

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON WEDNESDAY, JULY 9, 2014, AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

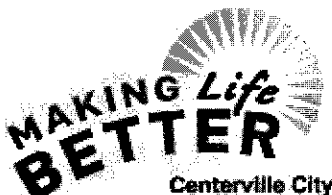
Centerville City, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. This agenda is also posted on the City's website: www.centervilleut.net

Tentative Time:

- 7:00** **A. WELCOME AND ROLL CALL**
 B. PLEDGE OF ALLEGIANCE
 C. PRAYER OR THOUGHT – David Hirschi
 D. MINUTES REVIEW AND ACCEPTANCE – May 28, 2014
 E. BUSINESS
- 7:10** **1. TRAINING - ACCESSORY DWELLING UNITS (ADU'S)**
 Review previously published ADU brief – Presented by Community Development Director
- 7:30** **2. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
 a. Upcoming Meetings
 • PC Meeting July 23, 2014: *Legacy Trail Apartments Conceptual Subdivision, Bleson Rentals CUP for Home Business, Don Youngblood Amended Site Plan*
 • ADU Panel Discussion on July 30, 2014, City Hall Building, 7:00 PM
- 7:35** **F. ADJOURNMENT**

Posted July 3, 2014 by Community Development



PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, May 28, 2014

7:00 p.m.

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

MEMBERS PRESENT

David P. Hirschi, Chair

Gina Hirst

William Ince

Logan Johnson

Debra Randall (arrived at 7:06 p.m.)

MEMBERS ABSENT

Scott Kjar

Kevin Merrill

STAFF PRESENT

Corvin Snyder, Community Development Director

Brandon Toponce, Assistant Planner

Lisa Romney, City Attorney

Katie Rust, Recording Secretary

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER Commissioner Hirst

Chair Hirschi welcomed new Planning Commission member William (Bill) Ince to the Planning Commission.

MINUTES REVIEW AND APPROVAL

The minutes of the April 23, 2014 Planning Commission meeting and the May 14, 2014 Planning Commission meeting were reviewed. Commissioner Johnson made a **motion** to approve the April 23, 2014 minutes. Commissioner Hirschi seconded the motion, which passed by unanimous vote (4-0). Commissioner Randall arrived after approval of the April 23rd minutes.

Cory Snyder and Commissioners Hirst and Randall requested amendments to the May 14, 2014 minutes. Commissioner Hirst made a **motion** to approve the May 14, 2014 minutes as amended. Commissioner Johnson seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ECHELON MOTORS – CONSIDERATION OF CONDITIONAL USE PERMIT FOR WOLFPACK MANAGEMENT GROUP

Brandon Toponce, Assistant Planner, showed the proposed location of Echelon Motors on a map and explained that the request for conditional use permit falls within the definitions and table of uses for the area. The business would operate with an indoor showroom (8-10

vehicles) and rely heavily on internet sales, with minimal outdoor parking space required and no change to existing landscaping. Mr. Toponce added that business hours would be 10:00 a.m. to 5:00 p.m., and vehicles would not be washed on site. Concern has been expressed by workers in the area relating to the limited amount of parking available. Mr. Toponce stated that vehicles may temporarily be parked outside just before or after a test drive, but the business will only have one full-time employee, and parking should not be a factor. Mr. Toponce provided the Commissioners with a list of Echelon Motors' responses to staff concerns. He stated that staff recommends the Planning Commission approve the Conditional Use Permit with Conditions 1-8 listed in the staff report.

Commissioner Hirst asked what other businesses are in the area. Mr. Toponce responded the area has general office-type uses with approximately 50 parking stalls. Chair Hirschi asked what businesses expressed concern. Mr. Toponce responded the person who expressed concern did not say what company he worked with. Cory Snyder, Community Development Director, stated parking was a concern when the business park expanded. The concern that inventory cars would take up shared parking space is not an issue with business limited to the indoor showroom.

Richard Borell, owner and director of the Wolfpack Management Group, confirmed what staff stated regarding the nature of the business. He stated the dealers may use inventory vehicles for personal use and park them outside with dealer license plates, but the only other time inventory vehicles would be parked outside would be before and after a test drive. Commissioner Randall asked what type of cars will be sold. Mr. Borell responded his primary target will be 3-6 year old low-mile cars in a price range of \$12,000-\$24,000. There will be some latitude with consignment offered to customers. Commissioner Hirschi asked if off-site storage is available for trade-in vehicles. Mr. Borell stated he owns property in Syracuse that could be converted for storage if needed. Commissioner Ince asked how vehicles will enter and exit the building. Mr. Borell stated that a 10-foot by 10-foot overhead door will allow ground level access.

