

1 PLANNING COMMISSION MINUTES OF MEETING

2 Wednesday, April 26, 2017

3 7:00 p.m.

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

7
8 MEMBERS PRESENT

9 David Hirschi, Chair
10 Cheylynn Hayman, Vice Chair (arrived at 7:07 p.m.)
11 Gina Hirst (arrived at 7:44 p.m.)
12 Kevin Daly
13 Logan Johnson
14 Kathy Helgesen
15 Becki Wright (arrived at 7:05 p.m.)

16
17 STAFF PRESENT

18 Lisa Romney, City Attorney
19 Cory Snyder, Community Development Director
20 Cassie Younger, Assistant City Planner
21 Luanne Hudson, Recording Secretary

22
23 VISITORS

24 Interested citizens (see attached sign-in sheet)

25
26 PLEDGE OF ALLEGIANCE

27
28 OPENING COMMENT/LEGISLATIVE PRAYER – Chair Hirschi

29
30 MINUTES REVIEW AND APPROVAL

31 The minutes of the Planning Commission meeting held April 12, 2017 were reviewed and
32 amended. Commissioner Helgesen made a **MOTION** to approve the minutes as amended. The
33 motion was seconded by Commissioner Johnson and passed unanimously (4-0). At the end of the
34 meeting, Commissioner Wright made a **MOTION** to reopen and table the minutes in order to
35 provide additional detail on the Commissioners' discussion regarding the approval of a
36 Conditional Use Permit for a church in the Industrial-High (I-H) Zone. The motion was seconded
37 by Commissioner Johnson and passed unanimously (7-0).

38
39 PUBLIC MEETING - FINAL SITE PLAN, 149 WEST 1850 NORTH,
40 ADMINISTRATIVE Decision, Consider the proposed Final Site Plan for an un-platted
41 residential development for an accessory building. Terry & Selene Bleak, Applicants.

42 Community Development Director Cory Snyder provided a progress report on the Bleak
43 application for approval of a Final Site Plan for an accessory building (garage). He said the
44 Bleaks recently acquired an un-platted parcel of land adjacent to their existing subdivision lot
45 and combined the land together into a single parcel, as allowed by state law. He said this is an
46 interesting case because the Bleaks want to use the end of a dead-end road as access to the lot
47 where they plan to build a garage. He said Staff's challenge was to develop a solution that would
48 be consistent with City ordinances and also fair for future applicants with similar requests. He
49 said Staff has worked through the details to develop an appropriate solution and recommends

1 approval. Staff proposes dedicating an easement to the dead-end road that allows the applicant to
2 construct the access driveway to the proposed garage. The easement would split the dead-end
3 road with the adjacent property/homeowner. Director Snyder said City Attorney Lisa Romney
4 has crafted an agreement between the homeowners and the City for dedication of the temporary
5 turn-around easement and permission to use the area for a driveway access. This agreement will
6 need to be approved by the City Council.

7
8 Commissioner Daly asked what changes had been made since the Commissioners last
9 looked at the project. Director Snyder said the detention basin had been moved out of the
10 easement area. Commissioner Daly asked the applicant about drainage and if the applicant would
11 plant grass and bushes to mitigate issues with the detention basin. Director Snyder said the
12 applicant will be required to pay applicable drainage impact fees.

13
14 Applicant Terry Bleak said he would plant grass or bushes in the easement area. He said
15 this had been a long process and they are anxious to move ahead.

16
17 Chair Hirschi opened the public hearing at 7:14 p.m. and seeing no one wishing to
18 comment, closed the public hearing at 7:14 p.m.

19
20 Commissioner Daly made a **MOTION** for the Planning Commission to approve the Final
21 Site Plan for the proposed residential development outside a platted subdivision for a tract
22 combined with the home located at 149 West 1850 North, with the Conditions (1-7) and the
23 Reasons for Action (a-b) noted in the Staff Report. The motion was seconded by Commissioner
24 Johnson and passed unanimously (6-0).

