

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, December 14, 2016**

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

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

7
8 **MEMBERS PRESENT**

9 Kevin Daly

10 Cheylynn Hayman

11 Kathy Helgesen

12 David Hirschi, Chair

13 Gina Hirst

14 Logan Johnson, Vice Chair

15 Becki Wright

16
17 **STAFF PRESENT**

18 Cory Snyder, Community Development Director

19 Lisa Romney, City Attorney

20 Cassie Younger, Planner

21 Emily Hatch, Recording Secretary

22
23 **VISITORS**

24 Interested citizens (see attached sign-in sheet)

25
26 **PLEDGE OF ALLEGIANCE**

27
28 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Wright

29
30 **MINUTES REVIEW AND APPROVAL**

31
32 The minutes of the Planning Commission meeting held November 9, 2016 were reviewed
33 and amended. Commissioner Wright made a **motion** to approve the minutes as amended. The
34 motion was seconded by Commissioner Hayman and passed by a vote 6-0, with Commissioner
35 Helgesen abstaining.

36
37 **2017 SCHEDULE REVIEW AND APPROVAL**

38
39 The schedule for the 2017 Planning Commission meetings was presented for approval.
40 Cory Snyder, Community Development Director, noted that the November City Council meeting
41 was moved to November 8, 2017 due to election day, which moved the November Planning
42 Commission meeting to November 15, 2017.

43 Commissioner Wright informed the Commission that she will not be present at meetings
44 held in March.

1
2 Chair Hirschi made a **motion** for the Planning Commission to adopt the 2017 Planning
3 Commission Schedule as provided. The motion was seconded by Commissioner Hayman and
4 passed by unanimous vote (7-0).

5
6 Chair Hirschi reminded everyone that elections for the position of Chair and Vice Chair
7 of the Planning Commission will be taking place at the first Planning Commission meeting in
8 January. Chair Hirschi would be happy to support any nominations for those posts.

9
10 **PUBLIC HEARING – LEGACY CROSSING STORAGE, 150 NORTH 1250**
11 **WEST LANE - Consider the proposed Conditional Use Permit for a self-storage use**
12 **(Legacy Crossing Storage) on property located at approximately 150 North 1250 West -**
13 **Ken Menlove, Menlove Construction, Applicant**

14
15 Mr. Snyder reminded the Commission that everyone has seen the site plan process, as the
16 Conceptual and Final Site Plans have both previously been submitted to the Commission. The
17 Final Site Plan has been approved, subject to acceptance of the Conditional Use Permit. The
18 CUP is ready and prepared for the Commission to consider. The CUP is for the use only at this
19 time; if there is anything above and beyond the issues listed in the Final Site Plan that can be
20 mitigated, then it is the duty of the Commission to consider approving the CUP.

21
22 Staff has provided their report for this CUP. The storage facility will be located on the
23 west side of Centerville, near the Megaplex Theater, and south of the Legacy Crossing project.
24 There is an existing storage facility to the south. The applicants would like to construct a self-
25 storage facility on the vacant parcel of land at 150 North 1250 West.

26
27 Staff's view is that the area has had new development, including the Legacy Crossing
28 Apartments, so there are residents nearby in the mixed-used sector. This site will be located
29 within the Industrial-High Zone and will only be required to meet the standards for this zoning.
30 However, since there are residential uses, there should be discussion around how these residents
31 could be affected. Staff is concerned about hours of operation of the new site. The Centerville
32 City Noise Ordinance already prohibits loading and unloading from 10 pm to 6 am, so this could
33 be used to mitigate any problems that arise at the storage facility during this time. Staff's view is
34 that Legacy Crossing Storage should match those hours while making it specific to their project,
35 including exceptions for emergency situations. However, this facility may create a constant /
36 regular flow of traffic of people accessing this facility in the late night hours which wouldn't be
37 considered loading or unloading. Late night hours for the facility should be discouraged out of
38 concern for existing residents, as long as emergency plans are in place and as long as they don't
39 violate the City Noise Ordinance.

40

1 Another concern for this project, that is typical for commercial use sites next to
2 residential sites, is lights. If lights are not shielded / appropriately placed, then residents become
3 frustrated.

4
5 The City Engineer is comfortable with the City instating a parking restriction from the
6 corner of 1250 West and 200 North to just beyond the east side of the access to the storage
7 facility, as this would keep parking and traffic away from the corners and thus maintain
8 visibility, but would be uncomfortable restricting the entire street, as there are many people in
9 the nearby apartments that park on-street (as allowed).

10
11 Staff is recommending approval of the Conditional Use Permit for Legacy Crossing
12 Storage, with consideration for mitigating measures.

13
14 Commissioner Wright asked Mr. Snyder to remind the Commission why the City
15 Engineer was opposed to making street cuts for access on 1250 West as opposed to 200 North.
16 Mr. Snyder explained that 200 North is considered a local road, while 1250 West is an arterial
17 street, so city rules try to minimize street cuts on 1250 West. An increase in the number of
18 driveways means an increase in the number of turns off of that street, which causes more
19 problems in balancing everyone's needs and mitigating turn conflicts. As there are already curb
20 cuts on the other side of 1250 West, it was decided to change the primary access to the facility to
21 200 North, both to minimize access on arterials and because existing powerlines caused issues
22 for how to line up driveways / accesses with those across the street.

