

1
2 **PLANNING COMMISSION MINUTES OF MEETING**

3 **Wednesday, July 22, 2015**

4 **7:00 p.m.**

5
6 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
7 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:15 p.m.

8
9 **MEMBERS PRESENT**

10 Cheylynn Hayman

11 David Hirschi, Chair

12 William Ince

13 Logan Johnson

14
15 **MEMBERS ABSENT**

16 Gina Hirst

17 Scott Kjar

18 Kevin Merrill

19
20 **STAFF PRESENT**

21 Corvin Snyder, Community Development Director

22 Lisa Romney, City Attorney

23 Kathy Streadbeck, Recording Secretary

24
25 **PLEDGE OF ALLEGIANCE**

26
27 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Ince

28
29 **MINUTES REVIEW AND APPROVAL**

30
31 Chair Hirschi made a motion to **table** the review and approval of the July 8, 2015
32 Planning Commission minutes until more Commissioners are present and the City Council has
33 had time to review and approve the work session portion of the minutes. The motion was
34 seconded by Commissioner Ince and passed by unanimous vote (4-0).

35
36 **PUBLIC HEARING | YOUNGBLOOD EQUIPMENT/STORAGE YARD -**
37 **Consider proposed Conceptual Site Plan on property located at approximately 650 North**
38 **1250 West, for the purpose of an equipment/storage yard. Donald Youngblood, Property**
39 **Owner & Applicant.**

40
41 Brandon Toponce, Assistant Planner, reported the applicant's property has been involved
42 in an ongoing enforcement regarding the use of the property without proper approvals. The
43 property has been used for the storage of vehicles and storage containers filled with equipment
44 and vehicles for racing. The applicant now desires to receive approval from the Planning

Commission. The Zoning Ordinance prohibits the use of automobile wrecking yards and junk/salvage yard. The Zoning Ordinance does not specifically call out outside storage as a primary use. The applicant will need to verify a primary use (approved by Zoning Administrator) for the property then the secondary use of outside storage may be utilized. The applicant will be limited to specific uses permitted on the Table of Uses unless the applicant seeks an amendment to the Zoning Code. The proposed plans appear to meet the goals and objectives of the General Plan as the applicant will be upgrading the lot from a vacant parcel of weeds to a storage area with landscaping and screening. In the future, the applicant plans to construct a building on the vacant lot in addition to the outdoor storage. The applicant will be required to meet all applicable landscape standards and submit a finalized landscape plan with the final site plan. The applicant plans to screen the site with a powder coated chain link fence with slats. The storm drainage plan will need to be verified by the City Engineer and a bond will be required for any improvements in the public right-of-way.

Donald Youngblood, applicant, said he has owned this property for 20 years and would like to use it for his personal hobby. He said his daughter races cars at the Salt Flats and he uses this site to service and store those vehicles. He said he plans to screen the entire site with chain link as discussed and will install landscaping and gravel/pavement as required. He plans to seek approval from the Zoning Administrator regarding a primary use as listed on the Table of Uses.

Chair Hirschi opened the public hearing.

Mark Gabriel asked if the landscaping will be watered. The applicant, Mr. Youngblood, said he has no intension of letting the landscaping die. It will be watered.

Seeing no one else wishing to comment; Chair Hirschi closed the public hearing.

Commissioner Johnson made a **motion** for the Planning Commission to accept the conceptual site plan for the Youngblood Outdoor Storage, to be located at 650 North 1250 West, with the following conditions:

Conditions:

1. The outdoor storage shall be utilized by Mr. Youngblood for the use of storage containers and working vehicles. The lot shall not be used as a junk and salvage yard, wrecking yard or a public storage facility.
2. A permitted use review or a Zoning Code Amendment shall be pursued by the applicant to establish a primary use on site, prior to receiving final site plan approval. Specific items to be stored on site shall be submitted as part of the "use" interpretation.

