PLANNING COMMISSION MINUTES OF MEETING

Wednesday, December 14, 2016
7:00 p.m.

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

MEMBERS PRESENT
Kevin Daly
Cheylynn Hayman
Kathy Helgesen
David Hirschi, Chair
Gina Hirst
Logan Johnson, Vice Chair
Becki Wright

STAFF PRESENT
Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Cassie Younger, Planner
Emily Hatch, Recording Secretary

VISITORS
Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER
Commissioner Wright

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held November 9, 2016 were reviewed and amended. Commissioner Wright made a motion to approve the minutes as amended. The motion was seconded by Commissioner Hayman and passed by a vote 6-0, with Commissioner Helgesen abstaining.

2017 SCHEDULE REVIEW AND APPROVAL

The schedule for the 2017 Planning Commission meetings was presented for approval. Cory Snyder, Community Development Director, noted that the November City Council meeting was moved to November 8, 2017 due to election day, which moved the November Planning Commission meeting to November 15, 2017.

Commissioner Wright informed the Commission that she will not be present at meetings held in March.
Chair Hirschi made a **motion** for the Planning Commission to adopt the 2017 Planning Commission Schedule as provided. The motion was seconded by Commissioner Hayman and passed by unanimous vote (7-0).

Chair Hirschi reminded everyone that elections for the position of Chair and Vice Chair of the Planning Commission will be taking place at the first Planning Commission meeting in January. Chair Hirschi would be happy to support any nominations for those posts.

**PUBLIC HEARING – LEGACY CROSSING STORAGE, 150 NORTH 1250 WEST LANE - Consider the proposed Conditional Use Permit for a self-storage use**

(Legacy Crossing Storage) on property located at approximately 150 North 1250 West - Ken Menlove, Menlove Construction, Applicant

Mr. Snyder reminded the Commission that everyone has seen the site plan process, as the Conceptual and Final Site Plans have both previously been submitted to the Commission. The Final Site Plan has been approved, subject to acceptance of the Conditional Use Permit. The CUP is ready and prepared for the Commission to consider. The CUP is for the use only at this time; if there is anything above and beyond the issues listed in the Final Site Plan that can be mitigated, then it is the duty of the Commission to consider approving the CUP.

Staff has provided their report for this CUP. The storage facility will be located on the west side of Centerville, near the Megaplex Theater, and south of the Legacy Crossing project. There is an existing storage facility to the south. The applicants would like to construct a self-storage facility on the vacant parcel of land at 150 North 1250 West.

Staff’s view is that the area has had new development, including the Legacy Crossing Apartments, so there are residents nearby in the mixed-used sector. This site will be located within the Industrial-High Zone and will only be required to meet the standards for this zoning. However, since there are residential uses, there should be discussion around how these residents could be affected. Staff is concerned about hours of operation of the new site. The Centerville City Noise Ordinance already prohibits loading and unloading from 10 pm to 6 am, so this could be used to mitigate any problems that arise at the storage facility during this time. Staff’s view is that Legacy Crossing Storage should match those hours while making it specific to their project, including exceptions for emergency situations. However, this facility may create a constant / regular flow of traffic of people accessing this facility in the late night hours which wouldn’t be considered loading or unloading. Late night hours for the facility should be discouraged out of concern for existing residents, as long as emergency plans are in place and as long as they don’t violate the City Noise Ordinance.
Another concern for this project, that is typical for commercial use sites next to residential sites, is lights. If lights are not shielded / appropriately placed, then residents become frustrated.

The City Engineer is comfortable with the City instating a parking restriction from the corner of 1250 West and 200 North to just beyond the east side of the access to the storage facility, as this would keep parking and traffic away from the corners and thus maintain visibility, but would be uncomfortable restricting the entire street, as there are many people in the nearby apartments that park on-street (as allowed).

Staff is recommending approval of the Conditional Use Permit for Legacy Crossing Storage, with consideration for mitigating measures.

Commissioner Wright asked Mr. Snyder to remind the Commission why the City Engineer was opposed to making street cuts for access on 1250 West as opposed to 200 North. Mr. Snyder explained that 200 North is considered a local road, while 1250 West is an arterial street, so city rules try to minimize street cuts on 1250 West. An increase in the number of driveways means an increase in the number of turns off of that street, which causes more problems in balancing everyone’s needs and mitigating turn conflicts. As there are already curb cuts on the other side of 1250 West, it was decided to change the primary access to the facility to 200 North, both to minimize access on arterials and because existing powerlines caused issues for how to line up driveways / accesses with those across the street.

Chair Hirschi asked for if there will be a gate, or some form of security. Mr. Snyder showed that there will only be the one entrance.

Commissioner Hayman asked for clarification on where the City Engineer would prefer to restrict parking. Mr. Snyder restated that this would be from the corner to the curb cut on the south side of the road, and for a space on the other side of the entrance, which was addressed in the Site Plan. It would be acceptable to also add this as a condition in the CUP.

Commissioner Daly asked for clarification on the City Noise Ordinance, which should be from 10 pm to 6 am. The provided Staff Report states 6 am to 10 pm, and the suggested motion for the CUP listed in the Report states that hours of operation for the facility should be from 6 am to 9 pm, to align with this ordinance. Mr. Snyder acknowledged his mistake in the report; the Noise Ordinance states 9 pm to 6 am. Lisa Romney, City Attorney, verified these hours as stated in Section 7-09-020 of the Centerville Municipal Code.

