

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, March 8, 2017**

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

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

7
8 **MEMBERS PRESENT**

9 David Hirschi, Chair

10 Cheylynn Hayman, Vice Chair

11 Gina Hirst

12 Kevin Daly

13 Logan Johnson

14
15 **MEMBERS ABSENT**

16 Kathy Helgesen

17 Becki Wright

18
19 **STAFF PRESENT**

20 Lisa Romney, City Attorney

21 Cory Snyder, Community Development Director

22 Cassie Younger, City Planner

23 Luanne Hudson, Recording Secretary

24
25 **VISITORS**

26 Interested citizens (see attached sign-in sheet)

27
28 **PLEDGE OF ALLEGIANCE**

29
30 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Daly

31
32 **MINUTES REVIEW AND APPROVAL**

33
34 The minutes of the Planning Commission meeting held February 22, 2017 were reviewed
35 and found incomplete. Chair Hirschi made a **motion** to table approval of the minutes until the
36 next meeting. Commissioner Johnson seconded the motion and it passed by unanimous vote (4-
37 0). Chair Hirschi asked that a corrected version of the minutes be provided to commission members
38 before the next meeting.

1 **PUBLIC HEARING – CONDITIONAL USE PERMIT, 1110 W 650 NORTH,**
2 **ADMINISTRATIVE DECISION, Consider a proposed Conditional Use Permit for vehicle**
3 **sales at 1110 W 650 North, David Smith, Applicant.**
4

5 City Planner Cassie Younger presented the Staff Report. She said David Smith has applied
6 for a Conditional Use Permit for auto sales at 1110 West 650 North. This property is owned by
7 Brad Vander Meyden, who has three other tenants on the site. Mr. Smith would be the fourth tenant
8 on the site. The other tenants are general contractors and one electrician. Mr. Smith has a small
9 operation selling only a few cars per year.
10

11 Ms. Younger explained that the proposed use will be located in an existing
12 office/warehouse complex and appears limited in nature. Staff believes the proposed use is
13 consistent with the goals and objectives of the General Plan. The City has approved several
14 comparable vehicle sales uses in this same industrial area neighborhood. Other businesses in the
15 area include warehousing, car repair, manufacturing, and other like uses. Given the proposed use
16 will be occupying an already existing building, the use will not impose an additional impact on the
17 built environment by way of added utility services or supportive infrastructure. Staff believes the
18 use and the site could be adequate for operating a small dealership, as evidenced by other similar
19 circumstances, and it will not likely create a large amount of noise or other harmful irritants to the
20 surrounding community. Since the auto dealership will only receive a small number of customers,
21 the proposed use will not likely increase the amount of traffic within the area.
22

23 Ms. Younger also noted it is anticipated that since some of the vehicles are being marketed
24 for purchase, the vehicles on display will likely be operable and in good aesthetic condition,
25 meaning that no junk vehicles, vehicles in need of repair, or wrecked vehicles would be stored on
26 site. Ms. Younger noted that a common recurring concern with auto sales is how vehicles are
27 delivered, loaded and unloaded at the site. Ms. Younger said there have been problems in the past,
28 with other similar companies, regarding the loading and unloading of vehicles. Deliveries can
29 block parking and access, or trucks may stay on the public roads and create a hazard. To mitigate
30 such concerns, Staff recommends prohibiting the use of public streets for unloading/loading
31 operations. All unloading and loading operations must be done on-site.
32

33 After calculating parking spots for the paved area of the site, it appears there is more than
34 adequate parking for all four suites. With reasonable conditions of approval, there shouldn't be
35 any issues regarding adequate parking, loading/unloading, and vehicular circulation on the site.
36 Ms. Younger said Staff recommends that the applicant paint and stripe the parking stalls to clearly
37 identify adequate parking.
38

39 Chair Hirschi asked Staff for clarification of the recommended condition regarding on-site
40 loading and unloading of vehicles and said he did not see this as a listed condition in the proposed
41 motion. Ms. Younger said the condition is that all loading and unloading of vehicles will be done

1 onsite and off public streets and right-of-way. This should be added as Condition 5. Chair Hirschi
2 asked if there were any questions for Staff.

3
4 Commissioner Daly asked if there is anything that would prevent a reallocation of the
5 parking stalls. Director Snyder answered no and further commented that such allocation of parking
6 stalls would likely be provided for in the lease agreements and would be a discussion between the
7 landlord and the tenants. Chair Hirschi invited the applicant to address the Commission.

8
9 Dave Smith addressed the Commission. He said he delivers most of his cars on a personal
10 trailer, so there won't be an issue with big delivery trucks. He said the property owner plans to put
11 stripes down but he's waiting for the weather and he is sure it will be done in a week or two.

12
13 At 7:17 p.m. Chair Hirschi opened the public hearing and invited comment. Seeing none,
14 he closed the public hearing at 7:17 p.m. He asked for any further questions. Commissioner Hirst
15 asked the applicant how many vehicles per year he anticipates selling. Mr. Smith said his goal is
16 to sell two or three a month and that he has no aspirations to have a huge dealership.