23
24 Chair Hirschi asked for if there will be a gate, or some form of security. Mr. Snyder
25 showed that there will only be the one entrance.

26
27 Commissioner Hayman asked for clarification on where the City Engineer would prefer
28 to restrict parking. Mr. Snyder restated that this would be from the corner to the curb cut on the
29 south side of the road, and for a space on the other side of the entrance, which was addressed in
30 the Site Plan. It would be acceptable to also add this as a condition in the CUP.

31
32 Commissioner Daly asked for clarification on the City Noise Ordinance, which should be
33 from 10 pm to 6 am. The provided Staff Report states 6 am to 10 pm, and the suggested motion
34 for the CUP listed in the Report states that hours of operation for the facility should be from 6
35 am to 9pm, to align with this ordinance. Mr. Snyder acknowledged his mistake in the report; the
36 Noise Ordinance states 9 pm to 6 am. Lisa Romney, City Attorney, verified these hours as stated
37 in Section 7-09-020 of the Centerville Municipal Code.

38
39 Steve Garner, applicant, is one of the principal owners and developers. He informed the
40 Commission that he would have no issue with limiting his hours of operation to conform to the
41 Noise Ordinance, as typical access, excepting occasional emergencies, would be within those
42 hours. Chair Hirschi asked if any afterhours visitors would be accompanied by a representative

1 from the company. Mr. Garner responded that this is not typical, but he's comfortable with this
2 step being taken if requested.

3
4 Regarding the on-street parking, the preference of the developers was to have the
5 entrance to the facility on 1250 West, due to their concern of trucks being able to enter and exit
6 safely. Mr. Garner's understanding had been that parking would be restricted on both sides of
7 the street. Mr. Snyder stated that during his previous conversations with the developers and
8 engineers, it was only the south side of the street that would have restricted parking.

9
10 Commissioner Wright asked the applicant whether it was their choice, or the choice of
11 the engineer, to switch the entrance to 200 North. Mr. Garner explained that they had tried to
12 make it work to have the entrance on 1250 West without having to move any existing light poles,
13 but that could not result in an entrance that was at least 150 feet from the intersection, as is
14 required, so the entrance was moved around the corner. Commissioner Wright stated that her
15 preference would be for the entrance to be on 1250 West, due to issues with entering the facility,
16 parking for existing residents, and potential light disturbance for those residents. She asked the
17 applicant if he had looked into moving the smallest light pole that is on 1250 West. Mr. Garner
18 assured her they had considered all options before settling on the entrance on 200 North.

19
20 Mr. Snyder explained that to switch the plans now would mean that the Commission
21 would need to reconsider their approval of the site plan, which have already been approved in
22 their current state, due to the necessary changes to the drainage and access plans. Mr. Garner said
23 he would hate to have to back up, and the plans are currently finalized.

24
25 Commissioner Hirst asked Mr. Snyder for the width of 200 North, and if allowing
26 parking on the north side would cause any issues. The right-of-way is 80 feet, but they are not
27 utilizing the full 80; the asphalt will be about 42 or 44 feet wide. Commissioner Hirst then asked
28 Mr. Garner what size of truck and trailers he expects to have accessing the facility. Mr. Garner
29 said it will likely be box trucks and U-Hauls. It is unlikely that semis will be accessing the
30 facility, but not impossible.

31
32 Chair Hirschi opened the public hearing. With no one wishing to make any comments,
33 Chair Hirschi then closed the public hearing.

34
35 Commissioner Johnson asked Mr. Snyder if the decision for whether or not on-street
36 parking is allowed would be made by the city. Mr. Snyder responded that the decision was made
37 by the City Council, based on the engineer's recommendation in the site plan. If there are
38 additional issues not addressed in the site plan, the Commission is welcome to mitigate those by
39 adding a third condition to the CUP, and the requested configuration would be up to the approval
40 of the City Council.

41

1 Lisa Romney, City Attorney, stated that she would like to add a third condition to the
2 CUP requiring the developer to submit legal descriptions for the waterline easement and public
3 utility easement to be prepared and recorded against the property prior to building permit.

4
5 Chair Hirschi made a **motion** for the Planning Commission to approve the Conditional
6 Use Permit for the proposed Legacy Crossing Storage to be located at 150 North 1250 West,
7 with the following conditions. Commissioner Daly seconded the motion.

8
9 ***Conditions:***

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

19
20 Commissioner Wright explained that she does not feel comfortable with the current plan
21 for the facility’s entrance on 200 North, due to issues with mitigating operation, parking, and
22 visibility for large trucks. She recognizes that it is a burden to request the applicant revisit the
23 option to move the light pole, but this option would make more sense to accommodate the large
24 trucks, with the benefits of no on-street parking on this street to interfere with entering and
25 exiting the facility and no limitation of parking for existing residents. Chair Hirschi stated he
26 would argue otherwise, as there is currently another storage unit in the area that does have access
27 via 1250 West. Currently, vehicles accessing this facility really disrupt the flow of traffic, thus
28 turning 1250 West into a busy street. Access on 200 North instead of 1250 West would improve
29 the flow of traffic on 1250 West and allow for slower trucks and easier turns. Commissioner
30 Hayman stated that this is the plan that the City Engineer reviewed and was comfortable with
31 implementing, and recommended that the Commission defer to his expertise. Commissioner
32 Hirst explained that, since the facility will not be open after 9:00 pm, headlights from visitors
33 affecting the local residents isn’t a significant concern.

