PLANNING COMMISSION MINUTES OF MEETING  
Wednesday, April 26, 2017  
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  
David Hirschi, Chair  
Cheylynn Hayman, Vice Chair (arrived at 7:07 p.m.)  
Gina Hirst (arrived at 7:44 p.m.)  
Kevin Daly  
Logan Johnson  
Kathy Helgesen  
Becki Wright (arrived at 7:05 p.m.)  

STAFF PRESENT  
Lisa Romney, City Attorney  
Cory Snyder, Community Development Director  
Cassie Younger, Assistant City Planner  
Luanne Hudson, Recording Secretary  

VISITORS  
Interested citizens (see attached sign-in sheet)  

PLEDGE OF ALLEGIANCE  

OPENING COMMENT/LEGISLATIVE PRAYER – Chair Hirschi  

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

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

Community Development Directory Cory Snyder provided a progress report on the Bleak application for approval of a Final Site Plan for an accessory building (garage). He said the Bleaks recently acquired an un-platted parcel of land adjacent to their existing subdivision lot and combined the land together into a single parcel, as allowed by state law. He said this is an interesting case because the Bleaks want to use the end of a dead-end road as access to the lot where they plan to build a garage. He said Staff’s challenge was to develop a solution that would be consistent with City ordinances and also fair for future applicants with similar requests. He said Staff has worked through the details to develop an appropriate solution and recommends
approval. Staff proposes dedicating an easement to the dead-end road that allows the applicant to
construct the access driveway to the proposed garage. The easement would split the dead-end
road with the adjacent property/homeowner. Director Snyder said City Attorney Lisa Romney
has crafted an agreement between the homeowners and the City for dedication of the temporary
turn-around easement and permission to use the area for a driveway access. This agreement will
need to be approved by the City Council.

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

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

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

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

Conditions:

1. The final site plan approval is for Parcel 07-139-0031, consisting of 0.621 acres, which is
   comprised of the formerly named Lot 20 of the France Estates Subdivision, along with a
   tract of land adjacent to the south, which have been combined to create one (1) singular
   legally created lot.

2. The final site plan approval is for the residential construction of an accessory building
   (garage), as depicted on the plan submittals dated April 18, 2017 and the conditions of
   approval. Nonetheless, any additional residential accessory development shall be subject
   to obtaining an amended site plan approval consistent with City ordinances.

3. Detention Basin #1 is to be relocated just outside the easement area and be deemed
   acceptable to the City Engineer, as part of the issuance of a building permit.

4. The applicants shall pay the related drainage impact fee for the un-platted portion of the
   property or other applicable fees, as part of the issuance of a building permit.

5. Due to the applicants’ and adjacent property owners’ desires to use the end of the public
   street for site access, the final site plan approval is conditioned upon obtaining City
   approval, entering into any required agreement, and preparing plans for the constructing
   and connection of the access drive.

6. All related access improvements (within the easement area) shall be bonded for as part of
   the issuance of a building permit and shall be installed and deemed acceptable by the City
   prior to any final inspection for the accessory building.
7. The required side lot line and rear lot line utility easements shall be accepted by the City and recorded in a configuration that is contiguous with the easements dedicated for the former Lot 20, and deemed acceptable to the City, prior to issuance of a building permit.

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

a) The Planning Commission finds that a final site plan approval is required to obtain approval to construct an accessory dwelling outside a platted subdivision [Section 12.21.110.e].

b) The Planning Commission finds that the approval and conditions listed ensures compliance with applicable ordinances of the City.

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

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

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

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

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

The Commissioners engaged in a lengthy discussion about parking spaces near the garbage dumpster and their potential, if occupied, to interfere with the garbage truck’s ability to
navigate the space without backing up within the development or onto Pages Lane. Several
Commissioners discussed ways to mitigate these concerns by adding conditions to the approval,
such as posting a permanent sign on the dumpster stating that backing onto Pages Lane is
prohibited, posting a “no-parking” sign on the northern most parking space, prohibiting parking
on days or times when garbage pickup is scheduled, and requiring the applicant and the
applicable HOA to schedule garbage pickup during off-peak walking traffic times.
Commissioner Daly said even with the additional conditions, the parking and garbage truck
turnaround issues remain a concern for him since he believes the garbage truck will continue to
back onto Pages Lane. Commissioner Wright expressed the same concerns.

