

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 Wednesday, June 28, 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 (by phone)
10 Kevin Daly
11 Kathy Helgesen
12 Gina Hirst
13 Logan Johnson, Acting Chair Pro Tem
14 Becki Wright

15
16 **MEMBERS ABSENT**

17 Cheylynn Hayman

18
19 **STAFF PRESENT**

20 Lisa Romney, City Attorney
21 Cory Snyder, Community Development Director
22 Cassie Younger, Assistant 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 Commissioner Johnson made a **MOTION** to appoint himself as Chair Pro Tem for this
34 meeting due to the fact that Chair Hirschi was joining the meeting by phone. Commissioner Daly
35 seconded the motion and it passed unanimously (6-0).

36
37 The minutes for the Planning Commission work session and meeting held June 14, 2017
38 were reviewed and amended. Commissioner Helgesen made a **MOTION** to approve the minutes
39 as amended. Commissioner Wright seconded the motion and it passed unanimously (6-0).

40
41 **PUBLIC HEARING - ZONE MAP AMENDMENT - LEGISLATIVE DECISION, Consider**
42 **the proposed Zoning Map Amendment of the property at approximately 885 North 610 East,**
43 **Parcel number 02-050-0064, from Agricultural-Low to Residential-Low. William Davies,**
44 **Applicant**

45
46 Community Development Director Snyder reported on the application for a Zone Map
47 Amendment. The applicant owns a lot and home located at 603 Aspen Way. Some years ago, the
48 homeowner acquired an additional parcel (0.42.acres), located north of the home, and used the
49 tract for additional yard space for the home. Over time, the surrounding land was developed into
50 subdivisions and this tract of land became a remnant parcel. Because this remnant parcel was not

1 properly subdivided, it remains ineligible for use as a separate home lot. The remnant parcel is
2 currently zoned Agricultural-Low (A-L) but it does not meet the minimum ½ acre for home
3 development. The applicant has an interested buyer and is requesting a rezone to Residential-Low
4 (R-L) to be in compliance with lot size to facilitate the building of a home. If the rezone is
5 approved, the applicant will submit a plat amendment that includes both the home lot and the
6 remnant parcel in order to obtain a development right.

7
8 Chair Pro Tem Johnson invited the applicant to speak. Applicant William Davies said Staff
9 explained the issue very well and he had no questions. Commissioner Wright asked the applicant
10 if there would be a lot line adjustment or if the lot would be sold as-is. Mr. Davies said the amended
11 plat has a new legal description that contains a slight adjustment. Commissioner Wright stated
12 this was a fairly simple and straightforward request because the current lot does not meet current
13 A-L development standards and is surrounded by R-L. She feels amenable to granting the request
14 to let the owner utilize their land.

15
16 Seeing no further discussion, Chair Pro Tem Johnson opened the public hearing at 7:33
17 p.m. Seeing no public comments, he closed the public hearing at 7:33 p.m.

18
19 Commissioner Wright made a **MOTION** for the Planning Commission to approve the
20 Zone Map Amendment for land parcel **02-055-0064** from Agricultural-Low to Residential-Low,
21 as stated in the Reasons for the Action from the Staff Report. The motion was seconded by
22 Commissioner Hirst. City Attorney Lisa Romney requested a correction to the land parcel number.
23 Commissioner Wright amended her motion to land parcel **02-050-0064**. Chair Pro Tem Johnson
24 seconded the amended motion. The motion, as amended, passed unanimously (6-0). The overall
25 amended motion passed unanimously (6-0).

26
27 **REASONS FOR THE ACTION (FINDINGS):**

- 28 1. The Planning Commission finds that the proposed zone map amendment and associated
29 allotted density is consistent with the General Plan for Neighborhood 3, Northeast
30 Neighborhood. [12-480-4].
31 2. The Planning Commission finds that the existing lot size is not consistent with the A-L
32 Zone lot minimums and is consistent with the R-L Zone allowances.
33 3. The Planning Commission finds that the R-L Zoning and the parcel lot size is similar to
34 the adjacent surrounding subdivisions in which it is located.
35 4. The Planning Commission finds that the rezone approval criteria has been adequately
36 evaluated and the request is deemed consistent with the criteria.
37 5. Therefore, the Planning Commission finds that the R-L Zoning designation ought to be
38 approved.