Steve Garner, applicant, is one of the principal owners and developers. He informed the Commission that he would have no issue with limiting his hours of operation to conform to the Noise Ordinance, as typical access, excepting occasional emergencies, would be within those hours. Chair Hirschi asked if any afterhours visitors would be accompanied by a representative
from the company. Mr. Garner responded that this is not typical, but he’s comfortable with this step being taken if requested.

Regarding the on-street parking, the preference of the developers was to have the entrance to the facility on 1250 West, due to their concern of trucks being able to enter and exit safely. Mr. Garner’s understanding had been that parking would be restricted on both sides of the street. Mr. Snyder stated that during his previous conversations with the developers and engineers, it was only the south side of the street that would have restricted parking.

Commissioner Wright asked the applicant whether it was their choice, or the choice of the engineer, to switch the entrance to 200 North. Mr. Garner explained that they had tried to make it work to have the entrance on 1250 West without having to move any existing light poles, but that could not result in an entrance that was at least 150 feet from the intersection, as is required, so the entrance was moved around the corner. Commissioner Wright stated that her preference would be for the entrance to be on 1250 West, due to issues with entering the facility, parking for existing residents, and potential light disturbance for those residents. She asked the applicant if he had looked into moving the smallest light pole that is on 1250 West. Mr. Garner assured her they had considered all options before settling on the entrance on 200 North.

Mr. Snyder explained that to switch the plans now would mean that the Commission would need to reconsider their approval of the site plan, which have already been approved in their current state, due to the necessary changes to the drainage and access plans. Mr. Garner said he would hate to have to back up, and the plans are currently finalized.

Commissioner Hirst asked Mr. Snyder for the width of 200 North, and if allowing parking on the north side would cause any issues. The right-of-way is 80 feet, but they are not utilizing the full 80; the asphalt will be about 42 or 44 feet wide. Commissioner Hirst then asked Mr. Garner what size of truck and trailers he expects to have accessing the facility. Mr. Garner said it will likely be box trucks and U-Hauls. It is unlikely that semis will be accessing the facility, but not impossible.

Chair Hirschi opened the public hearing. With no one wishing to make any comments, Chair Hirschi then closed the public hearing.

Commissioner Johnson asked Mr. Snyder if the decision for whether or not on-street parking is allowed would be made by the city. Mr. Snyder responded that the decision was made by the City Council, based on the engineer’s recommendation in the site plan. If there are additional issues not addressed in the site plan, the Commission is welcome to mitigate those by adding a third condition to the CUP, and the requested configuration would be up to the approval of the City Council.
Lisa Romney, City Attorney, stated that she would like to add a third condition to the CUP requiring the developer to submit legal descriptions for the waterline easement and public utility easement to be prepared and recorded against the property prior to building permit.

Chair Hirschi made a motion for the Planning Commission to approve the Conditional Use Permit for the proposed Legacy Crossing Storage to be located at 150 North 1250 West, with the following conditions. Commissioner Daly seconded the motion.

**Conditions:**
1) The “hours of operation” for customer access and loading/unloading activities within or for the storage units shall be allowed from 6:00 a.m. to 9:00 p.m. with no such activity or customer self-access after this time frame, except for emergencies when accompanied by the owner/operator.
2) All pole and wall lighting fixtures shall be shielded in accordance with the design expectations of Section 12.55.140.a. of the Zoning Ordinance.
3) The Developer shall submit legal descriptions for culinary waterline and public utility easements (on three sides of the parcel) to be prepared and recorded against the property prior to issuance of a building permit.

Commissioner Wright explained that she does not feel comfortable with the current plan for the facility’s entrance on 200 North, due to issues with mitigating operation, parking, and visibility for large trucks. She recognizes that it is a burden to request the applicant revisit the option to move the light pole, but this option would make more sense to accommodate the large trucks, with the benefits of no on-street parking on this street to interfere with entering and exiting the facility and no limitation of parking for existing residents. Chair Hirschi stated he would argue otherwise, as there is currently another storage unit in the area that does have access via 1250 West. Currently, vehicles accessing this facility really disrupt the flow of traffic, thus turning 1250 West into a busy street. Access on 200 North instead of 1250 West would improve the flow of traffic on 1250 West and allow for slower trucks and easier turns. Commissioner Hayman stated that this is the plan that the City Engineer reviewed and was comfortable with implementing, and recommended that the Commission defer to his expertise. Commissioner Hirst explained that, since the facility will not be open after 9:00 pm, headlights from visitors affecting the local residents isn’t a significant concern.

The motion passed with a majority vote (6-1), with Commissioner Wright casting the dissenting vote.

**Reasons for the Action:**
a) A Conditional Use Permit is required for a self-storage use in the I-H Zone (Chapter 12.36)
b) The Planning Commission finds that a conditional use permit to be reviewed by the Planning Commission (Section 12.21.100).
c) The Planning Commission finds that during the review of the CUP, the use can potentially have a negative impact on the multi-family residences to the north of the site with regards to late night customer access and loading/unloading activities and site lighting.

d) The Planning Commission finds that the conditions imposed can mitigate the identified negative impacts mentioned above.

e) The Planning Commission finds that with the Commission’s review and conditions imposed, there is sufficient evidence to necessitate a CUP approval of proposed self-storage use.