25
26 **Conditions:**

- 27 1. The final site plan approval is for Parcel 07-139-0031, consisting of 0.621 acres, which is
28 comprised of the formerly named Lot 20 of the France Estates Subdivision, along with a
29 tract of land adjacent to the south, which have been combined to create one (1) singular
30 legally created lot.
- 31 2. The final site plan approval is for the residential construction of an accessory building
32 (garage), as depicted on the plan submittals dated April 18, 2017 and the conditions of
33 approval. Nonetheless, any additional residential accessory development shall be subject
34 to obtaining an amended site plan approval consistent with City ordinances.
- 35 3. Detention Basin #1 is to be relocated just outside the easement area and be deemed
36 acceptable to the City Engineer, as part of the issuance of a building permit.
- 37 4. The applicants shall pay the related drainage impact fee for the un-platted portion of the
38 property or other applicable fees, as part of the issuance of a building permit.
- 39 5. Due to the applicants' and adjacent property owners' desires to use the end of the public
40 street for site access, the final site plan approval is conditioned upon obtaining City
41 approval, entering into any required agreement, and preparing plans for the constructing
42 and connection of the access drive.
- 43 6. All related access improvements (within the easement area) shall be bonded for as part of
44 the issuance of a building permit and shall be installed and deemed acceptable by the City
45 prior to any final inspection for the accessory building.

- 1 7. The required side lot line and rear lot line utility easements shall be accepted by the City
2 and recorded in a configuration that is contiguous with the easements dedicated for the
3 former Lot 20, and deemed acceptable to the City, prior to issuance of a building permit.
4

5 **Reasons for the Action (Findings):**

- 6 a) The Planning Commission finds that a final site plan approval is required to obtain
7 approval to construct an accessory dwelling outside a platted subdivision [Section
8 12.21.110.e].
9 b) The Planning Commission finds that the approval and conditions listed ensures
10 compliance with applicable ordinances of the City.
11

12 **PUBLIC HEARING - ZONE MAP AMENDMENT, FINAL SITE PLAN AND Conditional**
13 **Use Permit, Legislative and Administrative Decisions, Cottage on the Corner, 323 Pages**
14 **Lane. Scott Balling, Applicant**

15 Assistant Planner Younger reported on the applications for a Zone Map Amendment,
16 Final Site Plan, and Conditional Use Plan for the Cottage on the Corner development from
17 Applicant Scott Balling. She said the project now requires a zoning change to Residential-
18 Medium (R-M) for two slivers of property that the applicant acquired from adjacent lots. He
19 acquired the additional property in order to meet the density requirement to build six townhomes
20 in a multi-family development. The applicant plans to convert the site into a Planned Unit
21 Subdivision and sell each unit individually. Staff recommends that the two new slivers of
22 property be rezoned R-M to match the rest of the parcel.
23

24 Assistant Planner Younger then addressed the Final Site Plan and the remaining
25 landscaping issues. By City ordinance, the project should meet the 40% landscaping requirement
26 based on total acreage. Because space is limited, the applicant is requesting a waiver to 35%. In
27 order to compensate for the reduced landscaping overall, the applicant has enhanced the
28 landscaping along the high-visibility streets of Pages Lane and 300 East by adding decorative
29 trees and fencing. Staff said another way to meet the 40% landscaping requirement would be to
30 convert some of the planned parking spaces into landscaping but neither Staff nor the applicant
31 feel that is in the best interests of the project. Another method for getting to 40% landscaping
32 would be to include patios in the landscaping calculation. City Attorney Romney recommended
33 against using patio measurements in the landscaping calculation.
34

35 Assistant Planner Younger then addressed the issues related to the parking spaces, the
36 garbage dumpster, and the turning/backing area for a garbage truck in the limited space. She said
37 A-1 Disposal has issued a letter and a diagram showing there is sufficient space to turn a garbage
38 truck around within the project without backing onto Pages Lane.
39

40 Assistant Planner Younger then addressed the application for the Conditional Use Permit.
41 She recommended approval for many of the same reasons addressed in the discussion of the
42 Final Site Plan including the enhanced landscaping making a better streetscape along Pages
43 Lane. She said the development has adequate parking, fits nicely in the neighborhood, and Staff
44 does not see any adverse impacts.
45

46 The Commissioners engaged in a lengthy discussion about parking spaces near the
47 garbage dumpster and their potential, if occupied, to interfere with the garbage truck's ability to

1 navigate the space without backing up within the development or onto Pages Lane. Several
2 Commissioners discussed ways to mitigate these concerns by adding conditions to the approval,
3 such as posting a permanent sign on the dumpster stating that backing onto Pages Lane is
4 prohibited, posting a "no-parking" sign on the northern most parking space, prohibiting parking
5 on days or times when garbage pickup is scheduled, and requiring the applicant and the
6 applicable HOA to schedule garbage pickup during off-peak walking traffic times.
7 Commissioner Daly said even with the additional conditions, the parking and garbage truck
8 turnaround issues remain a concern for him since he believes the garbage truck will continue to
9 back onto Pages Lane. Commissioner Wright expressed the same concerns.