39
40 **PUBLIC HEARING - ZONE MAP AMENDMENT - LEGISLATIVE DECISION, Consider**
41 **the proposed zone map amendment at approximately 640 West Porter Lane, Parcel Number**
42 **03-001-0178 and 03-001-0179 from Agricultural-Low to Residential-Medium. James**
43 **Graham, Applicant**

44
45 Director Snyder described the application to change zoning on two parcels located at 640
46 West Porter Lane from Agricultural-Low (A-L) to Residential-Medium (R-M). The applicant
47 plans to acquire the two parcels (one vacant parcel and one parcel with a home) and develop the
48 land into townhomes. Mr. Snyder said the two tracts of land are currently zoned Agricultural-Low

1 (A-L). The request is to rezone both properties and recombine the land into a legal configuration
2 recognized by the City.

3 Mr. Snyder described the location as near Home Depot and the Marketplace development
4 areas that are zoned as Commercial-Very High (C-VH). Other nearby lots have recently been
5 rezoned Residential-Medium (R-M) to facilitate the Porter Walton Townhomes being constructed
6 by Brighton Homes.

7
8 Mr. Snyder said he has informed the applicant about possible design, infrastructure, and
9 storm drainage challenges related to the slant of the land and the underground high pressure gas
10 line. He said as the applicant nears the Site Plan process there will need to be discussion about
11 drainage resources like the Regional Detention Basin, the Porter Lane storm drain system, and
12 drain lines near the Les Schwab property.

13
14 Chair Pro Tem Johnson asked Staff to summarize the City's response to the tenant who is
15 renting the home on the parcel and asked about the City's noticing policies. Mr. Snyder said this
16 Zone Map Amendment was noticed according to the City's ordinances which require publication
17 in the newspaper, on the City's website, on the State's public notice website and also the placement
18 of a sign on the property. Assistant City Planner Younger confirmed that the sign was placed on
19 the property near the mailbox on Porter Lane.

20
21 Commissioner Wright questioned whether the lot width frontage would be enough to not
22 be treated as a flag lot, which is prohibited. Mr. Snyder talked about the difference between flag
23 lots and flag shape and said the lot has the necessary street frontage width. He said flag lots have
24 a stem which cannot meet the frontage requirements and those lots are currently prohibited. He
25 said flag shapes are permitted to allow flexibility in the placement of structures as long as they
26 have the necessary street frontage width. He said flag shapes are also encouraged to increase
27 density. Commissioner Daly followed up with a question about frontage and ingress. Mr. Snyder
28 said the approved access width to Porter Lane is limited to 35 feet by ordinance. He said the
29 applicant provided a preliminary layout design that will need to be clarified later.

30
31 Chair Pro Tem Johnson invited the applicant to speak. James Graham is with JAG &
32 Associates. He said they are seeking the zoning change in order to facilitate possible future
33 development of 16 townhomes in a modern Mediterranean style. He said the project will make a
34 great buffer into the commercial zone. He said there is a demand for this type of housing. He said
35 the development will include green options for conserving energy and reducing the carbon
36 footprint.

37
38 In response to a question from Commissioner Hirst, Mr. Snyder said the plan is to tear
39 down the existing home to make room for the new development.

40
41 Chair Pro Tem Johnson opened the public hearing at 7:53 p.m.

42
43 Stephanie Carter, a real estate sales agent, lives in the area of the proposed development.
44 She spoke to the need for building homes for older people and homes that appeal to a diversity of
45 age groups. She said older homeowners (baby boomers) do not want to buy townhomes with
46 stairs. She said if the City approves the rezone, she requests some of the new development have
47 units with the master on the main floor or patio homes.

48

1 Seeing no one else wanting to speak, Chair Pro Tem Johnson closed the public hearing at
2 7:58 p.m.

3
4 Mr. Snyder said it is nice to have a member of the community address the need for diversity
5 in housing considering certain demographics. Chair Hirschi agreed it was a great presentation.
6 Assistant City Planner Younger suggested keeping these comments in mind in the development of
7 the Pages Lane area. Commissioner Wright asked Staff for direction on what powers the
8 Commissioners have when considering a Zone Map Amendment to mandate something like that.
9 City Attorney Romney said under current ordinances, the Commission does not have the authority
10 to mandate single floor living or other specific home or development design as part of a rezone
11 decision.

12
13 Commissioner Wright questioned whether, in the Commission's desire to proactively plan,
14 this was the sort of thing the Commission should address before these types of requests come
15 before the Commission. Mr. Snyder briefed the Commission on past discussions on infill housing,
16 affordable housing, flag lots, and inclusionary zoning. He said inclusionary zoning is the
17 appropriate tool and term to use when talking about the types of housing needs in the community.
18 Mr. Snyder suggested that reintroducing the topic of inclusionary zoning to the City Council would
19 be proactive.