PUBLIC HEARING – SAL BIRNAM WOODS 100-FT TOWER, 1100W W PORTER - Consider the proposed Conditional Use Permit and Final Site Plan for a 100-foot Monopole Tower (wireless telecommunications facility) to be located at approximately 1100 West Porter Lane - Tierney Rowe, Epic Towers, LLC, Applicant

A Conceptual Site Plan was approved on September 28, 2016 for this 100-foot tall monopole tower located at 1100 West Porter Lane. The concerns that were raised at that time have been largely mitigated in the Final Site Plan. The Commission requested that the front landscaping be 20 feet from the front of the road, which has been completed. This is not enough to meet the required 10% landscaping for this zone, but this will be increased in Phase 2 of this plan. They have also added an asphalt driveway, as requested. It is noted on the plan that, as part of Phase 1, the existing cars parked on this lot will be removed prior to construction.

The antenna seems to be appropriately size based on the plan. There are no climbing pegs, all cables are underground. There will be two fences for screening: a 4-foot tall vinyl fence at the property line and a 50 by 50 foot fence, which will be 6 feet tall with an additional foot of barbed wire on top, around the pole, which is 300 feet from the property line,. The FAA and the FCC will need to be notified with proper permits once construction is complete, as acknowledged in their letters of acknowledgment.

Everything requested in the Conceptual Site Plan has been addressed in the Final Site Plan. Staff found that there are no other monopoles in the surrounding area, and the proposed tower would not interfere with any current operations of sensitive lands. Sixty feet of height is allowed based on the current zoning, and the Conditional Use Permit is needed to expand this to 100 feet. There have been no findings that would give cause to deny this permit.

Tierney Rowe, applicant, from Epic Towers verified that they had met all conditions required by staff for the Conceptual Site Plan.

Chair Hirschi opened the public hearing. As no members of the public wished to speak, the public hearing was closed.
Commissioner Johnson asked for clarification on the landscaping requirement for Phase 1 vs. Phase 2 of the site plan. Cassie Younger, Assistant City Planner, explained that the property for the second phase hasn’t been leased yet. Mr. Snyder further explained that current ordinance requires that the whole property be developed at once, unless there is a phase approval. The Conceptual Site Plan review allowed for the opportunity for the applicant to request a two phase process and asked that anticipated use of Phase 2 be addressed. There may be some shifts and changes as Phase 2 is developed.

Commissioner Wright made a motion for the Planning Commission to approve the Final Site Plan for the proposed communications facility with the following conditions. Commissioner Hayman seconded the motion. The motion passed with a unanimous roll-call vote (7-0).

**Conditions:**

1. All construction of the property and monopole with the required fencing, landscaping, and permitting follows the Final Site Plan submitted to the City on November 10, 2016.
2. All vehicles stored on the property are to be removed as soon as Phase I of construction begins or prior to receiving a final inspection related to the building permit.
3. FAA is notified properly to give a Notice of Actual Construction within 5 days after the construction reaches its greatest height.
4. FCC is properly notified within 24 hours of completion of construction of the project.
5. The remaining landscaping requirements will be addressed with the approval of Phase 2 of the project, consisting of at least 10% of site.

Commissioner Hirst made a motion to approve the Conditional Use Permit for the Verizon Telecommunications Site to be located at 1100 West Porter Lane, with the following conditions. Commissioner Hayman seconded the motion. The motion passed with a unanimous roll-call vote (7-0).

**Conditions**

1. The CUP approval is subject to the construction and compliance with the approved Final Site Plan from the City.
2. The monopole height shall not exceed the 100’ limitation of Section 12.67.080.d.1

**PUBLIC HEARING – CANYON POINT IN CENTERVILLE, 347 NORTH 400 EAST**

Consider the proposed Conceptual Site Plan for Canyon Point in Centerville (formally Martha's Place), on property located at 347 North 400 East, for the purpose of a multi-family development; consisting of 1 tri-plex, 1 duplex and 1 single-family dwelling - Chad Morris, Property Owner & Applicant
There have been several previous site plan applications for this same location, but the owner has recently acquired more properties. The new western end of the development is the new acquisition and the reason for the change from previous site plans. Building pad 2 will be a duplex, building pad 1 will be a triplex, and the existing home on pad 3 will remain. Currently, the applicant is allowed 3 homes with ¾ of an acre; the Conditional Use Permit will allow an increase to 6 dwellings.

This site is in the Deuel Creek Historic District, so there will be incentives to maintain the architectural character of the neighborhood and to fit in with the surrounding homes in the area.

All of the development standards have been met or are to be determined based on additional information. Parking is not noted on the site plan, but it seems that a 2-car garage will be included with each unit, along with six on-street parking stalls for visitors. There is currently an issue with a nonconforming driveway for the existing home. Currently, space for the parked cars is before the setback. This will need to be moved so there is enough room for the pad or garage to be beyond the setback.

The development is meeting the 40% requirement of landscaping so far. The plan also shows trees to be added at the rear of the lot for screening. Right now there are plans for a 6-foot fence and 10 trees at the southern end, and a 6-foot fence at the northern end as well. A complete landscaping plan will need to be submitted with the Final Site Plan, as it is not included in this version.