34
35 The motion passed with a majority vote (6-1), with Commissioner Wright casting the
36 dissenting vote.

37
38 ***Reasons for the Action:***

- 39 a) A Conditional Use Permit is required for a self-storage use in the I-H Zone (Chapter
40 12.36)
41 b) The Planning Commission finds that a conditional use permit to be reviewed by the
42 Planning Commission (Section 12.21.100).

- 1 c) The Planning Commission finds that during the review of the CUP, the use can
2 potentially have a negative impact on the multi-family residences to the north of the
3 site with regards to late night customer access and loading/unloading activities and
4 site lighting.
- 5 d) The Planning Commission finds that the conditions imposed can mitigate the
6 identified negative impacts mentioned above.
- 7 e) The Planning Commission finds that with the Commission's review and conditions
8 imposed, there is sufficient evidence to necessitate a CUP approval of proposed self-
9 storage use.

10
11 **PUBLIC HEARING – SAL BIRNAM WOODS 100-FT TOWER, 1100W W**
12 **PORTER - Consider the proposed Conditional Use Permit and Final Site Plan for a 100-**
13 **foot Monopole Tower (wireless telecommunications facility) to be located at approximately**
14 **1100 West Porter Lane - Tierney Rowe, Epic Towers, LLC, Applicant**
15

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

23
24 The antenna seems to be appropriately size based on the plan. There are no climbing
25 pegs, all cables are underground. There will be two fences for screening: a 4-foot tall vinyl fence
26 at the property line and a 50 by 50 foot fence, which will be 6 feet tall with an additional foot of
27 barbed wire on top, around the pole, which is 300 feet from the property line,. The FAA and the
28 FCC will need to be notified with proper permits once construction is complete, as
29 acknowledged in their letters of acknowledgment.

30
31 Everything requested in the Conceptual Site Plan has been addressed in the Final Site
32 Plan. Staff found that there are no other monopoles in the surrounding area, and the proposed
33 tower would not interfere with any current operations of sensitive lands. Sixty feet of height is
34 allowed based on the current zoning, and the Conditional Use Permit is needed to expand this to
35 100 feet. There have been no findings that would give cause to deny this permit.

36
37 Tierney Rowe, applicant, from Epic Towers verified that they had met all conditions
38 required by staff for the Conceptual Site Plan.

39
40 Chair Hirschi opened the public hearing. As no members of the public wished to speak,
41 the public hearing was closed.

1 Commissioner Johnson asked for clarification on the landscaping requirement for Phase 1
2 vs. Phase 2 of the site plan. Cassie Younger, Assistant City Planner, explained that the property
3 for the second phase hasn't been leased yet. Mr. Snyder further explained that current ordinance
4 requires that the whole property be developed at once, unless there is a phase approval. The
5 Conceptual Site Plan review allowed for the opportunity for the applicant to request a two phase
6 process and asked that anticipated use of Phase 2 be addressed. There may be some shifts and
7 changes as Phase 2 is developed.

8
9 Commissioner Wright made a **motion** for the Planning Commission to approve the Final
10 Site Plan for the proposed communications facility with the following conditions. Commissioner
11 Hayman seconded the motion. The motion passed with a unanimous roll-call vote (7-0).

12
13 ***Conditions:***

- 14 1. All construction of the property and monopole with the required fencing, landscaping,
15 and permitting follows the Final Site Plan submitted to the City on November 10,
16 2016.
- 17 2. All vehicles stored on the property are to be removed as soon as Phase I of
18 construction begins or prior to receiving a final inspection related to the building
19 permit
- 20 3. FAA is notified properly to give a Notice of Actual Construction within 5 days after
21 the construction reaches its greatest height.
- 22 4. FCC is properly notified within 24 hours of completion of construction of the
23 project.
- 24 5. The remaining landscaping requirements will be addressed with the approval of Phase
25 2 of the project, consisting of at least 10% of site.

26
27 Commissioner Hirst made a **motion** to approve the Conditional Use Permit for the
28 Verizon Telecommunications Site to be located at 1100 West Porter Lane, with the following
29 conditions. Commissioner Hayman seconded the motion. The motion passed with a unanimous
30 roll-call vote (7-0).

31
32 ***Conditions***

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

36
37 **PUBLIC HEARING – CANYON POINT IN CENTERVILLE, 347 NORTH 400**
38 **EAST - Consider the proposed Conceptual Site Plan for Canyon Point in Centerville**
39 **(formally Martha's Place), on property located at 347 North 400 East, for the purpose of a**
40 **multi-family development; consisting of 1 tri-plex, 1 duplex and 1 single-family dwelling -**
41 **Chad Morris, Property Owner & Applicant**

1 There have been several previous site plan applications for this same location, but the
2 owner has recently acquired more properties. The new western end of the development is the
3 new acquisition and the reason for the change from previous site plans. Building pad 2 will be a
4 duplex, building pad 1 will be a triplex, and the existing home on pad 3 will remain. Currently,
5 the applicant is allowed 3 homes with $\frac{3}{4}$ of an acre; the Conditional Use Permit will allow an
6 increase to 6 dwellings.

