PLANNING COMMISSION MINUTES OF MEETING
Wednesday, November 14, 2018
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, Vice Chair
Cheylynn Hayman, Chair
Kai Hintze
Gina Hirst
Logan Johnson
Becki Wright

MEMBERS ABSENT
Kathy Helgesen

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

VISITORS
Interested citizens

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER Commissioner Kai Hintze

PUBLIC HEARING – PRELIMINARY SUBDIVISION – DEUEL CREEK PLACE –641 East 200 South

Chair Hayman turned the time over to Cory Snyder who reminded those gathered that the conceptual plan had been approved previously and that the Commission was now tasked with reviewing the preliminary proposal. He stated that the property was primarily compliant with City ordinances. As part of the agreement with Davis County, the northern part of the property would be turned over to the City for use as public space. The proposal was for only three lots, which was lower than the maximum amount allowed in the zone. Staff did not feel that significant changes to the preliminary plat were necessary.

However, in the soils report, the Development Review Committee addressed the water table and the City Engineer felt that a vertical pipe should be installed so that the water table could be monitored regularly. Based on the information obtained during that monitoring, the County and the City Engineer would finalize the location water table location. The buildable area of the home would need to be kept at least a foot above that level in order to avoid flooding. A plat note would be made as a disclosure that the one-foot elevation was required.
The second issue of concern involved the 100-year flood plain. The back of the lots encroached upon the flood plain and the location of a berm. It was important that future excavation avoid disrupting the flood plain. Staff recommended an easement at the rear of the lots and an excavation clause that the flood plain area be maintained. Other than the issues mentioned, Staff recommended approval of the preliminary plat.

Commissioner Hintze asked if the grade needed to be specified. Mr. Snyder responded that was among the details that the City Engineer and City Attorney would work out. The specifics would be identified when the project was returned for final approval by the Commission.

Chair Hayman invited the applicant to address the Commission.

Tony Thompson, Davis County’s Property Manager introduced himself and stated that he had no problem with the Staff recommendations.

Chair Hayman opened the public hearing at 7:14 p.m. There was no one who wished to speak and she closed the public hearing at 7:14 p.m.

Commissioner Hirst made a motion to approve the preliminary subdivision plan for Deuel Creek Place Subdivision at 641 East 200 South with Conditions 1-6 and Suggested Reasons for Action a-c.

Conditions:

1. A Final Subdivision Application and Plat shall be submitted in accordance of CMC 15.04 of the Subdivision Ordinance.

2. The Final Subdivision Submittal shall also provide the applicable subdivision infrastructure construction plans for the subdivision in accordance with CMC 15.04.104.

3. A plat note shall be prepared addressing the excavation for footings and foundation for “occupied/living space” to be free of groundwater or at least 1-foot above in elevation from the established groundwater level, as deemed acceptable to the City Engineer.

4. An easement and plat note shall be prepared addressing any grading changes desired by the lot owners to maintain the grades necessary to keep any flooding from expanding outside the current flood plain channel, as deemed acceptable by the City Engineer.

5. The Final Subdivision Submittal shall address the compliance with the standards for the “buildable area” and “buildable area ratio” for the R-L Zone.

6. Any remaining “utility provider” sheets shall be submitted with the Final Subdivision Application.

Suggested Reasons for the Action:

a) The Planning Commission finds that Preliminary Subdivision Plans are substantially consistent with the previous Conceptual Plan Acceptance.

b) The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the Subdivision Ordinance.

c) The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the City’s Zoning Ordinance, regarding lot development within the R-L Zone.
Commissioner Wright expressed appreciation to Davis County for hearing the concerns of nearby residents and working together to create a mutually beneficial project.

The motion was seconded by Commissioner Wright and passed unanimously (6-0).

**PUBLIC HEARING - CONCEPTUAL SUBDIVISION PLAT - BARRUS COVE - 196 EAST CHASE LANE**

Commissioner Hirst recused herself from this item and stepped out of the room.

Chair Hayman turned the time over to Mr. Snyder who explained that the Commission was tasked with addressing the development expectations of the neighborhood, as well as addressing preliminary compliance with lot size and the zoning ordinance. The applicant wished to develop the internal portion of the property, maintaining the existing homes along Chase Lane and creating a cul-de-sac for the additional lots. Although the count in the Staff report showed a total of fifteen lots, there were actually only fourteen as no lot was currently labeled #12. The area was slated for low-density residential which included two different types zoning—agricultural ½ acre lots and residential low zone (typically four units per acre). The City allowed flexibility with gross acreage, so lot size could vary. The purpose of the ordinance was to have a variety of housing sizes and values.