Regarding utilities, there is the issue of the existing overhead telephone line across from building 1 and an existing shed that is crossing the property line. The shed will have to be removed.

The CUP is needed for an increase in density for this area. Staff does ask that the developer maintain the architectural design standards of the neighborhood, especially the buildings at the southern end, and that they be sensitive to the backyards of neighbors by having appropriate screening and proper designs to preserve privacy.

Mr. Snyder reminded the Commission that the plan before them was only the Conceptual Site Plan. The applicant is seeking the CUP for the density change before submitting his Final Site Plan, so the Commission should be looking at this conceptually. The applicant desires to eventually pursue a PUD to subdivide this multi-family project so the townhomes can be individually sold. The Commission will be seeing multiple versions of this plan as the developer moves forward.

Chair Hirschi asked if the CUP was being withdrawn, as the report says it has been filed. Mr. Snyder explained that a CUP was the initial plan, but they are hard to obtain without having
final designs in place, so he asked the applicant to delay submitting a CUP. Chair Hirschi agreed that, in the past, it has been easier to handle the CUP process when more information is available,

Commissioner Wright inquired as to the green space requirements for this area. Mr. Snyder replied that it is the standard 40% requirement, as well as having 1 tree and 2 shrubs per unit. Since this is not a single-family project, there are multiple options for how to proceed. With a multi-family zone, there is the option to create individual lots, with a duplex on each, and meet normal lot requirements. A second option is a master plan project, like a Planned Unit Development subdivision, in which case the individual lot type expectations expand to the whole project in addition to requiring 1 tree and 2 shrubs per unit. In this case, the Commission is seeing the latter. For the 1 tree, 2 shrubs requirement, it is acceptable to substitute the number of trees up to 10% with additional shrubs. Commissioner Daly asked if it was an option to add a condition to the CUP, if the Commission decided that they wanted the trees in this buffer to go above and beyond the required number. Mr Snyder replied in the affirmative.

Commissioner Wright asked if the current proposal said anything about a Planned Unit Development. Mr. Snyder explained that it does not, the current plan is a master plan for one site, but the plan is to later convert this to a PUD.

Chad Morris, applicant, explained that the current plan indicates the inclusion of trees, but there is no specific plan in place yet. They have tried to mitigate all points that were brought up previously, even though this is a different plan being proposed. With regards to the shed on the property line, this will be removed, along with several older sheds on the property. Chair Hirschi asked if the shed was being used by the neighbor to the north. Mr. Morris said yes, but that property had also been bought by him, so there was no concern with removing it. Mr. Snyder showed that the applicant owns more property in the area than is included in the current plan, and even though the applicant owns both pieces of property, there cannot be buildings on property lines.

Mr. Morris also explained that the driveway for the single home would be moved to the north side of the structure and would be a two car driveway, perhaps with a garage. Commissioner Wright asked whether the residents would be able to fit 6 vehicles in the on-street parking. Mr. Snyder explained that the applicant will be adding visitor parking for 6 vehicles, even though it is not required. The requirement for multi-family units is 2 parking spaces per unit, but he asked the applicant to consider an option for visitors as well.

Commissioner Wright observed that there does not seem to be usable backyards for the units. Mr. Morris said that the backyards will extend 10 feet, which will be usable to an extent. Mr. Snyder added that the area on the north end of the driveway and the retention basin are considered impervious surface area. Significant yard space will be dedicated as part of the pad to the home.
Commissioner Hayman asked the applicant if he had decided what type of trees will be used along the fence line. Mr. Morris stated that he has talked to a landscaper, and, though he doesn’t know the names of the trees to be used, they will be tall and thin trees to work in that space.

Chair Hirschi opened the public hearing.

Linda Martin, the resident at 331 North 400 East, which is the property to the south of Mr. Morris’s proposed development, read an opening statement to the Planning Commission. She is troubled by the idea of this area being rezoned as a multi-tenant and rental property. The area has always been an owner-occupied, single-family neighborhood, and she is concerned that this will change. She is also concerned that the new property is 4 feet higher than her property and that of a neighbor. Along this property line is an old, crumbling rock wall which she does not believe will support this new project. If it is damaged or shifts, it will also damage the existing property. There is another neighbor who has an old cinderblock wall along part of their backyard, but no support along the rest, which has caused the property to collapse and erode over the years. Ms. Martin is requesting that a condition to properly retain his land be added to the CUP.

Ms. Martin also asked about the fence or barrier that is required, and whether it will span the length of the property, and what type of fencing it would be.

Ms. Martin agreed that trees are needed to the rear of the building for privacy, but trees planted at the proposed location, within a few feet of the property line, will cause damage to the retaining wall of the property. In addition to this, she does not want to have to deal with overhanging branches. There is also the powerline to consider, and the necessary easements that must be honored to protect those lines. Ms. Martin has met with Ed from Rocky Mountain Power about how this project will affect existing residents, and has been provided with a pamphlet explaining the rules for planting trees and stated that only trees that grow to a maximum height of 25 feet will be allowed. However, as the purpose of this barrier is to screen neighbors from a 35-foot high complex, this won’t work. Instead, Ed suggested, and Ms. Davis agrees, that trees not be planted along the fence line but instead plant trees that grow to 35 feet or more off of the back side of each unit, directly in line with the windows of the upper unit.