3. The applicant shall submit a Final Site Plan application meeting the standards found in Section 12-21-110(e) of the Zoning Ordinance.
4. A revised landscaping plan shall be submitted showing 10% of the property in landscaping and meeting all required tree counts.
5. A bond shall be posted for all landscaping improvements located along 650 North and 1250 West.
6. The storage area shall be completely screened from view with an opaque fence or wall.
7. The driveway leading into the storage area shall be constructed with concrete and meeting all City Standards. The City Engineer has stated that this shall be assessed prior to any development taking place.
8. Mr. Youngblood shall address the surfacing improvements within the storage area with a material that is acceptable to the Public Works Director and the City Engineer.
9. If the applicant fails to improve the land and abide by the conditions set forth, enforcement procedures concerning the unapproved storage will commence.
10. All storm drainage shall be properly addressed to meet all City Standards and shall be approved by the City Engineer.

Reasons for the Action (Findings):

1. The conceptual site plan submittal has adequately shown how the property may be developed [Section 12-21-110(d)(2)].
2. According to Table 12-35-1, outside storage is a permitted use as long as it meets all screening standards found in Section 12-51-110(b) of the Zoning Ordinance.
3. All required landscaping must be found on site [Section 12-51-070(d)(1)]
4. Applicable Development Standards for the I-H Zone have been reviewed [Chapter 12-35].

The motion was seconded by Commissioner Ince and passed by unanimous roll-call vote (4-0).

PUBLIC HEARING | PORTER LANE TOWNHOMES | 564 WEST PORTER LN - Consider (1) Conditional Use Permit to allow the density of eight (8) units per acre in the R-M Zone (postponed from June 24, 2015 Planning Commission Meeting); and (2) Final Site Plan for the Porter Lane Townhomes located at 564 West Porter Lane (400 South). Project includes a 46-unit townhome community, and one existing single-family dwelling. Taylor Spendlove, Brighton Development Utah, LLC, Applicant.

Cory Snyder, Community Development Director, reported the applicant proposes to develop a multi-family townhome style community. The proposed development will include 46 townhomes (10 buildings) and one large single-family home (existing), for a total of 47

1 dwellings on 6.16 acres (i.e., 7.62-units per acre). All dwellings will be served by a private
2 internal roadway with two access points on Porter Lane. Staff suggests eliminating the internal
3 sidewalk loop in order to lengthen the driveway depths and increase the external perimeter
4 sidewalk by linking the internal walks which in turn would provide access to the sidewalk
5 system from all units. The applicant has received approval from the Fire Marshal (see Fire
6 Marshal letter dated June 25, 2015) for the proposed development if the applicant is willing to
7 mark the curbs in red and post no parking signs. The Army Corps of Engineers holds a drainage
8 conservation easement on the north end of the property. The applicant proposes to landscape this
9 area and incorporate it into the open green space. The applicant needs only to honor the
10 easement, no official authorization from the Army Corps is needed for landscaping. The drainage
11 plan for the site has been reviewed by the City Engineer and some corrections will be required to
12 ensure proper storm water management.
13

14 Mr. Snyder explained there were a number of concerns raised during the conceptual site
15 plan process including open space, traffic, road width, etc. He reminded the Commission to
16 review the layout and design against current Zoning Ordinances. The applicant has submitted a
17 plan that substantially complies. He cautioned the Commission that some changes could produce
18 a design that is less desirable and/or less compatible with surrounding uses. For example,
19 requiring more open space and wider roads may push a developer to build 3-story townhome
20 buildings with carports and parking lots. He said larger buildings and centralized parking has a
21 much different feel than the proposed linear townhome development. Mr. Snyder said both these
22 types of developments (linear townhomes vs. townhome buildings) already exist in Centerville.
23 He shared pictures of both Florentine Townhomes (linear) and Pineae Village (buildings) and
24 asked the Commission which product may be most compatible for the Porter Lane area. Staff
25 believes the proposed project is a better product for the proposed area. Mr. Snyder explained a
26 traffic study was performed by the applicant as requested. The study concludes there is adequate
27 capacity on Porter Lane and on 400 West to accommodate the proposed development. The
28 intersection at Porter Lane and 400 West is currently classified as a level "C" which is a concern
29 to the City. The City may choose to conduct an additional traffic study in the future for the
30 purpose of installing a traffic signal at this intersection. Staff would like to reserve the right to
31 require the applicant, Brighton Homes, to contribute their proportional share to this future
32 improvement.
33