17
18 Chair Hirschi asked for other questions and hearing none, made a **motion** for the Planning
19 Commission to approve the conditional use permit for David Smith Auto Sales, at 1110 West 650
20 North, Suite A, with the following conditions as amended by the Planning Commission and the
21 Suggested Reasons for Action as amended by the Planning Commission. The motion was
22 seconded by Commissioner Johnson and passed unanimously (5-0).

23
24 **Conditions of Approval as amended by the Planning Commission**

- 25 1. This Conditional Use Permit shall apply only to the user space located at 1110 W 650
26 North, Suite A.
27 2. This CUP approval is for vehicle sales, limited for the suite.
28 3. All display vehicles shall be operable and in good condition, and the display of vehicles
29 shall be limited to no more than two (2) vehicles and are to be located within the warehouse
30 space for Suite A.
31 4. Paved portion of the parking lot should be striped as shown in the Site Plan provided by
32 David Smith, with 7 spots per tenant, or 35 spots total before he shall assume operations.
33 5. All loading and unloading of vehicles will be done onsite and off public streets and right-
34 of-way.

35
36 **Suggested Reasons for the Action (Findings)**

- 37 1. The applicant has submitted a complete application for a Conditional Use Permit [Section
38 12-21-100.d.1].
39 2. The use of vehicle and equipment rental or sales is a permitted use within the Industrial-
40 High Zone with a Conditional Use Permit [Chapter 12-36].
41 3. The use is consistent with the expectation of the City's General Plan [Section 12-430-1 &
42 Future Land Use, Goal 1, 12-480-6].

- 1 4. The use does not appear to have any negative impacts to the existing property and the
2 surrounding community that have not been mitigated by the conditions of approval
3 [Section 12-21-100(e)(3)(A-D), 12-21-100(e)(5)(A-K)].
4 5. Adequate parking is provided for all four tenants on the lot, [12.32.300].
5

6 **PUBLIC HEARING – CONCEPTUAL SUBDIVISION, CONCEPTUAL SITE PLAN,**
7 **AND PD ZONING MAP AMENDMENT- 1030 N 950 WEST, Administrative and**
8 **Legislative Decisions, Consider a proposed Zone Map Amendment to Planned Development**
9 **Overlay, along with a Conceptual Site Plan and Conceptual Subdivision for the Parrish**
10 **Creek Business Park at 1030 North 950 West, Roy Swalberg, Tom Stuart Construction,**
11 **Applicant.**
12

13 Centerville City Planner Cassie Younger presented the background staff report and
14 updates. She said in 2011, Rick Jensen submitted a Conceptual Site Plan and PDO Overlay
15 application for this property. It has since expired. Rimini Properties has taken over the property
16 and submitted a similar plan for Parrish Creek Business Park. This site, located on the northern
17 edge of the industrial area, between Interstate 15 and Legacy Highway, provides excellent
18 visibility from both highways, but also includes many acres of wetlands. Geographic and
19 environmental constraints make it problematic for typical land use development under
20 conventional zoning regulations, specifically with the need to exceed a maximum cul-de-sac depth
21 of 400 feet. Staff had previously recommended that the petitioner seek a “Planned Development
22 Overlay” (PDO) approval to facilitate the development. Staff also informed the developer that in
23 order to gain the needed flexibility, the project would need to achieve a project design superior to
24 the conventional development standards. Much of the conceptual plan and the issues have
25 remained the same. Planner Younger said this item has three applications:
26

- 27 • Zoning Map Amendment – Planned Development Overlay
28 • Conceptual Site Plan Analysis
29 • Conceptual Subdivision Analysis
30

31 Ms. Younger gave a detailed review of each that included the background of the project,
32 criteria for approval, the applicant’s ability to meet the criteria, as well as Staff’s Recommendation.
33 She noted the applicant may have miscalculated in providing twice as much parking as is required
34 for Buildings C and D.
35

36 Community Development Director Snyder said Building B will be closest to Legacy
37 Parkway and therefore is of special concern. He noted this project is not in the Shorelands
38 Commercial Park. It is located in the Industrial Park so the split-face cement block is the only
39 decorative element provided for in the industrial design. Chair Hirschi noted where this is a PDO
40 and where the Commission has a concern with the back area of Building B along Legacy, the
41 Planning Commission has an opportunity to impose additional conditions, one of which may be

1 adopting the Shorelands Commercial Park design guidelines overall. He said perhaps that is too
2 restrictive for their entire campus and asked for Staff's comments.

3
4 Director Snyder said that would be a discussion with the applicant and added his feeling
5 the applicant is being sensitive to the wetlands. He said Shoreland guidelines have some red flags,
6 including minimum use of roads and curbs and so forth. For example, the ability to have road
7 lanes in each direction would not comply with the Shorelands design guide.