Ms. Davis is happy to hear that the issue with the existing driveway will be addressed, as moving that driveway will eliminate a blind spot. She would also like the mound of earth that was built up for the existing driveway to be removed, as it is currently causing problems with runoff and erosion, and level the property with that of the neighbors.

Ms. Davis’s number one concern with this project is the issue with the sewer. It is a relief to hear that a new and independent sewer system will be required for this project, but she
strongly urges the commission to require that the existing sewer lateral for the existing home be attached to the new sewer system for this property.

Seeing no one else with any questions or comments, Chair Hirschi closed the public hearing.

Mr. Snyder expressed appreciation for the comments made by Ms. Davis, as it rarely happens that an invested person comes in to make comments and raise issues during a public hearing. He acknowledged that there are a number of issues raised by Ms. Davis that need to be investigated, including the plan for landscaping and the privacy buffer between the properties. He also recommended the applicant have a discussion with the Sewer District regarding the sewer line for the existing home and provide the Planning Commission with the decision and recommendation of the Sewer District. He also advised the applicant to take the feedback from Ms. Davis and keep that in mind when making design plans.

Chair Hirschi asked Mr. Morris for his thoughts on removing the driveway and leveling the lot to that of the neighbors. Mr. Morris doesn’t see a problem with removing this mound, but he is unsure how they would go about leveling the property, though they will do their best. Commissioner Johnson asked if there are any grading requirements by code to be considered. Mr. Snyder replied that it appears that the drainage does not seem adequate, and perhaps the City Engineer should weigh in. There will be a final grading and drainage plan, which is intended that there shouldn’t be drainage onto the neighbor’s property, so perhaps a retaining wall system and drainage plan should be investigated. He is cautious about worrying about equal grade for the properties. Instead, there should be a focus on a retaining system and drainage, which is what they will be looking at in the final design. There will be a slab in place, and impervious surfaces can cause a surge in drainage, but this will depend on the material used underneath and whether the water penetrates to the soil.

Commissioner Wright asked Mr. Morris for his plan for retaining the property. Mr. Morris said there is no plan in place as of yet, that will come with the Conceptual Site Plan. The current rock wall and cement wall will probably have to be removed and replaced to accommodate drainage. This would be best asked to an engineer, but his thought is there won’t be an issue.

Mr. Snyder explained that retaining systems differ for things 4 feet or less and things over 4 feet. Staff would be looking at the load weights of structures onto the soil, the elevation distance between the two plots, and whether that distance creates a problem with the retaining system.

Commissioner Wright asked what the process is for addressing the issues that were raised. Mr. Snyder replied that this is the time to give feedback to the applicant. The applicant
should look into these matters and consider the staff suggestions. These issues should be addressed in the final plan from the applicant.

Commissioner Helgesen asked Mr. Morris which property this rock wall is on. Mr. Morris said that, based on the survey conducted, it is on his property. However, the wall does not go in a straight line.

Commissioner Daly asked Mr. Morris if there had been any discussion about removing the existing sewer lateral for the existing home and instead running a line through the new system. Mr. Morris said there had not been, because the sewer line is already there, but they have paid for that sewer line to be relined, though he’s unsure how much of it was relined, and South Davis Sewer has approved the use of the existing line. Chair Hirschi said that input was needed from the Sewer District. Mr. Morris said he could provide a letter from the Sewer District with their approval. Mr. Snyder has seen the letter, but would also ask for information on what work was done, what distance was relined, and decide then, in the final design plan, if this is sufficient.

Chair Hirschi asked where the new lateral line will be placed. Commissioner Daly said this is along 300 North. Commissioner Daly would like to see the Sewer District weigh in on using the existing lateral vs. switching the existing home to the new lateral, and whether they have concerns with the current plan. Commissioner Johnson asked if the new line was being installed only about 15 feet from the existing line. Mr. Snyder said yes, it is fairly close.

Commissioner Hayman asked if Mr. Morris intends to run a fence from the front of the property to the rear of the property. Mr. Snyder said the design plans show a 6-foot fence along the south line, but this 6-foot fence can only run to the 25-foot easement, and then has to drop to 4 feet. Mr. Morris said he didn’t plan on running the fence all the way to the front, but would possibly consider it.

Commissioner Hayman observed that Ms. Davis had made a good point about the powerlines and the tree barrier between the properties. She encouraged Mr. Morris to talk to his neighbors about the best types of trees and the best placement for this barrier.

Chair Hirschi made a motion for the Planning Commission to approve the Conceptual Site Plan for Canyon Point, located at 360 East 400 North, with conditions 1-10 of the staff report, as well as an addition condition 11. Commissioner Johnson seconded the motion.

**Conditions:**

1. A final site plan shall be submitted following all applicable standards found in Section 12.21.110(e) of the Zoning Ordinance.
2. The applicant should address the architectural design standards for the multi-family units as found within Chapter 12.49 of the Zoning Ordinance. Unit specifications as well as building pads should be marked on the Final Site Plan.
3. Architectural design consider the Deuel Creek Historic District architectural context and the incentives provided in Chapter 12.49.

4. Remove existing sheds located on the property, in particular the one located over the property line.

5. Submit a landscaping plan that meets the multi-family residential standards in 12.51.

6. Ensure adequate parking garages and visitor spaces.

7. If the applicant desires to have signage for the project, this shall be indicated on the final site plan and meet the requirements found in Chapter 12.54 of the Zoning Ordinance.