Generally speaking, Staff felt the concept met the requirements of the R-L zone, although there was an existing home on the current lay-out that would have less than the required 20-foot set-back. Therefore, the road would need to be shifted slightly. There was also one other lot just slightly more than 6000 square feet which might be too small to result in the required 2000 square foot pad site.

Regarding the lot lines between Lots 11 and 13 as well as Lots 5 and 6, City ordinance stated that side lot lines must be perpendicular to the street. The lot lines of this development were somewhat awkward, although they were not unusual, considering the fact that existing homes were being left intact. Although the City generally wished lot lines to be straight, it was not always feasible and it was not in this case. Staff was comfortable allowing the applicant to move forward with the current lot lines and recommended that the Planning Commission accept the conceptual subdivision plat, provide feedback, and allow the applicant to move forward to the next step in the development process.

Chair Hayman asked if a reason was given regarding why the lot line between Lots 11 and 13 was not straight. She invited the applicant to address the Planning Commission.

Roy Barrus and Kyle Honeycutt introduced themselves to the Commission and explained that the slight jog between Lots 11 and 13 could be fixed. They believed that Lot 14 (currently labeled Lot 15) met the 20-foot requirement, but would confirm that. They agreed that Lot 9 was small, but indicated that it could be enlarged a bit. The only challenge they anticipated was with the existing lots in front. However, they indicated they would make every effort to comply with the ordinance.

Commissioner Wright asked if the applicant had discussed the accessory buildings with the existing homeowners. Mr. Barrus stated that the accessory buildings would all be removed.

Chair Hayman opened the public hearing at 7:30 pm

_Nancy Lawrence_ - Ms. Lawrence expressed major concern regarding the additional traffic she felt would be generated from the subdivision. She asked that the commissioners observe current traffic on Chase Lane. She stated there was already a fair amount of traffic movement in the area as well as limited sidewalk space, requiring that children walk to school in the street. Regarding the street grade, cars already had issues
making it up the street at times in the winter. Additionally, if the freeway was shut down for any reason, traffic would be diverted to 500 South which would adversely affect Chase Lane. Ms. Lawrence suggested decreasing the number of lots or requiring that the developer provide an additional ingress/egress. She was curious to know how the lot size compared to others in the same zone.

Steve Mangel- Mr. Mangel shared Ms. Lawrence’s concern that more homes were being placed in such a small space. He suggested making the lot sizes similar to those in the old Hal Harrison subdivision. Like Ms. Lawrence, he wished to increase the amount of traffic.

There was no one else who wished to speak. Chair Hayman closed the public hearing at 7:38 pm.

Mr. Snyder responded to Ms. Lawrence’s question regarding lot size, explained that the size was as deep as some other lots in the area, and that all of them fell within what the zone allowed. He also pointed out that the R-L zone did not have a minimum lot size.

Chair Hayman allowed the applicant to respond to the public comments.

Mr. Honeycutt again expressed his willingness to increase the size of Lot #9 and to do whatever was necessary to comply with the zoning requirements. Mr. Barrus pointed out that there was continual sidewalk along the south side of the street which children could utilize on their way to school.

Mr. Snyder conceded that there would be a small increase in traffic and that having children walk to school in the roadway was a legitimate concern. However, he explained that a developer could not be denied approval in this circumstance. As a collector street, Chase Lane was designed to handle the increased traffic. The City Engineer and City Council could discuss ways of mitigating the increased traffic, but the applicant was compliant with all legal requirements.

Commissioner Wright inquired if the proposed site followed the requirements regarding street cuts. Mr. Snyder responded that there was very little room for adjustment and that the City Engineer did not mention any specific standard that was violated in this case.

Chair Hayman did not feel that ten additional homes would add a significant amount of traffic to the area. Mr. Snyder agreed, and indicated that the City could not require a traffic study in this particular case, although daily traffic counts could be provided if necessary.

Commissioner Daly asked for confirmation regarding requirements on collector roadways, and asked specifically about 400 East and Chase Lane. Mr. Snyder responded that 400 East was a major collector, while Chase was a minor collector. He indicated that 400 East functioned more as an arterial road from Parrish to Pages Lane.

Commissioner Daly felt the lot size in the concept plan was comparable to that on Wilmar Place—roughly the same size as the lots on Briarwood. He pointed out that the Planning Commission did not have a great deal of room for discretion.

Commissioner Wright expressed concern about the lack of sidewalk on the north side of Chase Lane but indicated that it did not impact the application currently under discussion. She proposed that the Planning Commission address the topic at a future meeting. Chair Hayman agreed that was an excellent suggestion and Mr. Snyder also indicated he could speak with the City Engineer regarding the situation.