20
21 Chair Pro Tem Johnson invited the applicant to respond to the public comments. James
22 Graham said he would be happy to discuss the needs of baby boomers and home designs that do
23 not include stairs. He said a no-stairs design would work on some of the units, or on end units, but
24 not for all units because of lot size and other building constraints. He agreed that there is a demand
25 for this type of construction. Commissioner Wright encouraged the applicant to look at including
26 building designs that have the needs of baby boomers in mind because there is a market for it.

27
28 Seeing another person wanting to speak, Chair Pro Tem Johnson made a **MOTION** to
29 reopen the public hearing at 8:03 p.m. The motion was seconded by Commissioner Daly.
30 Stephanie Carter asked Staff for clarification on how developers build units with stairs and still
31 stay in compliance with the Americans with Disabilities Act (ADA). Mr. Snyder said the City's
32 building code for multi-family units deals with compliance with ADA. He cited, for example, the
33 Legacy Trails Apartments project that has 162 units, and that a certain number of those units were
34 required to be ADA compliant.

35
36 Seeing no one else wishing to comment, Chair Pro Tem Johnson closed the reopened public
37 hearing at 8:05 p.m.

38
39 Chair Hirschi made a **MOTION** for the Planning Commission to recommend approval of
40 the Zone Map Amendment for land parcels **03-001-0178 and 03-001-0179** from Agricultural-Low
41 to Residential-Medium, provided the unapproved division of the parcels shall be combined into a
42 singular parcel, on the County's records, prior to any approval of any future development plan,
43 and subject to the Reasons for the Action (1-5) from the Staff Report. The motion was seconded
44 by Commissioner Helgesen.

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46
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48

1 **REASONS FOR THE ACTION (FINDINGS):**

- 2 1. The Planning Commission has sufficiently reviewed and considered the criteria found in
3 Section CZC 12.21.080(e) of the Zoning Ordinance.
4 2. The Planning Commission finds that the rezone is consistent with the goals of the General
5 Plan, as described in Section 12-480-1(a).
6 3. The Planning Commission finds that the rezone does not create any additional constraints
7 or adverse effects concerning surrounding properties and development in the immediate
8 vicinity.
9 4. The Planning Commission finds that the R-M request functions as an acceptable medium
10 density residential buffer to commercial that is compatible with the characteristic multi-
11 zone land use pattern for the immediate area.
12 5. Therefore, the Planning Commission finds that the R-M Zoning designation ought to be
13 approved.
14

15 Chair Pro Tem Johnson asked if there was any further debate. Commissioner Daly said he
16 is struggling with approving this Zone Map Amendment because he feels it creates a zoning island.
17 He said rather than hodge-podge, he wishes the Commission were making the zoning more
18 uniform. Chair Hirschi said, while not perfect, he views the proposed redevelopment as the highest
19 and best use of the area. He said it provides needed housing and the demand in Centerville is high
20 right now.
21

22 Commissioner Wright said she likes the idea of inclusionary zoning. She asked City
23 Attorney Romney if there was any recommendation the Commission could make to encourage the
24 developer to consider the public comments and address the variety of housing needs in Centerville
25 without mandating it. City Attorney Romney said the applicant has acknowledged they are willing
26 to look at this issue. Beyond that, as previously mentioned, the Planning Commission does not
27 have the authority to mandate single floor living or other specific home or development design
28 requirements as part of a rezone decision. Mr. Snyder agreed with City Attorney Romney's
29 comment and said the Commissioners can also have a discussion about housing needs during a
30 Conditional Use Permit process or public hearing.
31

32 Commissioner Wright expressed a concern about zoning islands, but said she thinks this is
33 an appropriate transitional zone that provides a buffer to nearby commercial zones. Mr. Snyder
34 reminded the Commission that this is a petition driven by the property owner, but that the Council
35 or the Commission have the authority to initiate a rezone.
36

37 Chair Pro Tem Johnson called for a vote and the motion passed (5-1) with Commissioner
38 Daly voting against.
39

40 **PUBLIC HEARING – CONCEPTUAL SITE PLAN – ADMINISTRATIVE DECISION,**
41 **Consider the proposed Conceptual Site Plan for Quick Quack Car Wash, 518 North 400**
42 **West. Dallas Hakes, applicant**
43