34 Chair Hirschi expressed concerns with the traffic study performed. He said the study did
35 not include impacts that may occur on the Frontage Road, the traffic sampling recorded was
36 limited and there were numerous typographical errors. He said it does not seem the study was
37 adequate or well produced. He said the study concludes this development will have "no impact."
38 He said this cannot be correct; any development, no matter how large or small, will have an
39 impact. Mr. Snyder said the City Engineer is currently reviewing the traffic study. He agreed the
40 proposed development will have an impact, but it is minimal compared to the current traffic

1 issues that exist due to the commercial uses in the area. He said the "no impact" statement likely
2 means traffic impacts from the proposed development will not raise above the level "C" that
3 currently exists.
4

5 Commissioner Hayman questioned if there are other developments within the city that
6 use red curbs and no parking signs and if these are followed. She also questioned what "aesthetic
7 impacts" means and what the Commission is looking for with regard to aesthetics. Mr. Snyder
8 said there are a few developments that use no parking signs. He explained the Fire Marshal is
9 only trying to provide the ability to clear the road if necessary. He agreed enforcement is not
10 easy or likely but these measures will provide the ability to legally tow vehicles in the case of an
11 emergency. Mr. Snyder explained that "aesthetic impacts" includes colors, architecture, roof-line,
12 materials, etc. He said this provision provides the Commission an opportunity to ensure a
13 development is compatible with surrounding uses.
14

15 Craig Call, Attorney for Applicant, said the Planning Commission has already accepted a
16 conceptual site plan for this development. He said this means the Commission has already agreed
17 that this development is compatible with its surroundings and complies with current ordinances;
18 therefore, this development is entitled to approval. He said at this point, the Commission is just
19 looking at possible negative impacts to decide how these impacts may be mitigated, not
20 eliminated. He said traffic is one of those impacts and the traffic study has shown there is
21 adequate service in the area to accommodate the proposed development. In addition, the
22 aesthetics are appropriate according to current ordinance. He said the courts have made it clear
23 that if a development is not illegal, then it should be allowed. With regard to the requested future
24 contribution for a possible traffic signal at Porter Lane and 400 West, Mr. Call asked if there is
25 an ordinance that requires this or a precedent for such.
26

27 Patrick Scott, applicant, said the project has not changed much from the conceptual plan
28 with the exception of eliminating two (2) units and consolidating the open space into a larger
29 more usable area with tot lot and gazebo. He said other open spaces within the project include a
30 dog park and the canal area (Army Corps easement) on the north property line. He explained
31 they added the interior sidewalk due to safety concerns raised at the last Planning Commission
32 meeting; however, they do not share these concerns and would prefer to eliminate the interior
33 sidewalk as suggested by staff in order to increase driveway depth and increase green space. He
34 said this is a better look and feel for the community. He also said it is more common in existing
35 townhome developments in Centerville to have sidewalk on only one side. Current ordinances do
36 not require sidewalks on both sides of a street. He also said they would prefer not to paint the
37 curbs red for aesthetic reasons. They would prefer to stencil red no-parking lettering on curbs
38 which is less glaring. Mr. Scott said it was his understanding that the majority of the traffic
39 concerns were related to 400 West and not the Frontage Road. This is why they asked their
40 traffic engineer to focus the study on 400 West and Porter Lane. He agreed the traffic in the area

1 is already a problem due to the impact of commercial uses in the area. He said their proposed
2 development will not significantly impact the traffic. He does not feel it is their responsibility nor
3 burden to contribute to a traffic signal which is warranted even without their development. He is
4 also concerned because there is no standard for how their portion would be calculated. He said
5 these types of improvements should be anticipated and required as part of zoning. Mr. Scott said
6 they have met with the Army Corps of Engineers regarding a dredging plan for the canal. He said
7 canal maintenance is allowed without permit or prior authorization as long as the materials
8 dredged are placed upland and not back into a wetland area. He said they have sufficient land to
9 properly dredge and relocate materials on site. According to the Army Corp this is considered an
10 allowed maintenance practice.