Ms. Romney recommended that the Commission remain focused on the current agenda application before them tonight and discuss the broader issues regarding sidewalks on Chase Lane at a later time.
Commissioner Johnson appreciated that the project utilized existing City infrastructure.

Commissioner Wright made a **motion** to accept the Conceptual Subdivision Plan for the Barrus Cove Subdivision located at approximately 196 East Chase Lane, with Directives 1-6 and Suggested Reasons for Action a-c.

**Directives:**

1. The applicant shall submit an application for a preliminary plat and meet all the submittal requirements listed in Chapter 15.3 of the Subdivision Ordinance.
2. The preliminary plat shall indicate the following information:
   a. Depict/correct the lot count to 14 lots, including the lots for the existing homes.
   b. Adjust the interior side yard and corner lot street front setbacks to meet the R-L Zoning setback regulations.
   c. Depict the Buildable Area for each lot, providing a minimum of 2,000 square feet meeting the Buildable Ratio of the Zoning Ordinance. Also, address this matter even more particularly for Lot 9.
   d. The preliminary plans need to depict three (3) public utility easements (each lot) with the front measuring 10 feet along the street frontage of each lot and the side and rear yard easement a minimum of 7 feet.
   e. The preliminary plans need to address adequate fire protection including all existing fire hydrants and any new fire hydrants as required by the Fire Marshal.
3. The preliminary subdivision submittal shall address the “accessory building” matter, as outlined in the Staff Report for Conceptual Subdivision.
4. A soil report and drainage information shall be created or performed and must be submitted to City Staff for review as part of the preliminary subdivision plans.
5. A preliminary title report for the subdivision area to be prepared, submitted and deemed acceptable to the City Attorney.
6. All missing utility provider sheets shall be submitted with the preliminary subdivision plans indicating all utility providers can service each lot.

**Suggested Reasons for the Action:**

a) The conceptual subdivision appears to be consistent with the applicable Neighborhood Plan, expecting low density residential development.
b) The proposed subdivision appears to likely be able to meet the Development Standards of the Residential-Low Zone.
c) The applicable review standards of the Subdivision Ordinance pertaining to a Conceptual Subdivision application have been reviewed and directives established to allow the proposal to proceed to preliminary subdivision plan submittal.

The motion was seconded by Commissioner Hintze and passed unanimously (5-0).

Commissioner Hirst returned to the dais.

**PUBLIC HEARING — ZONING TEXT AMENDMENTS — CZC 12.12 “DEFINITIONS”
AND CZC 12.36 “TABLE OF USES”**

Chair Hayman turned the time over to Ms. Younger who reminded those gathered that the Planning Commission had wished to expand the table of uses along Main Street from Parrish Lane to Porter Lane.

Several public meetings of stakeholders had been held in order to assist the Planning Commission in making
its recommendations to the City Council. As outlined in the Staff report, the Commission would recommend
that some currently not-permitted uses be considered as conditional uses going forward.

Ms. Younger outlined several recommended changes, many of which had been previously
discussed by the Planning Commission.

- Park and School, elementary, middle or high were recommended by Staff to retain the Public 
  Facility designation as opposed to being added to the C-M list
- Staff recommended that College or University facilities be changed to conditional use
- Veterinary Clinic and Vocational School were added to the list of conditional uses as they had
  inadvertently been left off
- Construction Sales and Service, limited was also added to the list and prohibited outdoor storage
- Staff expanded the definition of Garden Center
- Staff added footnotes to the Restaurant, fast food and Bank or financial institution designations, 
  specifying that drive-throughs should be allowed in the C-M zone.
- Secondhand store and Cultural service were switched from permitted use to conditional use.

Several members of the Planning Commission expressed appreciation to Ms. Younger for her hard
work on this item.

Commissioner Daly asked where private or charter schools would fit. Mr. Snyder responded that
they would fit into Public Facility; vocational schools, however, might be better suited for the Industrial
category.

Commissioner Johnson pointed out that eliminating drive-thrus in Restaurant, fast food had not
been a unanimous decision among the commissioners. Chair Hayman indicated that there would be further
discussion on that topic. Commissioner Johnson also indicated that he wished that many uses currently
listed under conditional use were listed as permitted.

Chair Hayman opened the public hearing at 8:21pm.

Travis Schupe Explained that he was one of the current owners of the old fire station on Main
Street and he introduced Dwight Yee of Process Studio Architecture, who was working on a potential
expansion of the building. Mr. Yee presented a picture of a conceptual site plan that he and Mr. Shupe
hoped to propose in the future. It was their hope that Construction Sales and service, limited would be
added so that they could create a series of offices and suites. However, they were unable to move forward
without knowing what the zoning requirements would be.