44 Assistant City Planner Younger reported on the application for a Conceptual Site Plan from
45 Quick Quack Car Wash. She said the site is the old KinderCare site with Dairy Queen to the south
46 and Colonial Building Supply to the north. On the north end of the site is a private road with an
47 easement agreed to by Colonial and KinderCare many years ago. She said the legality of this
48 easement and cross access is still to be determined. She talked about the congestion on 400 West

1 as cars attempt to enter Dairy Queen and queue onto 400 West. She suggested moving the curb
2 cut further to the north and combining it with an entrance to Quick Quack. She said UDOT will
3 soon be constructing a double left turn from Parrish Lane to 400 West going northbound. For
4 these reasons, Staff is recommending a traffic study be completed before approval of the Final Site
5 Plan.

6
7 Ms. Younger recommended that the Commissioners consider whether to apply Parrish
8 Lane design guidelines to this site because it is visible from Parrish Lane. Commissioner Hirst said
9 the pedestrian elements of the Parrish Lane Design Guidelines are important as people cross the
10 street to walk from the Performing Arts Center to visit restaurants or to utilize the parking spaces
11 at Colonial Lumber. Several Commissioners agreed there is a significant amount of pedestrian foot
12 traffic in that area. Several Commissioners talked about other important aspects of the Parrish Lane
13 Design Guidelines like significant visual presence, pedestrian walkways, non-primary colors, and
14 height of the facility.

15
16 Chair Pro Tem Johnson invited the applicant to speak. Larvin Pollock said he represents
17 the applicant Dallas Hakes. He said they have worked with design guidelines in the past and they
18 are willing to work with the City to meet the guidelines.

19
20 Chair Pro Tem Johnson opened the public hearing at 8:41 p.m. Julie Thompson said she
21 has owned and operated Dairy Queen for 20 years. She is excited to see Quick Quack occupy the
22 old KinderCare site. She is concerned about cars stacking up onto 400 West. She said customers
23 from Beans and Brew, Grease Monkey and Subway also use that area as an entrance and exit. She
24 is concerned about UDOT's widening of 400 West because Dairy Queen is already pinched for
25 space and they cannot afford to lose any parking spaces. She is also concerned about landscaping
26 and losing the grass strip because she says they barely meet the Parrish Lane Guidelines for
27 landscaping now.

28
29 Director Snyder said the traffic study may answer some of these questions. He said the
30 City Engineer is coordinating with UDOT on construction of the double left turn on 400 West. He
31 said it may be possible to change the angle of parking at Dairy Queen so they will not lose any
32 parking spaces.

33
34 Several Commissioners suggested adding the Parrish Lane design guidelines to the
35 approval. City Attorney Romney advised the Commission if they were going to add this condition
36 they would also need to add findings to the motion to support the conclusion that the project has a
37 significant visual presence on Parrish Lane.

38
39 Commissioner Wright made **MOTION** for the Planning Commission to accept the
40 Conceptual Site Plan of Quick Quack Car Wash at 510 N 400 West, with Conditions (1-5) as stated
41 in the Staff Report, new Condition (6), Reasons for the Action (a-c) as stated in the Staff Report
42 and new Reason (d). Chair Pro Tem Johnson seconded the motion and it passed unanimously (6-
43 0).

44
45 **CONDITIONS:**

- 46 1. A cross-access or shared access agreement for the private drive to the north of the
47 property with Colonial Lumber is provided and verified.
- 48 2. If necessary, a cross-access agreement with Dairy Queen shall also be provided and
49 recorded with the County.

- 1 3. The escape lane from the car wash is adjusted as to not conflict with the vacuums or
2 parking.
- 3 4. A traffic study shall be completed before the Final Site Plan submission to determine the
4 suitability of the shared accesses, turn radius, and circulation of the site.
- 5 5. Final Site Plan shall be submitted in accordance with CZC 12.21.110(e).
- 6 6. The applicant shall abide by and be subject to the Parrish Lane Design Guidelines due to
7 the finding of significant visual presence on Parrish Lane by the Planning Commission as
8 defined in CZC 12.63.020.
9