11
12 Commissioner Johnson said the traffic study shows this development will increase traffic
13 by 18%. In his view, this is more substantial than anticipated. He questioned what Centerville's
14 traffic impact fee is and/or how a fee may be calculated. Mr. Snyder said Centerville does not
15 have a traffic impact fee. He said the fee would be minimal taking into account impact
16 percentages.

17
18 Commissioner Ince said he likes how they have consolidated the open space but would
19 still like to see more. He said the development still seems crowded. Mr. Scott said there is a
20 balancing act when it comes to open space and housing. He said ordinances require 40%
21 landscaping and they are at 41%. He said they have already eliminate two (2) units to make the
22 open space possible.

23
24 Mr. Snyder offered a scenario. He suggested the existing single-family home (Mansion)
25 be demolished and another 4-unit townhome be constructed in its place. This would allow the
26 applicant to re-add the 2 eliminated units and move 2 other units in order to create a second
27 usable open space area within the project. Chair Hirschi agreed the Mansion is an issue and is
28 not compatible with the proposed development.

29
30 Mr. Scott said they have not considered this scenario but would not likely be interested in
31 demolishing the Mansion. He said this scenario would not be financially responsible. He also
32 explained that the backyard of the Mansion will be fully fenced and screened from view. The
33 front yard will be part of the homeowners association (HOA) and maintained.

34
35 Chair Hirschi opened the public hearing.

36
37 Andrea Richmond read written comments from Pam White, president of Centerville's
38 Florentine Towns HOA. Ms. White raised concerns with eliminating sidewalks, limiting green
39 space, narrow roads, and visitor parking. She claims the limited sidewalks in Florentine Towns

1 has made it difficult for residents to get outside safely. She said green space is crucial for
2 community events and activities. She also explained the frustrations of limited visitor parking.

3
4 Laura Dudley is a resident of Shaela Park (neighboring community). She is concerned
5 with the lack of balance in this development. She believes there should be less density and more
6 open space. She said the proposed development is not compatible with Shaela Park because it is
7 too dense. Shaela park has 5.33-units per acre and only 4-unit buildings. She agrees there is not
8 enough visitor parking. She said the lack of street parking within the development will push
9 parking to Porter Lane. She is concerned with the accuracy of the traffic study. She said the
10 study was done on July 2, 2015 at 3pm which is not during any peak traffic hours. She said there
11 is significantly more traffic in the area during rush hour time frames, on a Sunday (street parking
12 on Porter Lane is significant near local church), or during the school year. She is concerned with
13 the wetland area and asked if the gates will remain. She expressed concern with the Mansion.
14 She said a contingency should be added that requires the demolition of the Mansion if it is not
15 sold within a reasonable time frame.

16
17 Dean Williams, a retired Fire Chief, said he is concerned with the private street width. He
18 explained in a fire emergency the fire department prefers to stack several engines and/or vehicles
19 in order to fight a fire. He said these narrow roads will not accommodate that need for fire
20 equipment if an emergency arises. He said the curbs may be painted red and signs posted but this
21 will not stop people from parking on the street and in an emergency there is no time to tow
22 vehicles. He explained the clearance needs for fire safety vehicles, stating fire service within this
23 development will be difficult. He said when he was growing up in Centerville there were no
24 sidewalks. He said when the City chose to install sidewalks the selling point was safety. He said
25 it is interesting that sidewalks are no longer consider a safety measure. He said no individual
26 should ever have to cross a street to get to a sidewalk. He said anyone that promotes limited
27 sidewalks has never witnessed a child being hit by a vehicle.

28
29 Irene Lysenko said Centerville is a great city. She said there is nowhere else that has a
30 small town community feel with easy accessibility to services and Salt Lake City. However, it
31 seems with recent projects that Centerville now has a mantra of pack in as many units as possible
32 on the limited land that is left. She said it seems everyone is aware that this project has problems
33 and yet it is still moving forward. She asked what advantage this project provides to the residents
34 of this community? She asked what advantage this project provides for the surrounding
35 neighbors? She asked what advantage this project provides for the city as a whole? She said it
36 seems the only thing this project is contributing is future problems with traffic, safety, and
37 congestion.