Chair Hirschi opened a public hearing at 7:36 p.m. and closed the public hearing seeing that no one wished to comment. Chair Hirschi asked staff if vehicle deliveries would pose problems for the area. Mr. Toponce responded that deliveries will take place during regular business hours and will not cause traffic problems.

Chair Hirschi made a **motion** that the Planning Commission approve the Conditional Use Permit for Echelon Motors located at 239 North 1250 West, Suite 3, with Conditions 1-8 as found in the staff report and Reasons for the Action 1-4, adding a number five in the form of the letter from Wolfpack Management Group to Centerville City which answers some of the concerns raised in the staff report. Commissioner Johnson seconded the motion, which passed by unanimous vote (4-0), with Commissioner Ince abstaining.

Conditions

1. All fees shall be paid.
2. The use of vehicle sales shall be permitted and limited to used vehicles for Echelon Motors only.
3. Sales are limited to inside display only.
4. The applicant shall not occupy the designated landscaped areas or required parking stalls with any outside storage, equipment or display vehicles.

5. Detail concerning cleaning and maintenance procedures on the vehicles shall be submitted prior to receiving a business license. If the applicant washes the vehicles on site, they shall be required to come into compliance with the drainage standards for a carwash.
6. Any deliveries or pickups shall take place during regular operating hours from 10:00 a.m. to 5:00 p.m., Monday through Friday.
7. The applicant shall inform City staff of the total number of employees prior to receiving a business license.
8. A business license shall be obtained prior to opening for business.

Reasons for the Action

1. The applicant has submitted a full application for a conditional use permit [Section 12-21-100(d)(1)].
2. The use of vehicle and equipment rental or sales is a permitted use within the Industrial-High Zone with a conditional use permit [Table 12-36].
3. The use is consistent with the General Plan of Centerville City [Sections 12-430-3(2), 12-480-6(1H)].
4. Using the site to sell a limited number of used vehicles is suitable for this property and will not injure the surrounding tenants or the City.
5. See attached letter.

TRAINING FOR COMMISSIONERS

Lisa Romney, City Attorney, presented training regarding open and public meetings as required annually by State law. Ms. Romney covered the following topics:

- All meetings of public agencies of the State shall be open to the public unless closed by reasons allowed by law.
- All actions and deliberations of political agencies of the State are to be conducted openly. Commissioner Ince asked if it is appropriate for Commissioners to comment or discuss issues outside of a public meeting. Ms. Romney responded discussions are not prohibited, but she advised Commissioners not discuss pending applications outside of public meeting. It would be inappropriate for a quorum of Commissioners to discuss Commission topics outside of public meeting. She advised the Commissioners to be cautious and pass information or questions on to staff, and allow staff to gather and present information to the Commission as a whole.
- Notice – The City must provide at least 24 hours' notice of every Planning Commission meeting, including the agenda, date, time and place of meeting. Such public notice of meetings must be posted at City Hall, posted on the Utah Public Notice Website and sent to at least one local newspaper or media correspondent.
- Agendas – All matters to be discussed at the meeting must be described with reasonable specificity to notify the public as to the topics to be considered at the meeting.
- Minutes - The City is required to take and prepare written minutes of all Planning Commission meetings. Minutes are required to include certain information, such as the substance of matters discussed, a record of the vote by each member, and a summary of public comments. Minutes are the official record of action taken and are to be retained permanently.

- Recording - The City is required to take and keep a recording of all Planning Commission meetings (except for site visits or traveling tour if no vote or action is taken). The recording must be available to the public for listening within 3 business days after the meeting.
- Closed meetings – The Planning Commission can only go into a closed session for reasons specified by law. Most reasons do not apply to Planning Commission meetings, but may include discussion of pending or reasonably imminent litigation or the purchase or sale of property.
- Electronic meetings – The City has adopted an electronic meetings policy which allows Planning Commissioners to call into meetings when they are out of town or unable to attend meetings in person. Certain conditions apply.
- 2014 Legislative updates – four bills adopted during the 2014 Utah Legislative Session involved amendments to the Utah Open Meetings Act (SB 113, SB 169, SB 179, and HB 419).

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Cory Snyder reported that no items are scheduled for the June 11th Planning Commission meeting. Chair Hirschi made a **motion** to cancel the June 11, 2014 Planning Commission meeting. Commissioner Randall seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 8:19 p.m. Commissioner Ince made a **motion** to adjourn the meeting. Commissioner Johnson seconded the motion, which passed by unanimous vote (5-0).