8
9 Chair Hirschi noted the project is in the conceptual state, but asked if the Commission
10 recommends PDO approval, does it have the opportunity to go back and look at architectural
11 design and other conditions or is it locked in? Director Snyder responded the answer is both yes
12 and no. He said any final site plan conditions will look to the narrative approved by the Planning
13 Commission. If the Commission wants to stipulate items, then it becomes a custom zoning
14 ordinance. He explained that anything the Commission does not vary in the PDO is picked up by
15 the I-H Zone standards; the PDO overlays it.

16
17 City Attorney Romney added that the PDO is a legislative decision where the Commission
18 and City Council have the most discretion. She said this is the one scenario where the Commission
19 and Council get to look at the conceptual subdivision and the conceptual site plan along with the
20 rezoning request to get a picture of what the applicant is proposing and to be sure it is a better-
21 than-typical subdivision development. She agrees with Director Snyder that once you get into other
22 administrative decisions, you are merely implementing the narrative the Commission has
23 approved. She recommended the Commission provide as much direction and comment on design
24 elements at the PDO zoning stage as possible.

25
26 Commissioner Hayman asked if both the City Engineer and the Fire Department have
27 officially signed off on the Conceptual Site Plan. Director Snyder said they have both signed off
28 at a conceptual level. Chair Hirschi asked if there was any kind of access agreement or cross
29 easement agreement that would allow access to Building C from the cul-de-sac in the event
30 subdivision lots are sold off. Director Snyder responded that during the preliminary and final
31 review he would expect the plat would reflect cross access down the property lines. Director
32 Snyder added this is the Commission's chance to give the applicant a directive on its expectations
33 and this would be a good time to add that condition. Commissioner Hirst asked if the Army Corps
34 of Engineers has issued a permit and Director Snyder said yes. He said this PDO reflects the Army
35 Corps' mitigation plan that was transferred with the purchase of the property, and he will verify
36 that has remained in place.

37
38 Chair Hirschi invited applicant Ken Stuart to address the Commission. Applicant Stuart is
39 the Vice President of Operations for Tom Stuart Construction and the Director of Project
40 Development for the development company that actually will own the entity. He said with respect
41 to parking, they will recalculate to see if there has been an error. He indicated they intend to
42 maximize the amount of usable space in the buildings and keep the parking stalls in line with the

1 City ordinance. He recalled the last time he met with the City Attorney there was an issue about
2 an easement that went across the property. He said that easement has been vacated and is reflected
3 in the updated title report. He addressed the Commission's concerns about the look of the proposed
4 buildings and said they will use modern architectural embellishments similar to ones they have
5 used on industrial buildings throughout the country. He said with respect to the extension of the
6 cul-de-sac, it is necessary to reach properties on the north and added there is an agreement with
7 the Army Corps of Engineers to go across the canal and create a roadway.

8
9 Commissioner Hayman referred to Staff's report about an excessive number of parking
10 stalls. She asked if it was the applicant's intention to cut those back. Mr. Stuart said he hoped there
11 was no error, but if there was, they would recalculate the number of parking spaces because their
12 objective is to maximize density and be maximally productive. Commissioner Johnson asked about
13 the interplay with what the Commission approves and what the tenant wants, especially with regard
14 to the size of the building. Director Snyder answered that the applicant has to be in substantial
15 compliance with the master plan, so there is some flexibility. He added that as long as the applicant
16 meets the parking and design elements of the campus design, there is some flexibility in the final
17 design. He said substantial compliance will be determined by the Commission as it reviews the
18 final site plan. Applicant Stuart explained the parcel has 17 acres in total but only 12 net useable
19 acres, so it is hard to squeeze anything larger than 57,000 feet into the space. Commissioner
20 Hayman asked if the applicant had any concerns with Staff's comment with regard to lots four and
21 five and the green space requirement. Applicant Stuart answered it is their objective to try and
22 maximize green space because it not only looks better but it's less expensive.

23
24 Chair Hirschi reiterated that if the Commission approves the PDO then it approves the
25 narrative as well. He said the narrative doesn't provide a lot of detail and asked for more detail on
26 past practices and what the applicant intends to do as far as architectural design on these buildings.
27 Applicant Stuart said they are one of the largest concrete contractors in the state and for this project
28 they envision using integrated concrete with metal paneling. Chair Hirschi clarified his concern
29 about the back of Building B, as it is very visible from Legacy Parkway and near the entrance to
30 the City. Applicant Stuart said they will be happy to upgrade the narrative, get it on the agenda,
31 and make sure they are providing what the Commission wants.

32
33 Chair Hirschi opened the public hearing at 8:07 p.m. and invited public comment. Seeing
34 none, he closed the public hearing at 8:07 p.m. Chair Hirschi asked Director Snyder about the
35 Commission's options: 1) to table the motion and ask the applicant for more detail in the narrative;
36 or 2) to suggest something in the recommendation to the City Council that would prompt further
37 action. Director Snyder suggested adding language to Condition 5 under Motion One to the effect
38 that the applicant shall provide, as part of the submittal to the City Council, a summary of the
39 architectural elements and theme consistent with those presented to the Planning Commission,
40 detail on the design of the rear-facing building facing Legacy Parkway, and the addition of the
41 Shorelands design theme.