38
39 Rick Dudley expressed concern with the Mansion. He said this issue needs a lot more
40 discussion. He said this is a home that will prove difficult to sale. He said this home needs more

1 property attached to it for marketability. He said no one will want to live in a single-family
2 Mansion that is this close to a multi-family development. He said no one owning a single-family
3 home will want to drive through a multi-family development to access their property. He said
4 this just doesn't make sense. He also said the Mansion property should be separated from the
5 townhome property. This would in turn require less density because there would be less acreage
6 for the townhome portion of the development. He agreed a contingency plan should be
7 established to deal with the Mansion if left vacant for too long.

8
9 Dale McIntyre said the Mansion will likely be very expensive and if he were able to buy
10 a home of that value he would not want to live next to a multi-family community. He said it is
11 not reasonable to keep the home.

12
13 Bruce Madsen asked how much the proposed townhomes will cost. He said this
14 development seems similar to Foxboro in West Bountiful which has proven to have many
15 difficulties related to congestion, road width, limited sidewalks, and parking. He asked who is
16 responsible to make sure HOA's are functioning as they should. He said parking will be a
17 problem for this development and he agreed any overflow will negatively impact Porter Lane.
18 He is concerned these issues will diminish the value of the units. He said the project is too dense
19 and is not compatible with surrounding uses.

20
21 Kahl Gubler said the density is not being calculated correctly and that this development is
22 easily more than 8-units per acre.

23
24 Barbara Finn read a statement from Janice Frost, former Shaela Park HOA president,
25 who is concerned with parking and the narrow street. She said HOAs have a difficult time
26 compensating for these issues that should have been taken care of during development. She said
27 issues with parking, red curbing, and limited circulation cause contention with residents and
28 between residents. She said narrow roads also cause problems with garbage pickup. She would
29 not be surprised if the private garbage companies refuse to collect garbage on these narrow
30 roads. This will force the community to install dumpsters which are messy and unsightly. She
31 said narrow roads also cause problems with snow removal. She expressed concern with the
32 negative impact this development will have on traffic.

33
34 Heather Strasser shared pictures of narrow roads throughout Centerville communities
35 including Country Cottages, Bamberger Way, and Bellano Way. She pointed out the limited
36 circulation, parking, sidewalk, and safety concerns. She said the proposed development needs
37 wider roads and sidewalks on both sides of the street. She is concerned with the driveway length
38 stating 14-foot driveways are too short. She said there may be garages but these will likely be
39 used for storage of bikes, outdoor gear, etc. leaving only the driveways for vehicles. She said
40 residents should be able to park in their driveway without hanging over the sidewalk or into the

1 road. She shared a picture of Shaela Park pointing out the adequate road width, driveway depths
2 and sidewalk on both sides of the street.

3
4 Marti Money raised several concerns. She is concerned with traffic, the Mansion, safety,
5 design, green space, and drainage. She agreed the traffic study was lacking and was not
6 conducted at an ideal time to accurately measure the impacts. She said the Mansion does not
7 belong next to a multi-family development and should be eliminated. She said the density for the
8 townhomes should be calculated with only the acreage that the townhomes sit on and not
9 including the Mansions property. She said the General Plan requires public streets that are 24
10 feet wide, she agrees the proposed 20-foot roadway is too narrow. She said there should be
11 sidewalk on both sides of the street for safety. She said the Mayor is pro sidewalk and they
12 should not be eliminated. She suggested the developer build single-family homes and not
13 townhomes. She agreed the driveway depth should be increased. She believes the proposed
14 development is too dense to provide the basic amenities that make a community livable and
15 walkable. She said the green space should be larger and more useable. She agreed the new design
16 is better, but believes more can be done. She is concerned with the canal on the north boundary
17 line stating she would like to know the status of the "jurisdictional delineation." She is concerned
18 with water table and clean water issues.