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

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

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

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

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

Commissioner Johnson asked Staff for guidance on the waiver. Assistant Planner
Younger reviewed the waiver requirements listed in the Staff Report. Commissioner Wright said
these waiver requirements are a good example of the flexibility the Planning Commission is
given in granting certain limited waivers. Commissioner Daly reviewed the waiver requirements
and concluded the project meets requirements 1 and 2 but does not meet requirements 3a and 3b.
Commissioner Johnson says he thinks the enhanced landscaping that provides screening and
privacy better meets the intent of the ordinances.
Commissioner Helgesen said she has concerns for children from the adjacent elementary school, a nearby junior high school, and high school when the garbage truck backs away from the dumpster, over the sidewalk and onto Pages Lane before pulling forward to make the turnaround within the development parking area. The Commissioners discussed adding a condition that would schedule garbage pickup at a time that does not coincide with the hours that children are walking to and from school. Director Snyder said it is important to set the conditions and he believes the additional conditions are reasonable to mitigate the risks, but added the City cannot stop all behaviors. He added if there are problems, the CUP can be readdressed.

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

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

Reasons for the Action (Findings):

a) The proposed amendment meets the requirements found in Section 12.21.080(4)(e).

b) The proposed Zone Map Amendment is consistent with the overall intent of the goals and objectives of the General Plan [Section 12.480.2(c)].

c) According to the associated Neighborhood Plan, amending the zoning map for this location to Residential-Medium (R-M) appears to likely have less of a long-term impact on the surrounding neighborhood than the current zoning of Commercial-High (C-H) that is anticipated in the plan.

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

Conditions:

1. City Council approval of the Zone Map Amendment of the small additions of property to the North and East of the original lot, the additional .014 acres of property, rezoned from R-H and R-L to R-M.
2. Approval from South Davis Metro Fire on Final Site Plan is required before Building Permit issuance.
3. A waiver of strict compliance shall be given to accept only 35% landscaping coverage, due to the fact that 4 times the amount of trees required were provided, and were
concentrated along the perimeter for buffering and an enhanced streetscape design of corners and entrances.

4. The A-1 Truck Disposal or any garbage disposal provider for the project shall be prohibited from backing onto Pages Lane, as required in CZC 12.52.100(d), and shall use the parking lot to turn around. This prohibition on backing onto Pages Lane shall be clearly and permanently posted on the dumpster.

5. A permanent “no parking” sign shall be placed and posted on the northern most parking stall prohibiting parking on days or times when garbage pickup is scheduled.

6. Applicant and applicable HOA shall schedule garbage pickup during off-peak foot traffic times.

7. Applicant shall provide legal descriptions for the required public utility easements (PUEs) for the project in accordance with City ordinances. Such PUEs shall be submitted to the City Council for acceptance and recorded against the property prior to issuance of a building permit.

8. Final Approval is conditioned upon the acceptance of a Conditional Use Permit, for the desired density, at eight units per acre, and six dwelling units for the site.

Reasons for the Action (Findings):

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 is designed to comply with the applicable provisions of the Residential-Medium (R-M) Zone (see Section 12.21.110.e) and other relevant regulations, as discussed in the Staff Report.

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

Conditions:

1. The Conditional Use Permit is dependent on the acceptance of the zoning map amendment, incorporating the lot line adjustments, if accepted by the City Council.

2. The CUP is dependent on the design, layout and development as depicted and conditioned in the Final Site Plan as approved by the Planning Commission.

Reasons for the Action (Findings):

a) The property is allowed up to 6 units on the property, with .749 acres gross, at density rounded to the nearest tenth [CZC 12.21.030].

b) The applicant has fulfilled the factors to be considered in a CUP, as outlined in CZC.

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

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

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

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

Reasons for the Action (Findings):

a) The Planning Commission finds that in Section 12-420, Residential Development, the main or prominent theme of this section of the General Plan is the suburban residential lifestyle of Centerville City. Low-Density, single-family, development is the preferred lifestyle for much the planned residential areas.

b) The Planning Commission finds that the General Plan is focused on preserving the quality of single-family development.

c) The Planning Commission finds that the purpose of the A-L Zone is “to provide areas where single-family residences can be located along with low intensity agricultural activities, such as pasturing of animals and farming activities on relatively small lots or parcels.”

d) The Planning Commission finds that allowing for accessory uses and buildings is consistent with this desire.

e) The Planning Commission finds that the allowance of accessory buildings is subject to the preferred or acceptable bulk and area standards (e.g. setbacks, heights, etc.) that are adopted by legislative body.

f) Therefore, the Planning Commission finds that the proposed amendments can be deemed acceptable and/or consistent with review factors of Section 12.21.080(e) of Centerville City’s Zoning Ordinance.
COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

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

- Higley property rezone on Lund Lane
- Chitose Johnson Final Subdivision

CITY COUNCIL ACTIONS REPORT

No report.

ADJOURNMENT

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

5-24-2017
Date Approved

Chair David Hirschi

Luanne Hudson, Recording Secretary