8. The applicant shall address the overhead telephone line with the proper utility company for relocation, burial or allowing the line to stay in place.

9. The location of the fire hydrant shall receive final approval from the City Engineer and the South Davis Metro Fire.

10. The applicant shall receive the approval of a Conditional Use Permit for the density of 8 units per acre; a total of 6 on this site, which includes the use of a single-family dwelling.

11. The applicant review and return to the Commission with a report on how the applicant intends to retain property, dealing with retaining walls that exist and any that may be necessary to add, and that we receive information from the Sewer District with respect to the connection to the old home and its recommendation in that regard. The applicant should also provide the Commission with information on fencing and what is proposed in more detail. The Applicant will also provide the Commission with information concerning landscaping, including the buffer and privacy issues, as well as runoff issues.

Commissioner Wright stated that it would be very valuable to have a note and recommendation from the Sewer District, and to know their preference of whether the home should be on the existing line or moved to the new line. She also reiterated that the comments from the public were very helpful, and lots of issues were raised that the applicant can and should address, and doing so will improve the site for everyone. Chair Hirschi reminded the Commission that this plan is still in the very preliminary stages, and there will be more discussion and further hearings on this matter.

The motion was passed by a unanimous roll-call vote (7-0).

Reasons for the Action:

a) The conceptual site plan submittal has adequately shown how the property may be developed [Section 12.21.110(d)(2)].

b) The development appears to satisfy the goals and objectives found within the Centerville City General Plan [Section 12.480.2(1)(b)].

c) The proposed conceptual site plan, with the directives given, appears to be capable of meeting applicable Development Standards for the R-M Zone.
PUBLIC HEARING – THE COTTAGE ON THE CORNER, 323 EAST PAGES LANE – Consider the proposed Conceptual Site Plan and Conceptual Subdivision Plan for The Cottage on the Corner Townhomes (formally Balling Townhomes), a multi-family development; consisting of 1 building, 6 units, on property located at 323 East Pages Lane (1000 South) - Scott Balling, Property Owner & Applicant

Mr. Balling owns this property. It’s been the Balling Engineering facility for years, but the business will be moving on to new location. Mr. Balling recently petitioned the City Council to rezone this property, and was granted a rezone from Commercial-High to Residential-Medium. Mr. Balling is planning to build 6 townhomes in an L-shaped building on the two lots he currently owns. This is a conceptual review in order to give feedback to the applicant. The plan for this application is to begin the processes for both the Conceptual Site Plan and the Conceptual Subdivision Acceptance. The applicant plans to come to the Commission with a Final Site Plan and Conditional Use Permit and then convert the site into a Planned Unit Subdivision.

Mr. Balling would like to build six units. There is a need for a lot-line adjustment to the east of a foot or two and would incorporate the retaining wall there. There would also be an additional acquisition of land to the north from the LDS church in order to increase Mr. Balling’s property to the correct parcel size for 6 units as a density request under the CUP. The plan is that the rear side of the units would face 300 East. There are some positives to the current elevation plan, including that the lack of a back door and back patio would prevent this area from becoming a storage area for the residents, and thus functions more as greenspace and is a better presentation to the community. Another positive is the existence of balconies, allowing residents to enjoy the outdoors as part of their internal environments. There are not many design issues in this plan from an administrative permitted use level, though curb appeal and the aesthetics of the front yard are important to the community.

Some concerns include the landscaping of the area. The site currently has 35% of the required 40% landscaping, and so is 5% short. Another design issue is around parking and circulation: the trash receptacle is in the parking lot so as not to be next to the front doors of the units. Mr. Balling has talked to A1 Disposal, which is comfortable with the current location of the dumpster. However, City parking ordinances prohibit backing out onto a public street from a parking lot. A third concern is the angled parking. Typically, this includes a one-way lane that leads you around the building. Mr. Balling intends to honor a previous commitment that there be no point of access to 300 East. Mr. Balling did provide a sketch of a proposed radius-turnaround for those stalls that would allow backing out for the angled parking. The last issue is a concern with parking for units 3 and 4 and the constraints there with a longer backout space or necessary multi-point turnarounds. Staff recommends acceptance of the Conceptual Site Plan feedback for the applicant to address in his Final Site Plan.
Chair Hirschi inquired if there are trucks that can pick up the dumpster from behind, and if that would alleviate the issue of backing out onto a street. Mr. Snyder said that may be an option to consider.

Scott Balling, applicant, expressed his appreciation for the thorough staff report. He did have some additional notes to share (attached).