19
20 Robyn Mecham said she is concerned with the impacts this development will have on
21 traffic. She said the Wasatch Front Regional Council did a study in 2012 which showed that a
22 typical residence in Centerville makes 12 vehicle trips per day. She said that would calculate to
23 526 trips per day for this proposed development. She said this is a significant traffic impact. She
24 shared an analogy. She said if a reservoir is already full of water it doesn't matter how big or
25 small an incoming stream is, it will still cause the reservoir to overflow. She said adding an
26 additional 526 trips to an already busy Porter Lane and 400 West is too great.

27
28 Brita Johnson said she does not like the Mansion. It does not make sense with the
29 proposed development. She agreed a contingency plan would be appropriate. She said an 18%
30 increase in traffic is significant. She agreed the traffic study was inadequate and the several
31 typographical errors make her doubt the integrity of the report. She does not feel the traffic
32 concerns have been properly mitigated. She too agrees the roads are too narrow and that
33 eliminating sidewalk is a safety issue. She also believes the project is too dense.

34
35 Seeing no one else wishing to comment; Chair Hirschi closed the public hearing.

36
37 Mr. Call asked in what way the proposed application does not conform to current
38 ordinance. He said there have been many issues raised which may be of concern for future
39 developments and which may require some changes to the City's ordinances, but according to
40 current ordinance this development complies. He said this development is consistent with the

1 conceptual site plan already accepted and meets density allowances. He said the potential
2 negative effects have been identified and mitigated. He said this is an optimal configuration for
3 the market and has adequate green space, roadways, landscaping, and parking.
4

5 Mr. Snyder verified the jurisdictional wetlands have been appropriately studied and the
6 easement covers all issues. Mr. Snyder reviewed the density calculation explaining how gross
7 density is applied according to current zoning ordinances. He agreed the Mansion may not be
8 marketable but said that single-family and multi-family have been mixed together in the past. He
9 said the applicant could come back in the future for an amendment if the home doesn't sell. He
10 explained the proposed layout is optimal for snow removal because of the open space to the
11 north. It is possible to push the snow all the way down the street and stack at the end.
12

13 Mr. Scott addressed the Mansion concerns. He said it is in their best interest at this time
14 to keep the home intact. He said the lot size for the Mansion is large enough to accommodate the
15 home and provide a private backyard. He verified the roadway is 24 feet wide and not 20 as
16 mentioned during the public comments. He said any gates located within the wetlands will likely
17 stay. They do not intend to construct anything in that area per the easement; it will only be
18 landscaped. He said the price point for the townhome units will likely fall in the mid \$200,000
19 range.
20

21 Chair Hirschi said it was asked who is responsible if an HOA is not functioning correctly.
22 He asked if a condition should be included stating the City will step in if the road is not properly
23 maintained or the Fire Code is not properly followed. Mr. Snyder said roadway maintenance is
24 subject to City Ordinances and enforcement. In addition, the CUP also governs many aspects of
25 the roadway and fire safety. He said it is possible for the City to step in if needed, but generally
26 most HOAs are successful. Mr. Snyder said he believes the loop road is actually a better design
27 for fire safety than a car port/parking lot scenario. He explained the proposed development is
28 over parked and over landscaped. He suggested a provision could be included in the HOA
29 regulations stating garages are to be used for parking and not storage.
30

31 Commissioner Johnson said he too is concerned with the traffic study and the small
32 sampling performed. He said 4-units an acre is permitted and the additional 4-units an acre is per
33 the CUP. He asked if the mitigation for traffic impacts includes the entire 8-units per acre or if it
34 is only applied to the 4-units per the CUP. This would calculate to a 9% increase in traffic, not
35 the entire 18%.
36

37 Lisa Romney, City Attorney, said the City does not impose any impact fees for streets or
38 transportation. However, if evidence within the record indicates an impact on traffic then the
39 City can require the applicant to provide their proportionate share of that traffic impact. The
40 difficulty with this situation is that the traffic study shows the majority of the traffic impact is

1 coming from other developments already in the area. If the City Engineer deems it necessary,
2 then the applicant may be asked to contribute. The City Engineer may choose to conduct a
3 separate traffic study in order to provide additional information. The Commission could include
4 a condition requesting a contribution from the applicant for traffic impacts if deemed necessary
5 by the City Engineer. If the applicant is opposed he can always appeal the decision to the Board
6 of Adjustment. She agreed the amount would be minimal and would only be applied to the
7 additional 4-units per acre per the CUP.