10
11 Applicant Scott Balling addressed the landscaping, parking, dumpster, and garbage truck
12 turnaround issues. He said he will put up appropriate signage. He said he thinks it is more
13 important to provide parking than landscaping. In requesting the landscaping waiver, he said
14 there are areas in the development where he cannot put additional trees because the space is
15 obstructed by overhead powerlines.

16
17 Chair Hirschi opened the public hearing at 7:39 p.m. Mr. Dale McIntyre from
18 Centerville said he is concerned about the parking and described a scenario where someone
19 leaves a car parked for a few days that interferes with the garbage collection. He also said he
20 was disappointed that the photos provided by the applicant do not show all the buildings or every
21 angle and do not show how crowded and tiny the property is. He said he thinks the photos are
22 deceitful.

23
24 There being no other members of the public wishing to speak, Chair Hirschi closed the
25 public hearing at 7:41 p.m.

26
27 Applicant Scott Balling responded by saying he is very concerned with how the
28 development looks from Pages Lane and has added trees and two-rail fences to improve the look.
29 He has included a masonry enclosure and a Serbian Pine tree to hide the dumpster from road
30 visibility. He said he provided elevation views that show the units from every direction.

31
32 Commissioner Daly expressed a concern about the development not meeting the
33 ordinance requirement to landscape 40% of the total gross acreage. He said the shortfall
34 represents over 1100 square feet which is more than all the parking spaces combined. Director
35 Snyder said a waiver allows a reduction to 30%, but in this case, the applicant is only requesting
36 a reduction to 35%. Director Snyder said if you look at it by calculating the square footage it
37 does look like a big number, but if you consider that the applicant has added landscaping and
38 fences along Pages Lane and 300 East, the Commissioners can consider if those items better
39 serve the community than five percent more grass.

40
41 Commissioner Johnson asked Staff for guidance on the waiver. Assistant Planner
42 Younger reviewed the waiver requirements listed in the Staff Report. Commissioner Wright said
43 these waiver requirements are a good example of the flexibility the Planning Commission is
44 given in granting certain limited waivers. Commissioner Daly reviewed the waiver requirements
45 and concluded the project meets requirements 1 and 2 but does not meet requirements 3a and 3b.
46 Commissioner Johnson says he thinks the enhanced landscaping that provides screening and
47 privacy better meets the intent of the ordinances.

1
2 Commissioner Helgesen said she has concerns for children from the adjacent elementary
3 school, a nearby junior high school, and high school when the garbage truck backs away from
4 the dumpster, over the sidewalk and onto Pages Lane before pulling forward to make the
5 turnaround within the development parking area. The Commissioners discussed adding a
6 condition that would schedule garbage pickup at a time that does not coincide with the hours that
7 children are walking to and from school. Director Snyder said it is important to set the
8 conditions and he believes the additional conditions are reasonable to mitigate the risks, but
9 added the City cannot stop all behaviors. He added if there are problems, the CUP can be
10 readdressed.

11
12 Commissioner Wright made a **MOTION** for the Planning Commission to recommend
13 approval of the Zone Map Amendment, as amended, for the additional land acquired for the
14 "The Cottage on the Corner" Townhomes Project, located on property at 323 East Pages Lane,
15 from R-H and R-L to R-M for Reasons for Action (a-c) as noted in the Staff Report.
16 Commissioner Hayman seconded the motion and it passed unanimously (7-0). Commissioner
17 Daly explained he believes the CUP to be the source of his concerns discussed earlier.