1 Commissioner Hirst asked for clarification of what is included in the Shoreland design
2 theme. Director Snyder said the best way to describe it is upland. Uplands are areas near the Great
3 Salt Lake where formal landscaping is less desirable. The design theme features minimal use of
4 trees, narrow roads, undulating lines, less signage and industrial buildings with a 150 to 200 foot
5 depth relationship to Legacy Parkway. He said much of what the applicant is proposing fits the
6 upland's building expectations.

7
8 Chair Hirsch said the application has several parts and suggested the Commission deal with
9 one at a time. He asked for a motion on the PDO. Commissioner Johnson made a **motion** to the
10 Planning Commission to recommend approval to the City Council regarding the request for the I-
11 H PDO Zone for the proposed Parrish Creek Business Park as reflected in Motion One of the Staff
12 Recommendation, items 1-6, as amended by the Planning Commission and Suggested Reasons for
13 Action A-E.

14
15 **Conditions of Approval as amended by the Planning Commission**

- 16 1. The properties shall be rezoned to I-H/PD and limited to the area shown in the illustrative
17 Aerial Parcel Map, submitted Feb 3, 2017; also known as Parcel 06-003-0050.
18 2. The PDO approval shall be subject to the City Council approval of proposed PDO.
19 3. The PDO approval has an expiration clause of one (1) year from the adoption date of the
20 requested PDO approval, or may be extended upon approval for one (1) additional year, in
21 accordance with Section 12-41-080 of the Zoning Ordinance.
22 4. As part of the PDO approval, the Parrish Creek Business Park Final Site Plan, and all
23 subsequent development applications shall be subject to and reflect in substantial detail the
24 approved PDO Conceptual Site Plan.
25 5. The PDO is subject to the narrative and architectural concepts provided by Tom Stuart
26 Construction on February 3, 2017. This includes details about landscaping design, wetlands
27 preservation, and preliminary architectural concepts and sketches by A E Urbia architects
28 and engineers. The narrative will be upgraded to include additional detail on architectural
29 elements and theme, provide detail on the look of the rear-facing building (B) that is clearly
30 visible from Legacy Parkway, and integrate, insofar as possible, the Shorelands Design
31 Theme.
32 6. Variations may be allowed from the conventional ordinances and regulations or as
33 specifically approved as part of any final site plan and subdivision approval:
34 i. **Maximum Cul-de-sac length of 400 feet** – The development plans specifically
35 need additional length allowance for access into the furthest buildings of the lot.
36 The additional length will mitigate concerns of safety by provided additional width
37 of the road, and aesthetic concerns by providing landscaped medians for visual
38 relief.
39 ii. **Building Floor Area** -- Building A may exceed the 50,000 square foot maximum
40 requirement and have a floor area of a maximum of 57,000 square feet.

41
42 **Suggested Reasons for Action (findings)**

- 1 a. The Commission finds that Section 12.21.080(c) authorizes a “property owner or
2 authorized agent” to initiate a PDO zone map amendment.
- 3 b. The Commission finds that the proposed request for the PDO Zone reflecting the
4 proposed layout, integration of the wetlands and the built environment, and related
5 amenities and architectural theme creates a viable and vibrant business park area, as
6 originally envisioned in Goal #1 of the West Centerville Neighborhood Plan for
7 enhancing the North Business Park area.
- 8 c. The Commission finds that the Parrish Creek Development Plan also sets forth a new
9 synergy in investment and appeal for the West Neighborhood area.
- 10 d. In order to make findings necessary to approve a PDO zone, the Commission finds that
11 Section 12-41-080(c) allows for Conditions to be imposed to assure the planned
12 development will follow the listed and the applicable development standards of Section
13 12-41-100.
- 14 e. The Commission finds that the general building and parking lot layout, the proposed
15 uses, and integration of wetlands and landscaping can or will meet the intent of the
16 general provisions of the PDO Zone and will be subject to further site and subdivision
17 approvals to ensure compatibility of the I-H and PDO Zoning Ordinance provisions.

18
19 Commissioner Daly seconded the motion. Two additional amendments were added to the
20 motion. City Attorney Romney added there is a new version of the Staff Report on Novus that
21 contains corrections on Conditions 1 and 2. Commissioner Hayman suggested the applicant add
22 photos of similar buildings they have completed before the submission goes to the City Council.
23 Commissioner Johnson added both amendments to the motion. The Chair asked for a roll-call vote
24 and the motion passed unanimously (5-0).

25
26 Chair Hirschi introduced the next proposed action to accept the Conceptual Site Plan.
27 Commissioner Hirst made a **motion** that the Planning Commission accept the Conceptual Site Plan
28 for Parrish Creek Business Park at 1030 North 950 West, with the directives 1-5 as outlined in the
29 Staff Report and Reasons for Action A-C. Commissioner Hayman seconded and the motion
30 passed unanimously (5-0).