10 **REASONS FOR THE ACTION (FINDINGS):**

- 11 a) A complete conceptual site plan application has been submitted [CZC 12.21.110(d)(1)].
- 12 b) A conceptual site plan is not intended to permit actual development of property, merely
13 to represent how the property may be developed [CZC 12.21.110(d)(5)].
- 14 c) The use of “car wash” is a permitted use in C-VH Zones. [CZC 12.36.040].
- 15 d) The property and its development will have a significant visual presence on Parrish Lane
16 due to its proximity to Parrish Lane, Dairy Queen and the Performing Arts Center, and
17 due to the proposed height of the building and the size of the Parrish Lane intersection.
18

19 **PUBLIC HEARING - ZONING TEXT AMENDMENT - LEGISLATIVE DECISION,**
20 **Consider the proposed zoning text amendments in CZC 12.61.100 and 12.49.100 regarding**
21 **incentives for Historic Landmarks Register preservation.**
22

23 Assistant City Planner Younger reported on the Zoning Text Amendment regarding
24 incentives for historic landmarks. Since 2016, the City has offered incentives for renovations or
25 new construction on homes in the Deuel Creek historic neighborhood. Ms. Younger recommends
26 expanding the list of eligible homes to include those outside of the Deuel Creek District. This
27 expansion will add ten homes to the existing list.
28

29 Chair Hirschi asked Staff to explain the criteria for being on the list. Ms. Younger said the
30 list is determined by Centerville’s Landmark Commission but basically it is same list as the
31 National Registry of Historic Places. Criteria include coloration, materials, architecture, and
32 historic character. To be eligible for the incentive, homeowners fill out a form provided by the
33 Landmarks Commission. The incentives are available for renovations that maintain the historic
34 architecture and character of the neighborhood, based on a list of design standards provided by the
35 Landmarks Commission and the National Registry of Historic Places. The incentives provide for
36 a reduction in building permit fees.
37

38 Chair Hirschi asked if Staff had looked at the overall financial effect for the City if the
39 Zoning Text Amendment created a significant reduction in building permit fees. Ms. Younger
40 said since 2016 they have only awarded one incentive for a 25% reduction in building fee. Mr.
41 Snyder said when the incentives were approved it was estimated the amount would be about \$900
42 per year. He said the incentive only applies to the building permit fee and the plan review fee.
43

44 Chair Pro Tem Johnson opened the public hearing at 9:14 p.m. Seeing no one wishing to
45 speak, he closed the public hearing at 9:14 p.m.
46

47 Commissioner Daly made a **MOTION** to recommend approval of the proposed zoning text
48 changes to code CZC 12.61.100(c)(1) and 12.49.100(3) for Reasons for the Action (a-c) as stated

1 in the Staff Report. The motion was seconded by Commissioner Helgesen and passed
2 unanimously (6-0).

3
4 **REASONS FOR THE ACTION (FINDINGS):**

- 5 a) Centerville has stated that it is the intent of the City to identify, preserve, protect and
6 enhance significant historic sites, places, structures or buildings within the city. [CZC
7 12.61.010]
8 b) The alteration/modification of structures of the Historic Landmarks Register are subject
9 to review by the Landmarks Commission, but offers no economic incentives for this
10 process. [CZC 12.61.100]
11 c) The Centerville Deuel Creek Historic District offers incentives to all homeowners, and
12 already has a voluntary incentive program in place. It should be extended to include all
13 homes on the Historic Register, not just those within this district. [CZC 12.49.090].

14
15 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- 16 • Definition and parameters for "Construction Sales and Service"
17 • SE Community Plan

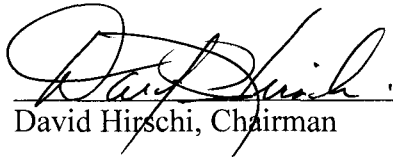
18
19 Commissioner Wright made a **MOTION** for Staff to review the goals of the Planning
20 Commission, look at including inclusionary zoning as a priority, and request a work session with
21 the City Council to discuss. Commissioner Hirst seconded the motion and it passed unanimously
22 (6-0).

23
24 **CITY COUNCIL ACTIONS REPORT**

25 No report.

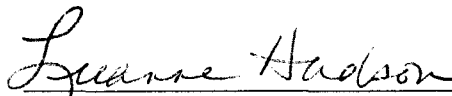
26
27 **ADJOURNMENT**

28 Chair Pro Tem Johnson made a **MOTION** to adjourn. Commissioner Hirst seconded the
29 motion, which passed unanimously (6-0). The meeting adjourned at 9:22 p.m.

30
31
32 
33 _____
34 David Hirschi, Chairman

7-12-2017

Date Approved

35
36
37 
38 _____
39 Luanne Hudson, Recording Secretary