7
8 This site is in the Deuel Creek Historic District, so there will be incentives to maintain
9 the architectural character of the neighborhood and to fit in with the surrounding homes in the
10 area.

11
12 All of the development standards have been met or are to be determined based on
13 additional information. Parking is not noted on the site plan, but it seems that a 2-car garage will
14 be included with each unit, along with six on-street parking stalls for visitors. There is currently
15 an issue with a nonconforming driveway for the existing home. Currently, space for the parked
16 cars is before the setback. This will need to be moved so there is enough room for the pad or
17 garage to be beyond the setback.

18
19 The development is meeting the 40% requirement of landscaping so far. The plan also
20 shows trees to be added at the rear of the lot for screening. Right now there are plans for a 6-foot
21 fence and 10 trees at the southern end, and a 6-foot fence at the northern end as well. A
22 complete landscaping plan will need to be submitted with the Final Site Plan, as it is not included
23 in this version.

24
25 Regarding utilities, there is the issue of the existing overhead telephone line across from
26 building 1 and an existing shed that is crossing the property line. The shed will have to be
27 removed.

28
29 The CUP is needed for an increase in density for this area. Staff does ask that the
30 developer maintain the architectural design standards of the neighborhood, especially the
31 buildings at the southern end, and that they be sensitive to the backyards of neighbors by having
32 appropriate screening and proper designs to preserve privacy.

33
34 Mr. Snyder reminded the Commission that the plan before them was only the Conceptual
35 Site Plan. The applicant is seeking the CUP for the density change before submitting his Final
36 Site Plan, so the Commission should be looking at this conceptually. The applicant desires to
37 eventually pursue a PUD to subdivide this multi-family project so the townhomes can be
38 individually sold. The Commission will be seeing multiple versions of this plan as the developer
39 moves forward.

40
41 Chair Hirschi asked if the CUP was being withdrawn, as the report says it has been filed.
42 Mr. Snyder explained that a CUP was the initial plan, but they are hard to obtain without having

1 final designs in place, so he asked the applicant to delay submitting a CUP. Chair Hirschi agreed
2 that, in the past, it has been easier to handle the CUP process when more information is
3 available,
4

5 Commissioner Wright inquired as to the green space requirements for this area. Mr.
6 Snyder replied that it is the standard 40% requirement, as well as having 1 tree and 2 shrubs per
7 unit. Since this is not a single-family project, there are multiple options for how to proceed.
8 With a multi-family zone, there is the option to create individual lots, with a duplex on each, and
9 meet normal lot requirements. A second option is a master plan project, like a Planned Unit
10 Development subdivision, in which case the individual lot type expectations expand to the whole
11 project in addition to requiring 1 tree and 2 shrubs per unit. In this case, the Commission is
12 seeing the latter. For the 1 tree, 2 shrubs requirement, it is acceptable to substitute the number of
13 trees up to 10% with additional shrubs. Commissioner Daly asked if it was an option to add a
14 condition to the CUP, if the Commission decided that they wanted the trees in this buffer to go
15 above and beyond the required number. Mr Snyder replied in the affirmative.
16

17 Commissioner Wright asked if the current proposal said anything about a Planned Unit
18 Development. Mr. Snyder explained that it does not, the current plan is a master plan for one
19 site, but the plan is to later convert this to a PUD.
20

21 Chad Morris, applicant, explained that the current plan indicates the inclusion of trees,
22 but there is no specific plan in place yet. They have tried to mitigate all points that were brought
23 up previously, even though this is a different plan being proposed. With regards to the shed on
24 the property line, this will be removed, along with several older sheds on the property. Chair
25 Hirschi asked if the shed was being used by the neighbor to the north. Mr. Morris said yes, but
26 that property had also been bought by him, so there was no concern with removing it. Mr. Snyder
27 showed that the applicant owns more property in the area than is included in the current plan, and
28 even though the applicant owns both pieces of property, there cannot be buildings on property
29 lines.
30

31 Mr. Morris also explained that the driveway for the single home would be moved to the
32 north side of the structure and would be a two car driveway, perhaps with a garage.
33 Commissioner Wright asked whether the residents would be able to fit 6 vehicles in the on-street
34 parking. Mr. Snyder explained that the applicant will be adding visitor parking for 6 vehicles,
35 even though it is not required. The requirement for multi-family units is 2 parking spaces per
36 unit, but he asked the applicant to consider an option for visitors as well.
37

38 Commissioner Wright observed that there does not seem to be usable backyards for the
39 units. Mr. Morris said that the backyards will extend 10 feet, which will be usable to an extent.
40 Mr. Snyder added that the area on the north end of the driveway and the retention basin are
41 considered impervious surface area. Significant yard space will be dedicated as part of the pad to
42 the home.

1
2 Commissioner Hayman asked the applicant if he had decided what type of trees will be
3 used along the fence line. Mr. Morris stated that he has talked to a landscaper, and, though he
4 doesn't know the names of the trees to be used, they will be tall and thin trees to work in that
5 space.