David P. Hirschi, Chair

Date Approved

Katie Rust, Recording Secretary

Wolfpack Management Group, Inc.
DBA Echelon Motors
239 N 1250 West, Ste 3
Centerville, UT 84014

City of Centerville
Community Development Department
655 N 1250 West
Centerville, UT 84014

To Whom It May Concern,

Thank you for your consideration and recommendation to approve the conditional use permit to allow Wolfpack Management Group, dba Echelon Motors to operate an indoor showroom and used automobile dealership. In the recommendations, you asked for further clarification to a few questions or concerns that were not addressed in the original conditional use permit application. Please see below for additional information to address these concerns.

1. "Although the applicant will not be conducting major repair, it was still unclear about car cleaning and washing"
 - a. No washing of vehicles will be done on site.
2. "It was unclear on the total number of employees, which will need to be specified at the time of the business license application."
 - a. There are four partners. Only one of the partners, Richard Borell, will be involved in the day-to-day operations of the business and will be the only employee. One of the other partners, Rick Winters, will provide IT support and may occasionally be on site for such support. Approximately once per month, a board of directors meeting will take place in which all 4 partners are present at the same time. The amount of designated parking plus the warehouse showroom will provide more than adequate parking for such times.
3. "Some concern has been expressed by surrounding businesses in regard to outdoor sales and parking"
 - a. The indoor showroom will allow for 8-10 vehicles (depending on the size of each vehicle) to be parked inside. There are 3-4 parking stalls directly in front of the site for customer and owner parking. No vehicles will be parked outside for display or sales purposes. Between the indoor showroom and the stalls directly in front of the leased space, we will have no trouble meeting the required 10 stalls per 250 sq. ft.

requirements. Some vehicles that are available for sale may temporarily be in the 3-4 stalls in front of the space leased by Echelon Motors for reason like:

- i. Immediately before or after a test drive (until it is parked in the garage)
- ii. Vehicles provided to an owner for personal use

If there are any additional questions or concerns, please feel free to contact me.

Sincerely,

Richard Borell
Owner and Director
Wolfpack Management Group, Inc.
rrborell@yahoo.com
801-498-0641



ADU's Summary Brief

♦ ACCESSORY DWELLING UNIT ♦

Accessory Dwelling Units (ADU's)

Accessory Dwelling Units (ADU's) are an additional, self-contained housing unit that are secondary to a main residence. ADU's are sometimes referred to as "mother-in-law" apartments or "granny flats," since their origins were to provide space for extended family members.

ADU's can take many forms such as attachments or additions to the main home, use of basement areas, a second-story over an detached garage, or separate backyard building.

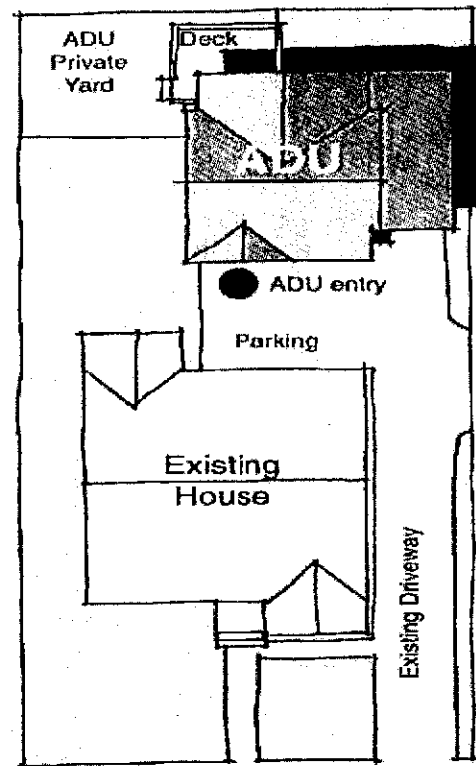
Purpose of ADU's

The intent or use of ADU's is often to provide places for the elderly to be taken care of by family members, places for newly married or return of adult children, or even perhaps to supplement a mortgage payment. ADU's are typically used in single-family areas when the following conditions exist:

- Excess space within the primary dwelling or above a garage exists that can be conveniently converted into living quarters.
- An under-utilized or odd lot exists and further division of land is not feasible or is prohibited.
- The housing stock is located near a college or educational institution.
- A shortage and/or demand for affordable housing exists in a particular area.