31
32 **Conditions of Approval as amended by the Planning Commission**

- 33 1. Conceptual Site Plan is subject to the acceptance of PDO Approval by the Planning
34 Commission and City Council.
- 35 2. A final site plan application shall be submitted following the criteria found in Section
36 12.21.110(e)(2) of the Zoning Ordinance.
- 37 3. A complete landscape plan shall be prepared by a licensed landscape architect and
38 follow the criteria found in Chapter 12.51 of the Zoning Ordinance. This plan shall be
39 submitted with the final site plan and indicate the following: Type and location of all
40 vegetation, total calculations and percentages of landscaping vegetation, and irrigation
41 plan. This should be done with adherence to the Landscape narrative provided by Tom
42 Stuart Construction on February 3, 2017.

- 1 4. The final plans shall indicate the location and types of all signage, which follow the
2 codes in 12.54.
- 3 5. Ensure all utility lines are noted on the Final Plan. All applicable Utility Provider Sheets
4 shall be submitted as part of the final site plan application.

5
6 **Reasons for Action**

- 7 a) The conceptual site plan submittal has adequately shown how the property may be
8 developed [Section 12.21.110(d) (2)].
- 9 b) The development appears to be consistent with the goals and objectives found within
10 the Centerville City General Plan. 12-480-3.
- 11 c) The Conceptual Site Plan that has been submitted depicts how the site could be
12 appropriately developed and with some alteration could be designed to comply with the
13 applicable provisions of the Industrial-High Zone and other relevant regulations, as
14 discussed in the Planning Staff Report.

15
16 Chair Hirschi introduced the application for a conceptual subdivision plat and asked for
17 discussion or a motion. Commissioner Daly made a **motion** for the Planning Commission to accept
18 the conceptual subdivision plat for the Parrish Creek Business Park located at 1030 North 950
19 West subject to the Conditions 1-3 in the Staff Report, and suggested Reasons for Action A and
20 B. Commissioner Hirst seconded and the motion passed unanimously (5-0).

21
22 **Conditions of Approval as amended by the Planning Commission**

- 23 1. The Conceptual Subdivision is subject to the PDO approval by the Planning Commission
24 and City Council.
- 25 2. Preliminary and Final Subdivision Plans must be submitted in accordance with Municipal
26 Code Title 15.
- 27 3. Final Subdivisions Plans will need approval of the City Council.

28
29 **Suggested Reasons for the Action (Findings)**

- 30 a) The conceptual subdivision appears to be consistent with the General Plan.
- 31 b) Adequately meets Subdivision Ordinance Standards in the Municipal Code, Chapter 15-
32 5. The applicable review standards of the Subdivision Ordinance pertaining to a
33 Conceptual Subdivision application have been reviewed and directives established to
34 allow the proposal to proceed to preliminary subdivision plan submittal.

35
36 **PUBLIC HEARING – AMENDED SITE PLAN AND PDO APPROVAL – 1250 WEST PARRISH**
37 **LANE, Legislative and Administrative Decisions, Consider proposed Amended Site Plan and PDO**
38 **approval for Legacy Trails Apartments at 1250 West Parrish Lane, Fred Hale, Applicant.**

39
40 Community Development Director Snyder provided a background report on the existing
41 Legacy Trails project, aka the Maverick site. He said the City received an application for a site
42 plan amendment. The applicant is requesting a change of fence design elements from the existing

1 PDO, specifically to amend the project's fencing design scheme along Parrish Lane and along the
2 trail system path. In addition, the applicant wants to eliminate the decorative barrier fence required
3 by UDOT and go to a pillar and rod iron design. Lastly, a small segment of the trail system was
4 realigned around a ground-based power box and a property line adjustment is needed to place the
5 trail back into the UDOT right-of-way, pursuant to agreements with the developer, the City and
6 UDOT. Director Snyder said he is fairly supportive of the concept of an open fence design,
7 however, he made a point of noting the site plan in the original PDO called for two access points
8 to allow residents to go onto the trail and those should be maintained.

9
10 Applicant Chad Salmon addressed the Commission. He explained that he and his partner
11 Fred Hale own the Legacy Trails project. He said the installation of the chain link fence on the
12 west side of the property between Legacy Trail Apartments and Legacy Parkway was an oversight
13 on their part and he apologized, adding they didn't intentionally go behind the Council's back.

14
15 He said they installed the fence due to concerns from their bankers and from residents about
16 the security of vehicles parked along the west side of the property, as well as a security concern
17 about trail users coming into the apartment property. He explained their decision-making process
18 in deciding to install a chain link fence rather than the three-rail approved fencing. They wanted
19 to install an attractive fence that would meet the 150 mile an hour wind code as well as address
20 their concerns regarding security, graffiti, longevity, and design. They considered a white vinyl
21 fence, but concluded the wind, weather, and sun take a toll on white vinyl fencing. He said they
22 looked at the City's fencing on the overpass and saw it contains a segment of bronze colored,
23 décor-type chain link fencing. In order to improve the look of their chain link fence, he had the
24 fence installer powder-coat the fence posts and add color and texture on the chain link.