- 18
19 1. These amendments include only the .010 acres acquired from the LDS Church to the
20 North and the .004 acres acquired from JAG Enterprises LLC to the East, as provided in
21 the legal description attached to the Staff Report.
22 2. The area is to be combined into a single parcel.
23

24 **Reasons for the Action (Findings):**

- 25 a) The proposed amendment meets the requirements found in Section 12.21.080(4)(e).
26 b) The proposed Zone Map Amendment is consistent with the overall intent of the goals and
27 objectives of the General Plan [Section 12.480.2(c)].
28 c) According to the associated Neighborhood Plan, amending the zoning map for this
29 location to Residential-Medium (R-M) appears to likely have less of a long-term impact
30 on the surrounding neighborhood than the current zoning of Commercial-High (C-H) that
31 is anticipated in the plan.
32

33 Vice Chair Hayman made a **MOTION** for the Planning Commission to approve the Final
34 Site Plan for "The Cottage on the Corner" Townhomes Project, to be located on property at 323
35 East Pages Lane, subject to the Conditions (1-8), as amended, and the Reasons for Action (a-c)
36 as noted in the Staff Report. It was seconded by Commissioner Johnson and passed (6-1).
37 Commissioner Daly voted against the motion.
38

39 **Conditions:**

- 40 1. City Council approval of the Zone Map Amendment of the small additions of property to
41 the North and East of the original lot, the additional .014 acres of property, rezoned from
42 R-H and R-L to R-M.
43 2. Approval from South Davis Metro Fire on Final Site Plan is required before Building
44 Permit issuance.
45 3. A waiver of strict compliance shall be given to accept only 35% landscaping coverage,
46 due to the fact that 4 times the amount of trees required were provided, and were

1 concentrated along the perimeter for buffering and an enhanced streetscape design of
2 corners and entrances.

- 3 4. The A-1 Truck Disposal or any garbage disposal provider for the project shall be
4 prohibited from backing onto Pages Lane, as required in CZC 12.52.100(d), and shall use
5 the parking lot to turn around. This prohibition on backing onto Pages Lane shall be
6 clearly and permanently posted on the dumpster.
7 5. A permanent "no parking" sign shall be placed and posted on the northern most parking
8 stall prohibiting parking on days or times when garbage pickup is scheduled.
9 6. Applicant and applicable HOA shall schedule garbage pickup during off-peak foot traffic
10 times.
11 7. Applicant shall provide legal descriptions for the required public utility easements
12 (PUEs) for the project in accordance with City ordinances. Such PUEs shall be
13 submitted to the City Council for acceptance and recorded against the property prior to
14 issuance of a building permit.
15 8. Final Approval is conditioned upon the acceptance of a Conditional Use Permit, for the
16 desired density, at eight units per acre, and six dwelling units for the site.
17

18 **Reasons for the Action (Findings):**

- 19 a) The final site plan submittal has adequately shown how the property may be developed
20 [Section 12-21-110(e)].
21 b) The development appears to be consistent with the goals and objectives found within the
22 Centerville City General Plan [Section 12-480-3].
23 c) The Final Site Plan that has been submitted depicts how the site could be appropriately
24 developed and is designed to comply with the applicable provisions of the Residential-
25 Medium (R-M) Zone (see Section 12.21.110.e) and other relevant regulations, as
26 discussed in the Staff Report.
27

28 Commissioner Johnson made a **MOTION** for the Planning Commission to approve the
29 Conditional Use Permit for "The Cottage on the Corner" Townhomes Project, to be located on
30 property at 323 East Pages Lane, with Conditions (1-2), as amended, and the Reasons for Action
31 (a-b) from the Staff Report. The motion was seconded by Commissioner Hirst and passed (6-1).
32 Commissioner Daly voted against the motion.
33

34 **Conditions:**

- 35 1. The Conditional Use Permit is dependent on the acceptance of the zoning map
36 amendment, incorporating the lot line adjustments, if accepted by the City Council.
37 2. The CUP is dependent on the design, layout and development as depicted and
38 conditioned in the Final Site Plan as approved by the Planning Commission.
39

40 **Reasons for the Action (Findings):**

- 41 a) The property is allowed up to 6 units on the property, with .749 acres gross, at density
42 rounded to the nearest tenth [CZC 12.21.030].
43 b) The applicant has fulfilled the factors to be considered in a CUP, as outlined in CZC.
44