Typical ADU Regulations

- Ownership and occupancy restrictions
- Maximum dwelling sizes
- Setback modifications



- Maximum lot area coverage
- Parking space and location requirements
- Building orientation standards
- Building exterior standards

Potential Drawbacks of ADU's

- Establishing acceptable densities
- ADU's building compatibility and aesthetics
- Excessive parking of vehicles
- Introduction of excessive rental properties within a stable neighborhood.
- ADU's construction costs & fees
- Zoning Enforcement problems



Considering ADU's

♦ ACCESSORY DWELLING UNIT ♦

Why Consider Allowing ADU's

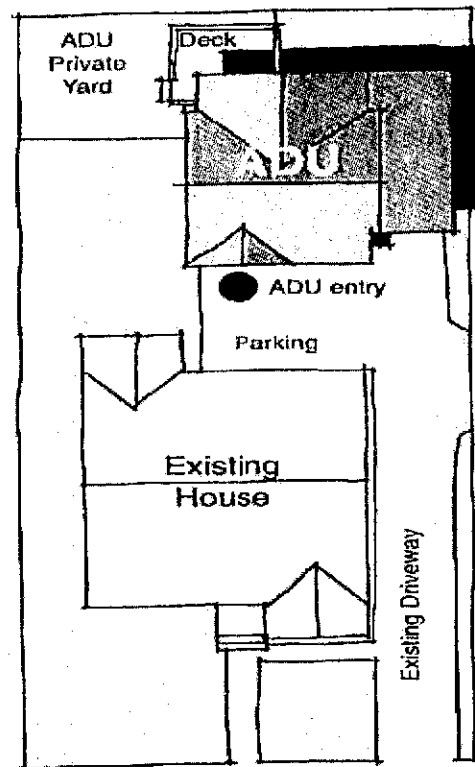
- Provide opportunities for people moving through life's stages to be able to live and/or grow up in the same community.
- Increase opportunities for redevelopment to reduce the demand for new extensions of utility lines and services.
- Encourage the development of sustainable and/or walkable neighborhoods, where employment, goods, and services can be obtained with less driving distances.
- Encourage opportunities for establishing a variety of housing types in keeping with the income ranges of more families.

Who Typically Chooses to Build ADU's

- Older Singles/Couples
- Younger Singles/Couples
- Middle-aged Empty Nesters
- Single Person Households
- People that Travel Often/Extended Periods

Who Benefits From ADU's

- *Home Owners* — creating a "home based" supplemental income
- *Aging Persons* — ability to prolong their normal living arrangements
- *Local Businesses* — provides a larger client base to provide needed services
- *Local Contractors* — provides opportunities to construct significant home improvements
- *Lending Institutions* — provides a base for home improvement loans
- *Real Estate Firms* — potentially provides slightly higher priced housing resale stock



Utah Counties/Cities Currently Allowing ADU's*

- | | |
|------------------|------------------|
| • Orem City | • Centerfield |
| • Draper City | • Salt Lake City |
| • Lindon City | • Grand County |
| • Sandy City | • Summit County |
| • Mapleton City | • Toole County |
| • Eagle Mountain | • Weber County |
| • Murray City | |
| • Alpine City | |
| • Bountiful City | |
| • West Point | |
| • Provo City | |
| • Payson City | |
| • Taylorsville | |

* As found using internet search engines



Types Guide to ADU's

♦ ACCESSORY DWELLING UNIT ♦

Types of ADU's

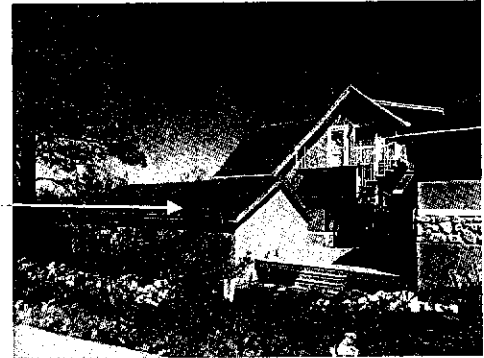
There are five (5) main types of ADU's.

These types are:

- Dwelling created in a portion of an existing single family (e.g. basements, attics)
- Dwelling created as a dedicated addition to an existing single family home
- Dwelling created as a free-standing accessory building (e.g. guest house, or cottage)
- Dwelling created from by converting the garage into livable space
- Dwelling purposely designed into the layout of new construction.