25
26 Chair Hirschi asked if Applicant Salmon intended to install security gates that would allow
27 more free access to the trail. Mr. Salmon said the chain link fence already contains a gate so
28 residents and the public can get to the trail but added the main access to the trail is from Parrish
29 Lane. He said they have the ability to make it a key access, but they do not have any intention of
30 keeping the public out unless it becomes a nuisance. He added the trailhead is meant to be on the
31 corner of 1250 West and Parrish Lane and not the back of their apartments. Chair Hirschi asked
32 Mr. Salmon if he had any preliminary discussions with UDOT about eliminating the design criteria
33 for the fence along Parrish Lane. Mr. Salmon said UDOT is reviewing it now.

34
35 At 8:40 p.m., Chair Hirschi opened the public hearing and invited members of the public
36 to come forward. Seeing none he closed the public hearing at 8:40 p.m. He asked if there were
37 any further questions. Commissioner Johnson asked Director Snyder if there was a way to craft a
38 recommendation to accommodate whatever decision UDOT makes. Chair Hirschi asked for
39 clarification, but said he did not think they could craft language around an approval or disapproval.

40
41 City Attorney Lisa Romney explained the complicating factor is the City has entered into
42 an agreement with UDOT on the maintenance of the fence. That agreement has pictures showing

1 the details of what the fence is supposed to look like, exactly where and what fence, and also the
2 property line that has to be moved. She said the way the conditions are currently drafted in the
3 Staff Report are satisfactory to address this issue. UDOT's approval of the changes to the fencing
4 are necessary and required and the City cannot approve the changes if UDOT is not willing to
5 amend the existing agreement.

6
7 Commissioner Hayman asked the applicant if they ever considered installing a wrought
8 iron fence to match the fence they are considering for Parrish Lane and Mr. Salmon said no because
9 it would be too expensive. Commissioner Hayman said she did not prefer the chain link fence
10 from an aesthetic point of view but she was not inclined to have it rebuilt.

11
12 Chair Hirschi asked the approximate length of the chain link fence and Applicant Salmon
13 said it is close to 400 feet and they are awaiting approval regarding a gas line in order to complete
14 the last small area that is open now. The Chair followed up with a question about what type of
15 fencing was further south and Mr. Salmon responded it is Legacy Granite's white vinyl fence with
16 some blowouts. Chair Hirschi asked Staff to confirm there was no requirement for a fence at all.
17 Director Snyder replied there is no requirement for a fence, but there is a PDO design guideline
18 for a solid white vinyl fence.

19
20 In discussions with the applicant before the fence went in, Director Snyder said he had
21 concerns about wind and graffiti that would annihilate a white vinyl fence if it were installed for
22 security purposes. Chair Hirschi said he agreed that white vinyl was not the best looking fence,
23 but added that in this particular application, PVC white vinyl coated or brown coated chain link
24 fencing would solve the challenges. The Chair suggested another option would have been to install
25 the 3-rail fence similar to that installed along the trail.

26
27 Commissioner Hirst made a **motion** for the Planning Commission to recommend to the
28 City Council approval of the petition to amend the Legacy Trails development's PDO approval
29 and conceptual site plan, with Items A – E as outlined in Staff's Report and the Suggested Reasons
30 for Action A and B. The motion was seconded by Chair Hirschi and the motion passed
31 unanimously (5-0).

32
33 **Conditions of Approval as amended by Planning Commission**

34 a. All fencing shall comply with the new design consisting of the following:

- 35 i. A short 4-5' wrought-iron & intermittent brick/rock pillars fence. The fence would be
36 constructed along the landscaped entrance at the Parrish Lane and ty into a monument entry
37 sign at the entrance and then proceed west along the inside trail shoulder along Parrish
38 Lane and terminate at the detention/dog park facility.
39 ii. A 6-foot vinyl coated open chain-link fence w/ 5"x5" tube poles every 40'. This style of
40 fence would begin at the detention/dog park facility and then continue along the trail
41 system on the west side of the development.

- 1 b. The two (2) originally planned west side access points shall be installed to allow resident access
- 2 to the trail system.
- 3 c. The applicants shall obtain UDOT's approval for the elimination of the fencing within the
- 4 Parrish Lane park strip, which shall be formalized upon amending the existing agreement
- 5 between the City and UDOT, and/or as deemed acceptable by the City.
- 6 d. A lot line adjustment, between the land owner and UDOT, for the trail alignment shall be
- 7 completed, as deemed acceptable by the City Attorney.
- 8 e. All other related or associated conditions of the Legacy Trail Development PDO Approval
- 9 remain in effect with this amendment.

10
11 **Suggested Reasons for the Action (Findings)**

- 12 a) The Planning Commission finds that amendments to a PDO approval are subject to the
- 13 original procedure used for obtaining a preliminary approval.
- 14 b) The Planning Commission finds that amendments are consistent and compatible with the
- 15 originally approved expectations of the PDO Plan for the Legacy Trails Development.