Mr. Snyder asked Mr. Yee to address the differences between small services shops as opposed to
large construction firms. Mr. Yee explained that Mr. Shupe would not be storing large equipment on the
site but instead might have small materials that would be stored inside. The site in question was not
sufficiently large to accommodate heavy equipment, even if they were interested in doing so. Mr. Shupe
was excited about the possibilities of improving Main Street which would increase everyone else's property
value and encourage others to make improvements to their own property.
There was no one else who wished to speak. Chair Hayman closed the public hearing at 8:34 p.m.

Pertaining to Construction sales and service, limited, Commissioner Daly liked that all of the storage would be internal which addressed the concern Commissioner Helgesen had expressed at a previous meeting. Commissioner Wright appreciated that it had been made clear that design guidelines and parameters automatically limited the size of what could be placed in this area and that it was a point worth making to the City Council.

Regarding moving Car wash to a conditional use, the Commission was divided. Chair Hayman suggested that they move on to the rest of the list and return to this item later in the meeting.

As far as Restaurant, fast food was concerned, Commissioner Johnson felt that Main Street could handle the traffic associated with drive-thrus. Commissioner Daly stated that he had researched drive-thrus and pointed out that generally speaking, they created an extra point of interaction between pedestrians and vehicles. However, he did not anticipate UDOT agreeing to make additional curb cuts, so he did not expect it to become a problem if drive-thrus were permitted. Additionally, he was not in favor of distinguishing between various types of drive-thru-- allowing some, but not others. He did not feel that allowing drive-thrus would result in an increased traffic problem.

Commissioner Wright stated that she still did not support drive-thrus but knew that she was in the minority. She felt they infringed upon parking and did not believe that they supported the City’s South Main Street Overlay. While she agreed that drive-thrus were very convenient, they came with environmental problems that she did not wish to add to. Finally, she suggested that increasing the number of fast food restaurants would draw an increased number of non-residents to the area.

Commissioner Daly indicated that encouraging people to spend their money in Centerville was a good thing and that economically, limiting visitors to Parrish Lane was not best for the City. He felt visitors should be encouraged to spend their money on Main Street as well, so that businesses on that street would benefit.

Commissioner Wright clarified that she wished for Main Street businesses to be successful, and was also concerned about the increased traffic that some residents had mentioned during the public forums.

Chair Hayman expressed concern about allowing drive-thrus for some types of businesses, such as pharmacies and coffee shops, but not others such as fast food. Commissioner Johnson pointed out that Commissioner Helgesen had expressed opposition to fast food restaurants in general, and with drive-thrus specifically. Chair Hayman pointed out that improved technology had allowed many fast food restaurants to mitigate the associated odors about which some residents had complained.

Chair Hayman agreed with Ms. Younger that it made sense to make Secondhand store permitted rather than a conditional use.

Commissioner Daly asked if animal boarding would be included in Veterinary Clinic and stated that his only concern with allowing it as a conditional use involved potential noise complaints. Staff was not aware of any noise complaints related to the vet clinic that was already operating on Main Street.

Commissioner Wright preferred that Catering, limited be a conditional use only. Commissioner Johnson was in favor of making that particular use permitted rather than conditional. Commissioner Daly felt catering would have issues similar to those experienced at restaurants and if restaurants were to be conditional, catering should be as well.
No one on the Commission expressed concern with removing the restriction against drive thrus at 
Bank or Financial Institutions.

Regarding Church or Place of Worship, it was suggested that many in this category were currently 
conditional since parking issues could potentially arise. Commissioner Wright inquired if churches were 
conditional in residential areas. Ms. Romney stated that churches were listed as a conditional use in 
residential zones according to the Table of Uses.

Chair Hayman made a motion to recommend to the City Council the following amendments to 
CZC 12.12 “Definitions” and CZC 12.36 “Table of Uses” as set forth in the Staff report with Reasons for 
Action a and b and with three exceptions:

Reasons For Action:
a) Consistent with General Plan, Commercial and Industrial Development 12-430 and the South 
Main Street Corridor Plan, 12-480-7
b) Amendments were consistent with the purpose of the Commercial Medium Zone, 12.30.020(d).

Exceptions:
1) Remove Car wash from the list to discuss separately
2) Remove Restaurant, fast food from the list to discuss separately
3) Delete the asterisk from Bank or Financial Institution, allowing drive thrus in that specific type 
of establishment

At Ms. Romney’s recommendation, Chair Hayman added a fourth exception, removing an extra 
word from Business equipment rental and services
4) In Business equipment rental, services and entertainment, remove the word ‘entertainment’

Commissioner Wright seconded the motion.