- Four of these units will be ramblers, and two will be two-story buildings. Unit 2 will have the greatest height of 32 feet to the top of the roof, which is lower than the existing building on the site.
- Before moving forward with the rezone, Mr. Balling provided copies of the plan to all residents within 500 or 600 feet of the site and asked for their input. The residents along 300 East were opposed to any access along that street and instead wanted it on Pages Lane, due to the nearby elementary school. Mr. Balling has taken steps to honor that.
- The site is at 35.8% landscaping of the required 40%. He has added some additional greenspace along the visitor parking. There are four patios along the north side that can be decreased in size to meet the 40%, but he would prefer not to take this step.
- Mr. Balling has made an agreement with the LDS Church next to the site to purchase an additional 4 feet of land from their existing field. He will be putting up a masonry wall along the boundary to match the wall along the east side.
- Mr. Balling is fine with the 1 tree 2 shrubs requirement and will be providing a final landscaping plan from a landscape architect.
- Regarding visitor parking, there should be plenty of room for the visitors to leave the parking lot. Mr. Balling has tried this radius in his F150 truck and had no issues. Mr. Balling’s provided plan shows potential ways for residents to leave the garages. All vehicles will pull onto Pages Lane in the forward position.
- The dumpster was chosen as a better option than purchasing City garbage cans, as garbage cans would be blown away in any wind storm. The dumpster will be enclosed by a 6-foot masonry wall. Mr. Balling would also like to add a ground-level sign and additional trees to beautify this area and hide the dumpster from street view.
- Mr. Balling has provided a copy of the letter from A1 Disposal, stating that they have no concern with picking up the dumpster in its current planned location. The dump truck would be past the sidewalk when performing pick up, and could be scheduled to do so at off-peak hours so as to avoid conflict with students at the nearby school.
- Regarding the curb appeal from 300 East, Mr. Balling prefers the Enhanced Rear Elevation Design. In the provided plan, Mr. Balling has added a fence / wall combination to add to the aesthetic appeal from the street. As for the concern that the residents will use the back area as a place for storage, Mr. Balling explained that this is a common area, and under control of the HOA.
Mr. Snyder responded with a request to sit with the applicant when he prepares his final plans. The 40% required landscaping could be met with up to 20% decorative hard surfaces. Mr. Snyder did reference the Zoning Code for backing out onto a street, so this will need to be investigated. It may be part of the CUP to require the garbage pick up to be scheduled at a time without visitors parked in the stalls, and then use the parking lot to do a 3-point turn back onto the street. Mr. Balling will ask A1 Disposal if a dumpster that can picked up from behind is an option, but questioned whether it would be better for the garbage truck to have to stop on the road and back into the parking lot than to back out onto the street after pickup.

Chair Hirschi opened the public hearing. Seeing no one that wished to comment, the public hearing was then closed.

Commissioner Daly asked Mr. Snyder for the exact wording of the code for backing out on the street. Mr. Snyder read, “Backing space: each parking lot shall include backing space within the lot or parcel so a vehicle will not exit by backing out onto the public street. A public sidewalk shall not be used as part of the required backing area for the parking lot.” Commissioner Wright stated that, since this site is right next to an elementary school, she feels it is best to follow the ordinance and err on the side of caution. Commissioner Daly said that while A1 does say in their letter that they have great drivers, we do want to give every opportunity for safety measures to be in place. Commissioner Hayman expressed her appreciation to the applicant for the thought behind the placement of the dumpster, and the attempts to screen it from view.

Mr. Balling will talk to A1 Disposal again, to see if they would be able to back up and turnaround on site, and ask them to write another letter to this fact.

Commissioner Hayman made a motion for the Planning Commission to approve the Conceptual Site Plan for The Cottage on the Corner Townhomes located at 325 East Pages Lane, with the following conditions. Commissioner Wright seconded the motion. The motion was passed with a unanimous roll-call vote (7-0).

**Conditions:**

1. Prior to submittal of a Final Site Plan application, the applicant is to secure the needed lot line adjustments and obtain any needed rezoning of these properties to the R-M Zone; If unable, the applicant is to redesign the development to meet the density allowances of the R-M Zone.

2. In conjunction with any Final Site Plan submittal, the applicant is to prepare and submit for a Conditional Use Permit to be considered for any density request that has a dwelling density of 5-8 units per gross acre.

3. As part of the expected Conditional Use Permit review, the CUP submittal is to also address the following:
a) The design plan and layout is to address the concerns regarding the needed
two/three-point turn to exit the garages for Units 3 & 4.
b) The design plan and layout is to be reviewed by the South Davis Metro Fire
Service Area and the Public Works Director to ensure that there is sufficient
access, circulation and hydrants; including fire hydrant flow capacity to
service the proposed development.
c) The design plan and layout will need to be reviewed by the City Engineer to
determine how to provide for proper site drainage and storm water
management.
d) The design plan and layout is to address the visual streetscape and landscaping
design elements that were raised in the staff report for the Conceptual Site
Plan acceptance.

4. The applicant is to submit a final site plan application meeting the standards found in
Section 12.21.110.e of the Zoning Ordinance.

5. The final site plan submittal is to also address the following:
a) Provide a Landscaping Plan and address the standards of Chapter 12.51.
   Landscaping & Screening. Additionally, this plan is to address the short-
   comings listed in the Planning Staff report for the Concept Site Plan
   acceptance.
b) The final site plan is to address the prohibition of vehicles (i.e. dumpster
   location) backing onto the Public Right-of-Way for exiting.
c) The proposed dumpster is to be completely screened from view with an
   opaque six-foot wall or fence. The wall or fence is to be compatible in
   material and color of the main buildings on the site.
d) If any project signs are desired, the desired sign location is to be depicted on
   the final site plan.

**Reasons for the Action:**

a) The conceptual site plan submittal has adequately shown how the property may be
developed [Section 12.21.110.d.2].
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 Conceptual Site Plan that has been submitted depicts how the site could be
appropriately developed and with some alterations could be designed to comply with
the applicable provisions of the Residential-Medium (R-M) Zone (see Section
12.21.110.d.5) and other relevant regulations, as discussed in the Planning Staff
Report.