6
7 Chair Hirschi opened the public hearing.

8
9 Linda Martin, the resident at 331 North 400 East, which is the property to the south of
10 Mr. Morris's proposed development, read an opening statement to the Planning Commission.
11 She is troubled by the idea of this area being rezoned as a multi-tenant and rental property. The
12 area has always been an owner-occupied, single-family neighborhood, and she is concerned that
13 this will change. She is also concerned that the new property is 4 feet higher than her property
14 and that of a neighbor. Along this property line is an old, crumbling rock wall which she does not
15 believe will support this new project. If it is damaged or shifts, it will also damage the existing
16 property. There is another neighbor who has an old cinderblock wall along part of their
17 backyard, but no support along the rest, which has caused the property to collapse and erode over
18 the years. Ms. Martin is requesting that a condition to properly retain his land be added to the
19 CUP.

20
21 Ms. Martin also asked about the fence or barrier that is required, and whether it will span
22 the length of the property, and what type of fencing it would be.

23
24 Ms. Martin agreed that trees are needed to the rear of the building for privacy, but trees
25 planted at the proposed location, within a few feet of the property line, will cause damage to the
26 retaining wall of the property. In addition to this, she does not want to have to deal with
27 overhanging branches. There is also the powerline to consider, and the necessary easements that
28 must be honored to protect those lines. Ms. Martin has met with Ed from Rocky Mountain Power
29 about how this project will affect existing residents, and has been provided with a pamphlet
30 explaining the rules for planting trees and stated that only trees that grow to a maximum height
31 of 25 feet will be allowed. However, as the purpose of this barrier is to screen neighbors from a
32 35-foot high complex, this won't work. Instead, Ed suggested, and Ms. Davis agrees, that trees
33 not be planted along the fence line but instead plant trees that grow to 35 feet or more off of the
34 back side of each unit, directly in line with the windows of the upper unit.

35
36 Ms. Davis is happy to hear that the issue with the existing driveway will be addressed, as
37 moving that driveway will eliminate a blind spot. She would also like the mound of earth that
38 was built up for the existing driveway to be removed, as it is currently causing problems with
39 runoff and erosion, and level the property with that of the neighbors.

40
41 Ms. Davis's number one concern with this project is the issue with the sewer. It is a relief
42 to hear that a new and independent sewer system will be required for this project, but she

1 strongly urges the commission to require that the existing sewer lateral for the existing home be
2 attached to the new sewer system for this property.

3

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

6

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

15

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

28

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

34

35 Mr. Snyder explained that retaining systems differ for things 4 feet or less and things over
36 4 feet. Staff would be looking at the load weights of structures onto the soil, the elevation
37 distance between the two plots, and whether that distance creates a problem with the retaining
38 system.

39

40 Commissioner Wright asked what the process is for addressing the issues that were
41 raised. Mr. Snyder replied that this is the time to give feedback to the applicant. The applicant

1 should look into these matters and consider the staff suggestions. These issues should be
2 addressed in the final plan from the applicant.

3
4 Commissioner Helgesen asked Mr. Morris which property this rock wall is on. Mr.
5 Morris said that, based on the survey conducted, it is on his property. However, the wall does not
6 go in a straight line.

7
8 Commissioner Daly asked Mr. Morris if there had been any discussion about removing
9 the existing sewer lateral for the existing home and instead running a line through the new
10 system. Mr. Morris said there had not been, because the sewer line is already there, but they have
11 paid for that sewer line to be relined, though he's unsure how much of it was relined, and South
12 Davis Sewer has approved the use of the existing line. Chair Hirschi said that input was needed
13 from the Sewer District. Mr. Morris said he could provide a letter from the Sewer District with
14 their approval. Mr. Snyder has seen the letter, but would also ask for information on what work
15 was done, what distance was relined, and decide then, in the final design plan, if this is sufficient.

16
17 Chair Hirschi asked where the new lateral line will be placed. Commissioner Daly said
18 this is along 300 North. Commissioner Daly would like to see the Sewer District weigh in on
19 using the existing lateral vs. switching the existing home to the new lateral, and whether they
20 have concerns with the current plan. Commissioner Johnson asked if the new line was being
21 installed only about 15 feet from the existing line. Mr. Snyder said yes, it is fairly close.

22
23 Commissioner Hayman asked if Mr. Morris intends to run a fence from the front of the
24 property to the rear of the property. Mr. Snyder said the design plans show a 6-foot fence along
25 the south line, but this 6-foot fence can only run to the 25-foot easement, and then has to drop to
26 4 feet. Mr. Morris said he didn't plan on running the fence all the way to the front, but would
27 possibly consider it.

28
29 Commissioner Hayman observed that Ms. Davis had made a good point about the
30 powerlines and the tree barrier between the properties. She encouraged Mr. Morris to talk to his
31 neighbors about the best types of trees and the best placement for this barrier.

32
33 Chair Hirschi made a **motion** for the Planning Commission to approve the Conceptual
34 Site Plan for Canyon Point, located at 360 East 400 North, with conditions 1-10 of the staff
35 report, as well as an addition condition 11. Commissioner Johnson seconded the motion.