ADU Guest House/Cottage — (example)

Potential Location of ADU



Existing Home Renovation — (example)

Potential Location of ADU



Garage Conversion — (example)

Potential Location of ADU



Dedicated ADU Additions — (example)

Potential Location of ADU



Integrated New Construction — (example)

Potential Location of ADU



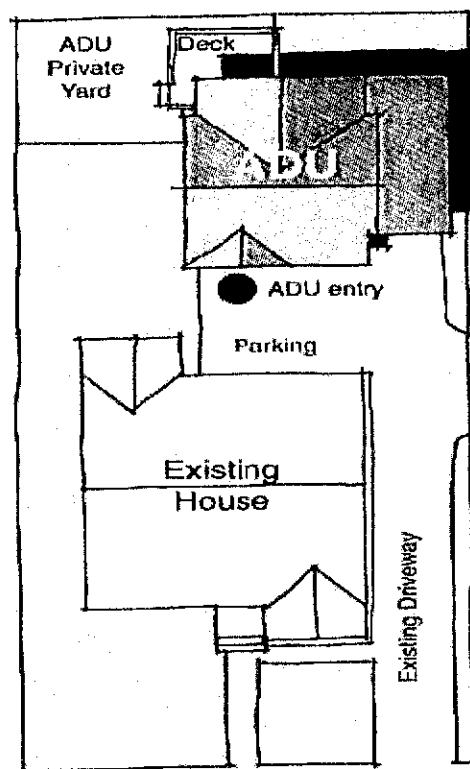


Typical Regulations for ADU's

♦ ACCESSORY DWELLING UNIT ♦

Requirements for Allowing ADU's

- Owner occupancy (at least 6 months) of either the home or the ADU. Owner is defined as a person with at least 50% or greater interest in the property
- Owner must sign a owner-occupancy covenant in order to construct or use an ADU
- Occupancy limit for unrelated persons for both units
- Limit one (1) ADU within single family zones
- Limitation of ADU unit sizes (minimums/maximums) based on lot sizes of a residential zone.
- Detached ADU setback/height restrictions
- Entry Door Orientations for ADU's
- Providing for additional parking stalls
- Minimum pervious surface requirements for entire property.
- Building & safety regulations for sleeping areas, kitchens, etc. for the use of ADU's



Ordinance Enforcement for ADU's

- Receiving some type of official City approval for construction and use of ADU's
- Recordation of ADU covenants for the property.
- Establishing procedures for the sale or transfer of ownership for properties containing ADU's
- Removal of select features (e.g. kitchen) within ADU's, if no longer desired or abandoned.
- Establishing legalizing procedures for existing illegally developed ADU's or their

removal

- Requirements for submittal, approval, and permit issuance to establish ADU's

Ordinance Exceptions For ADU's

- Waiver of parking requirements based on location in relation to mass transit, goods & services, historic preservation, etc.
- Temporary Owner Absence Allowance due to job dislocation, sabbatical leave, educational pursuits, illness, etc.
- Encouraging affordability through exemptions or reductions of approval fees, building permit fees, and/or impact fees.



Additional Information about ADU's

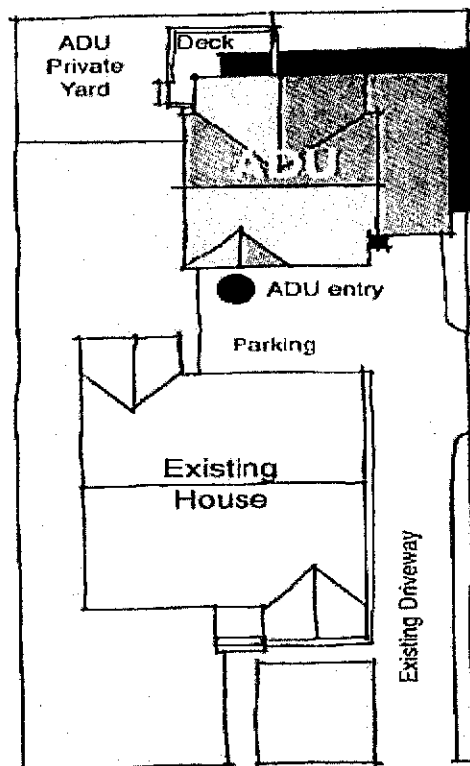
♦ ACCESSORY DWELLING UNIT ♦

State & Local Planning Policies (examples)

- UCA 10-9a-403, "in drafting the moderate income housing element [cities] shall consider the Legislature's determination that cities shall facilitate a reasonable opportunity for a variety of housing types
- Centerville City General Plan, Moderate Income Housing, See Strategy 6-D.4