Commissioner Daly moved to amend the motion to include removing the asterisk from 
Restaurant, fast food, allowing drive thrus as a conditional use with that type of business as well. Chair 
Hayman seconded the amended motion and then clarified that the Commission would now vote on whether 
or not to include Restaurant, fast food as a conditional use without the asterisk, thereby allowing them to 
have drive thrus.

The amended motion passed 4-2 with Commissioners Wright and Hirst casting the negative votes.

Commissioner Johnson moved to amend Chair Hayman’s original motion to include Car wash as 
a conditional use. Commissioner Hintze seconded the second amended motion.

Commission Hintze pointed out that earlier in the meeting, the Planning Commission heard from a 
land owner who wished to do something great on Main Street. Perhaps someone would wish to do the 
something equally great with a car wash. He wished for the table of uses to be flexible enough to allow for 
such a thing. Commissioner Daly agreed. Commissioner Hirst suggested that a different type of business 
would fit the area better than a car wash.
The second amended motion (to add Car wash as a conditional use) failed 3-3, with Chair Hayman and Commissioners Hirst and Wright casting the negative votes. Therefore, the Planning Commission would not recommend that Car wash be added as a conditional use to the Table of Uses.

For the sake of ensuring clarification, Chair Hayman stated that at this point, the only change to Staff’s proposed list of amendments to the table was that Restaurant, fast food (including the potential for drive thru) would be recommended as a conditional use, and the word ‘entertainment’ would be removed from Business equipment rental services and entertainment. Additionally, the asterisk would be removed from Bank or financial institution, thereby allowing such businesses to have drive thurs.

Commissioner Wright expressed her excitement that the Table of Uses was being addressed by the City. She supported encouraging movement on Main Street and balancing the rights of property owners with the City’s need to plan for the future. Although she still opposed allowing permitting fast food restaurants conditionally, she would vote in favor of the motion as a whole.

The motion ended as follows:

The uses Assisted Living Facility, Business equipment rental, services and supplies, College and University, Construction Sales and Service, limited [definition below], Indoor Recreation and entertainment, Mortuary, Outdoor recreation and entertainment, Printing, general, Protective Service, Reception Center, Research Service, Restaurant, fast food, Restaurant, general, Shopping Center, Veterinary Clinic, and Vocational School shall all be listed as a Conditional Use Permit in the Commercial Medium Zone in the Table of Uses.

The uses Secondhand store, Bank or financial institution, and Cultural Service shall be listed as a Permitted Use in the Commercial Medium Zone in the Table of Uses.

[Amended] Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental, agricultural, or landscaping purposes. May include renting or selling of landscaping equipment and yard or animal care products.

[ADD] Construction Sales and Service, Limited: An establishment engaged in the retail or wholesale of various small materials, supplies, and services used in the construction of buildings or other structures with activities which are conducted within an enclosed building, but not including outdoor storage of large construction equipment or materials yards on lot or parcel other than a construction site. Typical uses include, electrical, plumbing, air conditioning and heating supply stores, swimming pool contract sales and supplies, construction and trade contractors' offices including small equipment and supplies.

The original motion (as amended) passed 6-0.

Commissioner Hirst was excused at 9:32 p.m.

COMMUNITY DEVELOPMENT DIRECTOR REPORT

Mr. Snyder pointed out that the Planning Commission would not have a second meeting in November. He expected to have Sheffield Downs and Legacy Lands presented at the December 12 meeting.
CITY COUNCIL ACTIONS REPORT

Mr. Snyder reported that the ordinance allowing murals was passed by the City Council. The Council also received the second report for the City foothills property and the matter was forwarded to the applicable committees for further study. He completed his comments by asking the Commission to consider their choice for Chair in the coming year as well as what goals they wished to accomplish for the City in 2019.

Chair Hayman asked Mr. Snyder if anyone from the City had been able to attend the Wasatch Front Regional Council meeting. He responded that the City was represented by several individuals.

MINUTES REVIEW AND ACCEPTANCE

The minutes of October 24 2018 were reviewed and amendments suggested. Commissioner Johnson made a motion to accept the minutes as amended. Commissioner Wright seconded the motion which passed by unanimous vote 6-0.

ADJOURNMENT

Chair Hayman moved to adjourn. Commissioner Johnson seconded the motion. The motion passed unanimously 6-0 and the meeting adjourned at 9:42 p.m.

Cheylynn Hayman, Chair 12-12-2018
Date Approved

Jamie Brooks, Recording Secretary