36
37 **Conditions:**

- 38 1. A final site plan shall be submitted following all applicable standards found in
39 Section 12.21.110(e) of the Zoning Ordinance.
40 2. The applicant should address the architectural design standards for the multi-family
41 units as found within Chapter 12.49 of the Zoning Ordinance. Unit specifications as
42 well as building pads should be marked on the Final Site Plan.

- 1 3. Architectural design consider the Deuel Creek Historic District architectural context
- 2 and the incentives provided in Chapter 12.49
- 3 4. Remove existing sheds located on the property, in particular the one located over the
- 4 property line.
- 5 5. Submit a landscaping plan that meets the multi-family residential standards in 12.51.
- 6 6. Ensure adequate parking garages and visitor spaces.
- 7 7. If the applicant desires to have signage for the project, this shall be indicated on the
- 8 final site plan and meet the requirements found in Chapter 12.54 of the Zoning
- 9 Ordinance.
- 10 8. The applicant shall address the overhead telephone line with the proper utility
- 11 company for relocation, burial or allowing the line to stay in place.
- 12 9. The location of the fire hydrant shall receive final approval from the City Engineer
- 13 and the South Davis Metro Fire.
- 14 10. The applicant shall receive the approval of a Conditional Use Permit for the density
- 15 of 8 units per acre; a total of 6 on this site, which includes the use of a single-family
- 16 dwelling.
- 17 11. The applicant review and return to the Commission with a report on how the
- 18 applicant intends to retain property, dealing with retaining walls that exist and any
- 19 that may be necessary to add, and that we receive information from the Sewer District
- 20 with respect to the connection to the old home and its recommendation in that regard.
- 21 The applicant should also provide the Commission with information on fencing and
- 22 what is proposed in more detail. The Applicant will also provide the Commission
- 23 with information concerning landscaping, including the buffer and privacy issues, as
- 24 well as runoff issues.
- 25

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

33
34 The motion was passed by a unanimous roll-call vote (7-0).

35
36 ***Reasons for the Action:***

- 37 a) The conceptual site plan submittal has adequately shown how the property may be
- 38 developed [Section 12.21.110(d)(2)].
- 39 b) The development appears to satisfy the goals and objectives found within the
- 40 Centerville City General Plan [Section 12.480.2(1)(b)].
- 41 c) The proposed conceptual site plan, with the directives given, appears to be capable of
- 42 meeting applicable Development Standards for the R-M Zone.

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2
3 **PUBLIC HEARING – THE COTTAGE ON THE CORNER, 323 EAST PAGES**
4 **LANE – Consider the proposed Conceptual Site Plan and Conceptual Subdivision Plan for**
5 **The Cottage on the Corner Townhomes (formally Balling Townhomes), a multi-family**
6 **development; consisting of 1 building, 6 units, on property located at 323 East Pages Lane**
7 **(1000 South) - Scott Balling, Property Owner & Applicant**
8

9 Mr. Balling owns this property. It's been the Balling Engineering facility for years, but
10 the business will be moving on to new location. Mr. Balling recently petitioned the City Council
11 to rezone this property, and was granted a rezone from Commercial-High to Residential-
12 Medium. Mr. Balling is planning to build 6 townhomes in an L-shaped building on the two lots
13 he currently owns. This is a conceptual review in order to give feedback to the applicant. The
14 plan for this application is to begin the processes for both the Conceptual Site Plan and the
15 Conceptual Subdivision Acceptance. The applicant plans to come to the Commission with a
16 Final Site Plan and Conditional Use Permit and then convert the site into a Planned Unit
17 Subdivision.
18

19 Mr. Balling would like to build six units. There is a need for a lot-line adjustment to the
20 east of a foot or two and would incorporate the retaining wall there. There would also be an
21 additional acquisition of land to the north from the LDS church in order to increase Mr. Balling's
22 property to the correct parcel size for 6 units as a density request under the CUP. The plan is that
23 the rear side of the units would face 300 East. There are some positives to the current elevation
24 plan, including that the lack of a back door and back patio would prevent this area from
25 becoming a storage area for the residents, and thus functions more as greenspace and is a better
26 presentation to the community. Another positive is the existence of balconies, allowing residents
27 to enjoy the outdoors as part of their internal environments. There are not many design issues in
28 this plan from an administrative permitted use level, though curb appeal and the aesthetics of the
29 front yard are important to the community.
30

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

1
2 Chair Hirschi inquired if there are trucks that can pick up the dumpster from behind, and
3 if that would alleviate the issue of backing out onto a street. Mr. Snyder said that may be an
4 option to consider.

5
6 Scott Balling, applicant, expressed his appreciation for the thorough staff report. He did
7 have some additional notes to share (attached).