16
17 **PUBLIC HEARING – CONCEPTUAL SITE PLAN AND ZONING MAP AMENDMENT**
18 **-- NW CORNER OF PARRISH AND 1250 WEST, ADMINISTRATIVE AND**
19 **LEGISLATIVE DECISIONS, Consider proposed Conceptual Site Plan and Zoning Map**
20 **Amendment of Legacy Commons Planned Development at the northwest corner of Parrish**
21 **Lane and 1250 West, Spencer Wright, Applicant.**

22
23 Commissioner Logan Johnson recused himself from this application review as he works
24 for the applicant. Upon this disclosure, the Chair Hirschi excused Commission Johnson from the
25 dais and Mr. Johnson left the room.

26
27 Community Development Director Cory Snyder presented the Staff Report. Staff believes
28 that the request for the rezone to PDO to allow a master plan project that integrates commercial
29 and residential uses is in harmony with the stated goal and associated objectives of the West
30 Centerville Neighborhood Plan. The opportunity to develop a gateway mix of hotel, commercial,
31 and multi-family residences will be a significant enhancement that should add additional value to
32 surrounding properties and provide some services missing in the area, specifically with providing
33 hotel space for the Class "A" Office buildings located in the neighborhood and just across the
34 freeway. The hotel provides options for companies to host events, particularly training seminars
35 for employees and clients.

36
37 Staff believes this is the last and final segment to implement the multi-family residential
38 element that was originally envisioned at this neighborhood node. Mr. Snyder noted that a strong
39 multi-family neighborhood identity creates synergy for this particular housing style, which in turn
40 promotes continued investment in maintenance and upkeep to encourage housing product
41 longevity and stability. Regardless of what uses are developed, the traffic impact would be of the
42 greatest concern. Mr. Snyder also explained that the State has now installed the long-desired traffic

1 signal at 1250 West Parrish Lane that maximizes the ability to manage traffic in this area. For
2 Staff, the largest concern on this site is vehicle access and circulation. Nevertheless, this concern
3 can be best addressed in the review and acceptance of the site plan approval processes.
4

5 The proposed plan depicts a new access onto 1250 West located between the 1250 West
6 Parrish Lane intersection and 500 North. This new access is potential cause for concern for the
7 City Engineer and Public Works Director. Staff believes that a Traffic Study would help evaluate
8 this concern. Staff believes that the proposed Legacy Commons Mixed-Use project is a viable and
9 desirable development scenario for the Parrish-Legacy Gateway area. The supportive arguments
10 are as follows:

- 11
- 12 a. The proposed mixture of commercial and residential uses is consistent with the West
13 Centerville Neighborhood Plan.
 - 14 b. The West Centerville Neighborhood Plan envisioned only medium box type commercial uses,
15 capped at 125,000 sq. ft.
 - 16 c. The market conditions are not ripe now, nor likely in the future for medium box commercial
17 uses, as evidence by the following:
 - 18 i. Farmington Station Park was developed after the West Centerville Plan adoption.
 - 19 ii. Farmington Station Park has likely saturated the market for developing medium box type
20 commercial uses.
 - 21 d. To date, Legacy Crossing at Parrish Lane provides space for medium box type commercial uses
22 and Legacy Trails provided two (2) smaller commercial lots that have not yet come to full
23 fruition.
 - 24 e. Limiting the allowance of other types of multi-family development negatively impacts the
25 planned allowance of multi-family development at this node in the West Centerville
26 Neighborhood.
 - 27 f. Not master planning this site creates the potential for limiting the developed area and would
28 isolate the excess UDOT property and reduce or eliminate any cost recovery by UDOT selling
29 excess public property. This will need to become a partnership with the property owner, the
30 City, and UDOT.
 - 31 g. Master Planning the entire area is better suited to addressing any impacts than piecemeal
32 development under an already long list of permitted commercial uses.
 - 33 h. Lastly, considering a PDO rezone provides an enhanced tool to address any development related
34 concerns and maximize the development opportunities for the entire site.
- 35

36 The submitted application contains the conceptual site plan layout and design concepts.
37 However, the applicant has indicated to Staff that if the City is not willing to consider allowing the
38 multi-family option for acquisition of UDOT's excess property adjacent to their land, then it would
39 not be cost effective for them to expend monies on the engineering costs for the "existing
40 conditions inventory" and other like design preparation expenses. Consequently, they desire to
41 seek an understanding of the political and public will and if favorable, move forward with the
42 expenses to complete the conceptual plan expectations.

1 Applicant Spencer Wright addressed the Commission. He is with Wright Development
2 Group at 1178 West Legacy Crossing in Centerville. He said they are excited about potentially
3 adding value for the City through a hotel and commercial property. He offered the Commission a
4 drawing of the UDOT parcel that Wright Development is under contract to purchase. He is seeking
5 a PDO to move the commercial development upfront onto the Parrish Lane part of the parcel and
6 open up land in the back for residential. He said Wright Development has worked on other
7 commercial retail developments in Centerville including the building in front of the Walmart,
8 Joanne's and the Starbucks buildings. He said he agrees with Director Snyder's analysis that the
9 challenge for commercial development on the west side of the City is there are not enough house
10 tops to fuel retail activity. He also added the freeway acts as a natural barrier for residents going
11 to shop. He said this project will be a good mixed-use project that will benefit the City. Applicant
12 Wright said, with the help of Centerville City, he is willing to approach UDOT about improving
13 access to the parcel. He said Wright Development is open to the City's input on design guidelines,
14 including the Shorelands and the Parrish Lane Design Guidelines.