45 **PUBLIC HEARING - ZONE TEXT AMENDMENT, LEGISLATIVE DECISION,**
46 **Consider the proposed amendments to the Centerville Zoning Code regarding setbacks and**
47 **heights for accessory buildings in Agricultural Low (A-L) Zones.**

1 Community Development Director Cory Snyder reported on the City Council's request of
2 Staff to adjust the setbacks and heights for accessory buildings in Agricultural-Low (A-L) Zones.
3 He said the table in the Staff Report was incorrect and so he did not use it in his report to the
4 Planning Commission. He said the table should use language similar to that from the R-L table
5 that was approved by the City Council but plug in the A-L parameters. He said that one of the
6 benefits of making these adjustments is the consistency it provides for Staff by having
7 predictable patterns in setbacks and heights. He said it also makes it fair for smaller agricultural
8 lots. He said the original request from the City Council came because of a shed in an A-L zone
9 that butted up against an R-L Zone. Staff recommends capping the height of accessory buildings
10 in the A-L Zone at 30 feet and recognized that may be an issue for decorative barns or equestrian
11 property owners. He said a building of greater height may be allowed under a Conditional Use
12 Permit, provided that each additional one-foot in height is matched by a one-foot setback from
13 property lines and structures.

14
15 Commissioner Wright said the City should consider the property rights of property
16 owners and neighboring property owners when addressing the issue of setbacks and heights of
17 accessory buildings. Chair Hirschi said this ordinance works for smaller property owners but he
18 expressed a concern for larger agricultural property owners.

19
20 Chair Hirschi noted the City is the applicant in this matter. He opened the public hearing
21 at 8:36 p.m. and seeing no one wishing to comment, closed the public hearing at 8:36 p.m.

22
23 Commissioner Hirst made a **MOTION** to recommend approval of the proposed Zoning
24 Ordinance Text Amendments, as amended, regarding accessory buildings in the Agricultural
25 Low (A-L) Zones subject to the Reasons for Action (a-f) noted in the Staff Report. The motion
26 was seconded by Commissioner Hayman and it passed unanimously (7-0).

27
28 **Reasons for the Action (Findings):**

- 29 a) The Planning Commission finds that in Section 12-420, Residential Development, the
30 main or prominent theme of this section of the General Plan is the suburban residential
31 lifestyle of Centerville City. Low-Density, single-family, development is the preferred
32 lifestyle for much the planned residential areas.
- 33 b) The Planning Commission finds that the General Plan is focused on preserving the
34 quality of single-family development.
- 35 c) The Planning Commission finds that the purpose of the A-L Zone is "to provide areas
36 where single-family residences can be located along with low intensity agricultural
37 activities, such as pasturing of animals and farming activities on relatively small lots or
38 parcels."
- 39 d) The Planning Commission finds that allowing for accessory uses and buildings is
40 consistent with this desire.
- 41 e) The Planning Commission finds that the allowance of accessory buildings is subject to
42 the preferred or acceptable bulk and area standards (e.g. setbacks, heights, etc.) that are
43 adopted by legislative body.
- 44 f) Therefore, the Planning Commission finds that the proposed amendments can be deemed
45 acceptable and/or consistent with review factors of Section 12.21.080(e) of Centerville
46 City's Zoning Ordinance.
- 47

1 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

2 Development Director Snyder said a public forum is scheduled for May 10, 2017 from
3 5:00 p.m. to 6:30 p.m. to gather public input regarding proposed development near Pages Lane.
4 He said the noticings for the public forum will go out early next week and Brighton Homes is
5 preparing exhibits. Items for the next Planning Commission meeting include:
6

- 7 • Higley property rezone on Lund Lane
8 • Chitose Johnson Final Subdivision
9

10 **CITY COUNCIL ACTIONS REPORT**

11 No report.
12

13 **ADJOURNMENT**

14 Chair Hirschi made a **MOTION** to adjourn. Commissioner Hayman seconded the
15 motion, which passed unanimously (7-0). The meeting adjourned at 8:51 p.m.
16

17
18 
19 _____
20 Chair David Hirschi

5-24-2017

Date Approved

21
22
23 
24 _____
25 LuAnne Hudson, Recording Secretary