- 8
9 - Four of these units will be ramblers, and two will be two-story buildings. Unit 2 will
10 have the greatest height of 32 feet to the top of the roof, which is lower than the
11 existing building on the site.
12 - Before moving forward with the rezone, Mr. Balling provided copies of the plan to all
13 residents within 500 or 600 feet of the site and asked for their input. The residents
14 along 300 East were opposed to any access along that street and instead wanted it on
15 Pages Lane, due to the nearby elementary school. Mr. Balling has taken steps to
16 honor that.
17 - The site is at 35.8% landscaping of the required 40%. He has added some additional
18 greenspace along the visitor parking. There are four patios along the north side that
19 can be decreased in size to meet the 40%, but he would prefer not to take this step.
20 - Mr. Balling has made an agreement with the LDS Church next to the site to purchase
21 an additional 4 feet of land from their existing field. He will be putting up a masonry
22 wall along the boundary to match the wall along the east side.
23 - Mr. Balling is fine with the 1 tree 2 shrubs requirement and will be providing a final
24 landscaping plan from a landscape architect.
25 - Regarding visitor parking, there should be plenty of room for the visitors to leave the
26 parking lot. Mr. Balling has tried this radius in his F150 truck and had no issues. Mr.
27 Balling's provided plan shows potential ways for residents to leave the garages. All
28 vehicles will pull onto Pages Lane in the forward position.
29 - The dumpster was chosen as a better option than purchasing City garbage cans, as
30 garbage cans would be blown away in any wind storm. The dumpster will be
31 enclosed by a 6-foot masonry wall. Mr. Balling would also like to add a ground-level
32 sign and additional trees to beautify this area and hide the dumpster from street view.
33 - Mr. Balling has provided a copy of the letter from A1 Disposal, stating that they have
34 no concern with picking up the dumpster in its current planned location. The dump
35 truck would be past the sidewalk when performing pick up, and could be scheduled to
36 do so at off-peak hours so as to avoid conflict with students at the nearby school.
37 - Regarding the curb appeal from 300 East, Mr. Balling prefers the Enhanced Rear
38 Elevation Design. In the provided plan, Mr. Balling has added a fence / wall
39 combination to add to the aesthetic appeal from the street. As for the concern that the
40 residents will use the back area as a place for storage, Mr. Balling explained that this
41 is a common area, and under control of the HOA.
42

1 Mr. Snyder responded with a request to sit with the applicant when he prepares his final
2 plans. The 40% required landscaping could be met with up to 20% decorative hard surfaces.
3 Mr. Snyder did reference the Zoning Code for backing out onto a street, so this will need to be
4 investigated. It may be part of the CUP to require the garbage pick up to be scheduled at a time
5 without visitors parked in the stalls, and then use the parking lot to do a 3-point turn back onto
6 the street. Mr. Balling will ask A1 Disposal if a dumpster that can be picked up from behind is an
7 option, but questioned whether it would be better for the garbage truck to have to stop on the
8 road and back into the parking lot than to back out onto the street after pickup.

9
10 Chair Hirschi opened the public hearing. Seeing no one that wished to comment, the
11 public hearing was then closed.

12
13 Commissioner Daly asked Mr. Snyder for the exact wording of the code for backing out
14 on the street. Mr. Snyder read, "Backing space: each parking lot shall include backing space
15 within the lot or parcel so a vehicle will not exit by backing out onto the public street. A public
16 sidewalk shall not be used as part of the required backing area for the parking lot."
17 Commissioner Wright stated that, since this site is right next to an elementary school, she feels it
18 is best to follow the ordinance and err on the side of caution. Commissioner Daly said that while
19 A1 does say in their letter that they have great drivers, we do want to give every opportunity for
20 safety measures to be in place. Commissioner Hayman expressed her appreciation to the
21 applicant for the thought behind the placement of the dumpster, and the attempts to screen it
22 from view.

23
24 Mr. Balling will talk to A1 Disposal again, to see if they would be able to back up and
25 turnaround on site, and ask them to write another letter to this fact.

26
27 Commissioner Hayman made a **motion** for the Planning Commission to approve the
28 Conceptual Site Plan for The Cottage on the Corner Townhomes located at 325 East Pages Lane,
29 with the following conditions. Commissioner Wright seconded the motion. The motion was
30 passed with a unanimous roll-call vote (7-0).

31
32 ***Conditions:***

- 33 1. Prior to submittal of a Final Site Plan application, the applicant is to secure the
34 needed lot line adjustments and obtain any needed rezoning of these properties to the
35 R-M Zone; If unable, the applicant is to redesign the development to meet the density
36 allowances of the R-M Zone.
- 37 2. In conjunction with any Final Site Plan submittal, the applicant is to prepare and
38 submit for a Conditional Use Permit to be considered for any density request that has
39 a dwelling density of 5-8 units per gross acre.
- 40 3. As part of the expected Conditional Use Permit review, the CUP submittal is to also
41 address the following:

- 1 a) The design plan and layout is to address the concerns regarding the needed
2 two/three-point turn to exit the garages for Units 3 & 4.
- 3 b) The design plan and layout is to be reviewed by the South Davis Metro Fire
4 Service Area and the Public Works Director to ensure that there is sufficient
5 access, circulation and hydrants; including fire hydrant flow capacity to
6 service the proposed development.
- 7 c) The design plan and layout will need to be reviewed by the City Engineer to
8 determine how to provide for proper site drainage and storm water
9 management.
- 10 d) The design plan and layout is to address the visual streetscape and landscaping
11 design elements that were raised in the staff report for the Conceptual Site
12 Plan acceptance.
- 13 4. The applicant is to submit a final site plan application meeting the standards found in
14 Section 12.21.110.e of the Zoning Ordinance.
- 15 5. The final site plan submittal is to also address the following:
 - 16 a) Provide a Landscaping Plan and address the standards of Chapter 12.51.
17 Landscaping & Screening. Additionally, this plan is to address the short-
18 comings listed in the Planning Staff report for the Concept Site Plan
19 acceptance.
 - 20 b) The final site plan is to address the prohibition of vehicles (i.e. dumpster
21 location) backing onto the Public Right-of-Way for exiting.
 - 22 c) The proposed dumpster is to be completely screened from view with an
23 opaque six-foot wall or fence. The wall or fence is to be compatible in
24 material and color of the main buildings on the site.
 - 25 d) If any project signs are desired, the desired sign location is to be depicted on
26 the final site plan.