Commissioner Hirst made a **motion** for the Planning Commission to approve the
Conceptual Subdivision Plan for The Cottage on the Corner Townhomes located at 325 East
Pages Lane, with the following conditions. Commissioner Helgesen seconded the motion. The
motion passed with a unanimous roll-call vote (7-0).
Conditions:

1. The Conceptual Subdivision Plan acceptance is dependent upon the approval of a Final Site Plan and any applicable CUP approval, as being proposed with the related Conceptual Site Plan acceptance of December 14, 2016.

2. Once the related Final Site Plan and CUP approvals are secured from the City, the applicant shall prepare and submit a Preliminary Subdivision Plat, depicting how the related site plan will be prepared as a Subdivision Plat, coordination of construction plan elements between site plan development and those to be constructed with subdivision development, and the layout and dedication of common, limited common, and private lots or building envelopes.

Reasons for the Action:

a) The project consists of a multi-family residential development inherently connected to the Final Site Plan and CUP approvals of the R-M Zone.

b) The PUD subdivision regulations provide for the opportunity to allow the multi-family to be individually sold to the marketplace through a recorded plat, provided there are mechanisms to have the owners of the development participate in the continued maintenance of common areas and open spaces.

c) The conceptual subdivision plan must be consistent with the policies of the applicable neighborhood plan

d) Any PUD subdivision development must be consistent with the design plan (i.e. final site plan and/or CUP) approved by the Planning Commission or the City.

Mr. Snyder made the comment that it’s been nice to see everyone participating in the process tonight and how great everyone has been to work with.

PUBLIC HEARING – RAY SUBDIVISION, 233 SOUTH 100 EAST – Consider the proposed Preliminary and Final Subdivision Plan for the Ray Subdivision, on property located at 233 South 100 East, for the purpose of creating 3 residential building lots - Lance Evans, PLW Inc., Property Owner & Applicant

Mr. Evans would like to subdivide his property in three lots, which is allowed with the current zoning. The Conceptual Site Plan was approved last month with few conditions. The biggest concern was the buildable area in lot 3, which is the smallest lot in the subdivision. The minimum required building pad area is 2000 square feet. This pad will be 2386 square feet, and so fits the requirements. All other pads are larger. The public utility easements have been marked on the plan, and the Fire Marshall has sent a letter with some conditions. The fire hydrant is across the street and close enough for use. If there are any future structures, they will need to have adequate fire access roads in place.
Drainage and construction plans have been submitted. The City Engineer stated that soil reports are not necessary since there is already an existing home on the property. All letters from utility providers have been submitted

Lance Evans, applicant, expressed his hope that all issues have been addressed, and welcomed any questions from the Commission.

Chair Hirschi opened the public hearing. With no questions from any interested parties, the public hearing was then closed.

Commissioner Daly made a motion for the Planning Commission to approve the Final Subdivision Plat and Plans for the Ray Subdivision located at 233 South 100 East, with the following conditions. Commissioner Hayman seconded the motion. The motion passed with a unanimous roll-call vote (7-0).

**Conditions:**
1. The Final Plat Linen shall meet all the standards found in Chapter 15:3 of the Subdivision Ordinance.
2. After the final plat is deemed acceptable by the City Engineer and City Attorney, the City will record the plat at the Davis County Recorder’s Office.
3. The final construction drawings shall be reviewed and approved by the City Engineer prior to the recommendation of the Subdivision Plat.

**Reasons for the Action:**
1. The final subdivision plat is in harmony with the General Plan [Section 12.480.52.1.e].
2. The new subdivision meets the objectives for development within a Residential-Low Zone [Section 12.30.020.b.1].
3. It appears all applicable development standards for development within an R-L Zone have been satisfied [Table 12.32.1].
4. It appears all general requirements for a subdivision have been satisfied [Chapter 15-5].
5. All applicable standards found in the Subdivision Ordinance pertaining to a final subdivision review have been satisfied [Chapter 15-4].

**COMMUNITY DEVELOPMENT DIRECTOR’S REPORT**

Mr. Snyder shared that staff has been blessed with great people on the Commission, and they are grateful for everyone and their input.

1. Items scheduled for January 11, 2017
   - Interform Cross-Access Amended Site Plan
At least two additional items will be on the agenda

**CITY COUNCIL ACTIONS REPORT**

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

- **November 15, 2016:** General Plan Amendments - West Centerville Neighborhood Plan - Removing Industrial Very-High Zoning District - Section 12-480-6
  - **Motion:** Deny
- **November 15, 2016:** Consider Ordinance No. 2016-29 repealing flag-lot provisions in City Code or send matter back to the Planning Commission with directive regarding potential revisions
  - **Motion:** Repeal
- **November 15, 2016:** Direction to staff and Planning Commission re: General Plan Southeast Neighborhood
  - **Motion:** Begin revisions
- **December 6, 2016:**
  - No items for Planning Commission

Chair Hirschi expressed his appreciate for the staff’s support of the Commission and said that the Commission has been blessed by a great staff.

Commissioner Johnson made a motion to adjourn. Commissioner Hayman seconded the motion, which passed by unanimous vote (7-0).

The meeting was adjourned at 9:34 p.m.