Planning Toolkits About ADU's (examples)

- Urban Planning Tools for Quality Growth, Chapter 2, Page 36, an Envision Utah Publication (www.envisionutah.org/Urban%20Planning%20Tools%20for%20QG_ch2_1.pdf)
- Getting to Smart Growth, 100 Policies for Implementation, Chapter 3, Section 3, a ICMA Smart Growth Publication (www.smartgrowth.org/pdf/gettosg.pdf)
- Smart Growth/Smart Energy Toolkit, Accessory Dwelling Units (www.mass.gov/envir/smart_growth_toolkit/pages/mod-adu.html)



ADU Publications & Studies (examples)

- Accessory Dwelling Units: Case Study, by the US. Department of Housing and Urban Development (<http://www.huduser.org/portal/publications/adu.pdf>)
- Granny Flats Add Flexibility and Affordability, Better Cities & Towns (<http://bettercities.net/article/granny-flats-add-flexibility-and-affordability>)
- Missouri Gerontology Institute, Accessory Apartments (<http://extension.missouri.edu/publications/DisplayPub.aspx?P=GG14>)

Local Newspaper Articles (examples)

- Salt Lake Tribune, Mother-in-law apartments back in fashion?, 03-10-2013
- Daily Herald, Poll—Should Utah valley cities allow accessory apartments?, 02-10-2013
- Ezine @articles, Orem Utah Accessory Apartment 2012 Update, Denise C. Martin, 07-18-2012
- Daily Herald, Pleasant Grove says no to accessory apartments, Laura Giles, 04-20-2010
- Deseret News, Check zoning laws on building apartment in family's house, 05-09-1993



Answers to Questionnaire are available at www.centervilleut.net – in the posted ADU Summary Brief Document

Accessory Dwelling Units (ADUs) Questionnaire

Instructions:

Read each question and fill in the blank next to the question with the letter of the selected answer. Turn in this questionnaire at the **July 30, 2014 ADU Presentation & Panel Discussion** for entry into a **drawing for participation prizes** to be given out at the end of the meeting – We look forward to seeing you there!

Part I: ADUs Summary Brief Section

- 1) _____ **The intent or purpose of ADUs are to;**
 - a. Implement maximum dwelling sizes and building exterior standards
 - b. Provide places for the elderly to be taken care of, for newly married couples, or to supplement a mortgage payment
 - c. Waive applicable parking requirements and allow sabbatical leave of absences

- 2) _____ **A condition leading to the construction of an ADU is;**
 - a. Introduction of excessive rental properties
 - b. Ownership and occupancy restrictions
 - c. An under-utilized or odd lot exists and further division of land is not feasible

- 3) _____ **Potential drawbacks of ADU's are;**
 - a. ADU building's compatibility and aesthetics
 - b. Excessive rental properties within a stable neighborhood
 - c. The sale or transfer of the ownership of an ADU
 - d. Both a. & b.

Part II: Considering ADUs Section

- 1) _____ **A reason to consider ADUs is;**
 - a. Increase opportunities for redevelopment to reduce the demand for new extensions of utility lines and services
 - b. Establish minimum pervious surface requirements for entire property
 - c. Mother-in-law apartments are back in fashion



Answers to Questionnaire are available at www.centervilleut.net – in the posted ADU Summary Brief Document

- 2) _____ A benefit for allowing ADUs can be;
- a. A dwelling purposely designed into the layout of new house construction
 - b. Providing for additional parking stalls
 - c. The ability for aging persons to prolong their normal living arrangements
- 3) _____ Other cities that are allowing ADUs are;
- a. Portage City & Orangeville City
 - b. Bountiful City & Centerfield City
 - c. Elwood City & Koosharem City

Part III: Typical Regulations for ADUs Section

- 1) _____ Which type of regulation mitigates the introduction of excessive rental focused properties in a stable neighborhood;
- a. Using labels such as “mother-in-law” apartments or “granny flats” for ADUs
 - b. A waiver of the standard parking requirement
 - c. Establishment of an owner-occupancy requirement
- 2) _____ Which situation allows for a “temporary absence” of an owner occupancy requirement;
- a. Job Dislocation
 - b. Obtaining an home improvement loan
 - c. Historic Preservation Pursuits
- 3) _____ A reason to allow an ADU ordinance exception is;
- a. Encouraging affordability through reductions of impact, permit, and approval fees
 - b. An ADU is created within a portion of an existing single-family home
 - c. The orientation and design of the ADU

Answer key: b, c, d, a, c, b, c, a, a