre is
46 ‘Residential Low.’”
47

48 Chair Hirschi asked for clarification on the designation of 4, 6 and 8 and if that
49 eliminates the possibility of 5, 7, and 9? Mr. Snyder affirmed this is the intent. He would

1 like to get away from the conditions being applied at a moment based on feedback and
2 instead, keep it more objective. Chair Hirschi next asked for clarification on the R-M-6
3 and R-M-8 regarding “areas where ground water may prohibit a basement.” Mr. Snyder
4 responded that this language comes out of the General Plan.
5

6 Commissioner Hayman expressed concern that R-M-6 calls for twin homes and
7 does not call out single family homes. She believes the City does not want to
8 discourage single family homes at this level and suggests adding this design type into
9 the R-M-6 section.
10

11 Commissioner Johnson expressed concern with the Architectural Design
12 Standards. Mr. Snyder clarified that an architect would need to be involved in the initial
13 design concepts. This concept is based on the theory that if the architect is involved up
14 front for the conceptual layout of the project, down the road sticking points may be
15 avoided. Chair Hirschi agreed that having an architect involved up front may make R-M-
16 6 more palatable for citizens. Mr. Snyder emphasized that “design” solves problems, not
17 “density.” The better the design, the more density drifts off to the background of
18 concern. Chair Hirschi agrees and noted the design on 400 West is a good example of
19 a well-designed community.
20

21 Commissioner Hayman commented on the Exterior Design Standards (b)(3) that
22 she is not comfortable with no allowance for half brick/half stucco in R-M-6. Mr. Snyder
23 noted that stucco is not a great product for longevity but that a lot of problems in the
24 past with stucco have been resolved. Commissioner Hayman believes that the
25 restriction needs to be loosened. Mr. Snyder agreed that the mention of it is merely a
26 starting point for discussion.
27

28 Ms. Younger noted two points, first, that the correct term is “gradation” and not
29 “granulation,” and second, she is not comfortable with calling four (4) units an acre
30 “medium density.” This should be designated as low density according to the definition
31 in the General Plan. This creates a conflict. Mr. Snyder agreed and noted that the
32 General Plan does call out four (4) units an acre as medium density and that permitted
33 uses start at four (4) as well. The change for this would have to be at the General Plan
34 level. Commissioner Hayman is also concerned about the designation of four (4) units
35 as medium density. Mr. Snyder again noted that this can be changed but it would need
36 to be at a different level than is currently being proposed. Chair Hirschi also agrees with
37 Ms. Younger and Commissioners Hayman and Wright. Mr. Snyder raised the point of
38 making R-M-6 and R-M-8 conditional or permitted?
39

40 Chair Hirschi understands the Council would like the Commission to move
41 forward quickly on this matter but he believes this issue requires more time and input.
42 Commissioner Hayman agreed and would also like to have the input of the two absent
43 Commissioners. Chair Hirschi thanked Staff for providing the proposals to the
44 Commission expeditiously and providing the explanation.
45

46 At 9:20 p.m., Chair Hirschi opened a public hearing.
47

48 James Graham, Bell Property applicant – regarding the designation of the
49 different zones, regarding PUDs and townhomes, the backyards are very important to
the owners, especially those with dogs. He fears these developments are sometimes

1 punished because they are required to include so much green space yet the backyard
2 doesn't count towards that. He believes the 50/50 ratio for that would be beneficial to
3 the R-M-6 and R-M-8 designations. Also, regarding the Brighton development, Mr.
4 Graham knocked on every door in that development and he has several letters and
5 messages regarding support for luxury townhomes as opposed to single family homes
6 in that development. He feels that no one would buy a single family home with a storage
7 unit across the street, commercial on one side, high density on one side and Home
8 Depot in the backyard. It just doesn't make sense.

9
10 Buck Swaney, of Murray, Utah – provided some technical pieces of input
11 regarding low and medium density lot sizes that are used in Murray, Utah. Mr. Swaney
12 noted that four (4) units per acre is standard low density. Next, Mr. Swaney referenced
13 The Utah Land Development Management Act that allows for the creation of conditional
14 uses. His concern is that the proposed “acceptable” uses that have conditions are not at
15 some future time interpreted as a “conditional” use type of provision and that the
16 changes have been reviewed for legality.

17
18 Attorney Romney noted that she shares this concern and has previously
19 expressed concern with the City's practice of approving increased density with a CUP.
20 However, she also noted the CUP process does allow the City to review certain issues
21 and require the developer to mitigate any established negative impacts of the
22 development, such as traffic impact, buffering, etc. Mr. Snyder commented that this is
23 where the Commission needs to make sure they are comfortable with a number
24 attached to the density instead of a range so that decisions are based on objective
25 conditions. A balance between the political tension and the law needs to be achieved.
26 Ms. Romney agreed stating that the elected officials are coming to the conclusion that
27 the CUP is not an opportunity to deny the density, it is an opportunity to mitigate any
28 proven negative impacts. Mr. Snyder cautioned about being black and white in the
29 guidelines and being fearful of permitted uses at the expense of providing moderate
30 income housing options.

31
32 Chair Hirschi proposed that the issue be tabled and that the public hearing be
33 continued at the next meeting.

34
35 Commissioner Hayman made a **motion** to table the discussion regarding the
36 Zoning Text Amendment – for Residential Medium Zones and to continue the public
37 hearing until the next meeting. Commissioner Hirst seconded the motion, which passed
38 by unanimous vote (5-0).

39 40 **MINUTES REVIEW AND ACCEPTANCE**

41
42 The minutes of the August 23, 2017 Planning Commission meeting were
43 reviewed and amendments requested. Commissioner Hayman made a **motion** to
44 accept the minutes, as amended. Commissioner Johnson seconded the motion, which
45 passed 4-0, with Commissioner Helgesen abstaining.

46
47 Commissioner Hayman made a **motion** to make an agenda change to move the
48 review of the minutes to the end of the meeting prior to the Community Development

1 Director's Report for future agendas. Commissioner Hirst seconded the motion, which
2 passed by unanimous vote (5-0).

3

4 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

5

6 The next Planning Commission meeting is scheduled for September 27, 2017.

7

8 **ADJOURNMENT**

9

10 At 9:36 p.m., Chair Hirschi made a **motion** to adjourn the meeting.
11 Commissioner Hayman seconded the motion, which passed by unanimous vote (5-0).

12

13

14 _____
15 David Hirschi, Chair

_____ 09-27-2017 _____
Date Approved

16

17

18 _____
19 Katie Farnsworth, Recording Secretary