15
16 Chair Hirschi expressed interest in including a restaurant pad next to the hotel and
17 confirmed that while the project is described as mixed use, the residential component would not
18 include retail in the buildings themselves. Applicant Wright agreed with both. Further queried by
19 the Chair about details on the residential development, Applicant Wright said it would be a three
20 or four-story apartment building, adding they recently completed a similar apartment project in
21 Pleasant Grove, Utah right next to Walmart. Commissioner Hayman asked how large of a hotel
22 they were envisioning in terms of rooms. Applicant Wright replied it is between 100 and 110
23 rooms and three or four stories.

24
25 At 9:18 p.m. Chair Hirschi opened the application for a public hearing. Seeing no
26 comments he closed the public hearing at 9:18 p.m. and asked for additional discussion or a
27 motion. Chair Hirschi expressed his appreciation that a developer is willing to bring this corner
28 into the 21st century with an upscale development that positively influences other properties in the
29 area. He said he is inclined to send this application to the City Council sooner rather than later,
30 even with pushback about multi-family residential, noting increased residential is key to
31 commercial development on the west side of Centerville.

32
33 Commissioner Hirst said while she is not opposed to the higher density in this area, she
34 asked Staff if it creates an unstable environment to have all rentals in that area. Mr. Snyder said
35 residential development on the west side has a mixed review. He said it does not have an A+
36 rating, but he thinks it is working. His concern is that if the City isolates the area, it loses synergy.

37
38 Chair Hirschi made a **motion** for the Planning Commission to recommend the action with
39 Condition 1, 2 and 3 from the Staff Report for the PDO Rezone and Conceptual Plan.

40
41 Commissioner Hayman recommended amending Condition 2 to say, in effect, the Planning
42 Commission is referring this matter to the City Council and requesting the Council give input to

1 the applicant on working with the City to approach UDOT regarding a curb cut along Parrish Lane
2 to better facilitate access to the project. City Attorney Lisa Romney suggested adding a condition
3 that both the PDO zoning and the conceptual plan be remanded back to the Planning Commission
4 if the Council is inclined to approve the PDO zoning. Commissioner Hirst recommended adding
5 that the PDO and the conceptual plan be remanded back to the Planning Commission for further
6 review. Chair Hirschi accepted these suggestions and remade his motion. It was seconded by
7 Commissioner Hayman and passed by a unanimous vote (4-0).

8
9 ***Condition of Approval as amended by the Planning Commission***

- 10 1. The Planning Commission has determined that the rezone request for a PDO is or can be
11 likely conditioned to be consistent with the provisions of the West Centerville Neighborhood
12 Plan and the PDO Approval Standards.
- 13 2. The Planning Commission is referring the matter to the City Council to provide the applicant
14 their desire to assess the legislative discretion of rezoning to a “planned development” status.
15 The Planning Commission is referring this matter to the City Council and requesting the
16 Council give input to the Applicant on working with the City to approach UDOT regarding
17 a curb cut along Parrish Lane to better facilitate access to the project.
- 18 3. If the City Council finds it favorable to consider approving the project, then the Conceptual
19 Plan, the PDO and the PDO zoning need to be remanded back to the Planning Commission
20 to have the applicant expend the necessary costs to develop and design the site and have the
21 Commission make a full PDO Concept Plan recommendation to the City Council.

22
23 **COMMUNITY DEVELOPMENT DIRECTOR’S REPORT**

- 24 1. Items scheduled for March 22, 2017:

- 25 • Pizza Hut Conceptual Plan
- 26 • Terry & Selene Break Conceptual Plan
- 27 • Pages Crossing General Plan Text Amendment
- 28 ○ Director Snyder said he would also like to discuss the Pages Crossing General Plan
29 Text Amendment at the City Council’s work session on March 21.
- 30 • Canyon Point Final Plan

31
32 **CITY COUNCIL ACTIONS REPORT**

33 Mr. Snyder reported on recent actions taken by the City Council.

- 34 • February 21, 2017: Chitose Johnson Zone Map Amendment to R-L
- 35 • **Motion:** Approved

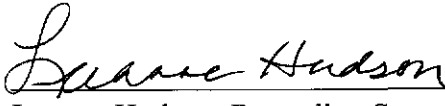
36
37 Chair Hirschi made a **motion** to adjourn. Commissioner Hayman seconded the motion,
38 which passed by unanimous vote (4-0). The meeting was adjourned at 9:33 p.m.

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David Hirschi, Chair

4-12-2017
Date Approved



Luanne Hudson, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, March 8, 2017
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Cory Blument, Heather Buechel -

Dave Smith

Chad Salmon

SPONSOR WAZBAT

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the Planning Commission meeting.