27
28 ***Reasons for the Action:***

- 29 a) The conceptual site plan submittal has adequately shown how the property may be
30 developed [Section 12.21.110.d.2].
- 31 b) The development appears to be consistent with the goals and objectives found within
32 the Centerville City General Plan [Section 12.480.3].
- 33 c) The Conceptual Site Plan that has been submitted depicts how the site could be
34 appropriately developed and with some alterations could be designed to comply with
35 the applicable provisions of the Residential-Medium (R-M) Zone (see Section
36 12.21.110.d.5) and other relevant regulations, as discussed in the Planning Staff
37 Report.

38
39 Commissioner Hirst made a **motion** for the Planning Commission to approve the
40 Conceptual Subdivision Plan for The Cottage on the Corner Townhomes located at 325 East
41 Pages Lane, with the following conditions. Commissioner Helgesen seconded the motion. The
42 motion passed with a unanimous roll-call vote (7-0).

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Conditions:

1. The Conceptual Subdivision Plan acceptance is dependent upon the approval of a Final Site Plan and any applicable CUP approval, as being proposed with the related Conceptual Site Plan acceptance of December 14, 2016.
2. Once the related Final Site Plan and CUP approvals are secured from the City, the applicant shall prepare and submit a Preliminary Subdivision Plat, depicting how the related site plan will be prepared as a Subdivision Plat, coordination of construction plan elements between site plan development and those to be constructed with subdivision development, and the layout and dedication of common, limited common, and private lots or building envelopes.

Reasons for the Action:

- a) The project consists of a multi-family residential development inherently connected to the Final Site Plan and CUP approvals of the R-M Zone.
- b) The PUD subdivision regulations provide for the opportunity to allow the multi-family to be individually sold to the market place through a recorded plat, provided there are mechanisms to have the owners of the development participate in the continued maintenance of common areas and open spaces.
- c) The conceptual subdivision plan must be consistent with the polices of the applicable neighborhood plan
- d) Any PUD subdivision development must be consistent with the design plan (i.e. final site plan and/or CUP) approved by the Planning Commission or the City.

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

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

Mr. Evans would like to subdivide his property in three lots, which is allowed with the current zoning. The Conceptual Site Plan was approved last month with few conditions. The biggest concern was the buildable area in lot 3, which is the smallest lot in the subdivision. The minimum required building pad area is 2000 square feet. This pad will be 2386 square feet, and so fits the requirements. All other pads are larger. The public utility easements have been marked on the plan, and the Fire Marshall has sent a letter with some conditions. The fire hydrant is across the street and close enough for use. If there are any future structures, they will need to have adequate fire access roads in place.

1 Drainage and construction plans have been submitted. The City Engineer stated that soil
2 reports are not necessary since there is already an existing home on the property. All letters from
3 utility providers have been submitted

4
5 Lance Evans, applicant, expressed his hope that all issues have been addressed, and
6 welcomed any questions from the Commission.

7
8 Chair Hirschi opened the public hearing. With no questions from any interested parties,
9 the public hearing was then closed.

10
11 Commissioner Daly made a **motion** for the Planning Commission to approve the Final
12 Subdivision Plat and Plans for the Ray Subdivision located at 233 South 100 East, with the
13 following conditions. Commissioner Hayman seconded the motion. The motion passed with a
14 unanimous roll-call vote (7-0).

15
16 ***Conditions:***

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

23
24 ***Reasons for the Action:***

- 25 1. The final subdivision plat is in harmony with the General Plan [Section
26 12.480.52.1.e].
- 27 2. The new subdivision meets the objectives for development within a Residential-Low
28 Zone [Section 12.30.020.b.1].
- 29 3. It appears all applicable development standards for development within an R-L Zone
30 have been satisfied [Table 12.32.1].
- 31 4. It appears all general requirements for a subdivision have been satisfied [Chapter 15-
32 5].
- 33 5. All applicable standards found in the Subdivision Ordinance pertaining to a final
34 subdivision review have been satisfied [Chapter 15-4].

35
36 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

37
38 Mr. Snyder shared that staff has been blessed with great people on the Commission, and
39 they are grateful for everyone and their input.

- 40
41 1. Items scheduled for January 11, 2017
42 • Interform Cross-Access Amended Site Plan

- At least two additional items will be on the agenda

CITY COUNCIL ACTIONS REPORT

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

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

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

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

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

David Hirschi, Chair

Date Approved

Marsha L. Morrow, City Recorder