8
9 Commissioner Hayman asked for clarification on the driveway depths. She asked for
10 clarification regarding fire truck access. She asked if there are any other developments near an
11 intersection that were required to contribute to a traffic signal. Mr. Snyder said the driveways
12 are 14 feet deep. If you add the 4-foot sidewalk width then you get 18 feet total. He explained
13 this is why staff is suggesting the elimination of the sidewalk on the interior loop. Then the
14 driveways can be extended to the 18-foot depth without any obstruction (i.e., sidewalk). Mr.
15 Snyder explained there are Fire Code minimum requirements and practical behaviors. The fire
16 department would prefer to stack as many engines and emergency vehicles as necessary during
17 an emergency. The Fire Code minimum is a 20-foot wide road, red curbs, and signage. This
18 development includes 24-foot wide roads and the applicant has stated they are willing to comply
19 with the red curb and signage requirement. Mr. Snyder said there have been other multi-family
20 developments located near intersections in the City but he is unsure how any traffic fees were
21 applied if any.

22
23 Chair Hirschi made a **motion** for the Planning Commission to approve the Final Site Plan
24 for the Porter Lane Townhomes Project, to be located on property at 564 West Porter Lane, with
25 the following conditions:

26
27 **Conditions:**

- 28 1. The project shall be developed in conformance with the submitted site and elevation
29 plans dated July 1, 2015 (as also reviewed by the Planning Commission 7/22/2015),
30 and as amended with this approval.
- 31 2. The final site plan density depicted shall be subject to the review and approval of a
32 Conditional Use Permit Use Density between 5-8 units per gross acre.
- 33 3. The final site plan submittal shall be amended to accomplish the following:
 - 34 a. Compliance with the South Davis Fire Marshal Letter dated June 25, 2015 and/or
35 as deemed acceptable by the Fire Marshal in accordance with the applicable
36 provisions of the adopted Fire Code.
 - 37 b. All above ground utilities for the buildings shall be screened from view from any
38 public right-of-way (see Section 12-51-110.d).
 - 39 c. All use of interior development lighting shall comply with Section 12-55-140,
40 Outdoor Lighting Standards.

- d. The internal sidewalk system shall be revised, as follows:
 - Provide sidewalks along the outside roadway loop only
 - Adjust the driveway depths to accommodate an 18-foot parking depth and the sidewalk system without blocking the walkway with vehicles
 - Connect the interior area walks, through the common space, to the outside roadway loop with crosswalks
 - Outside sidewalk loop connects to the public sidewalk system on Porter Lane
4. The project shall be subject to the construction of roadway, utility, and service improvements and associated fees and bonding in accordance with applicable City Ordinances or laws and deemed acceptable by the City Engineer or other City staff.
5. The project shall secure and provide private refuse (i.e. garbage) service for each dwelling inside the development.
6. All signage requires separate permits and are to be approved by the Zoning Administrator as part of the sign permit application, and must meet the requirements found in Chapter 12-54 of the Zoning Ordinance.
7. The project shall be subject to obtaining a subdivision approval from the City prior to selling any parcel, lot, or tract within the development.
8. The policy of no parking on the streets and street maintenance as required by the Fire Marshal's letter and existing City Ordinances will be complied with.
9. The traffic study submitted by applicant will be reviewed by the City Engineer and if determined by the City engineer that further mitigation is necessary than the applicant shall be required to comply with that mitigation requirement.

Reasons for the Action (Findings):

- a) The final site plan submittal has adequately shown how the property may be developed [Sections 12-21-110.d & f].
- b) The development is consistent with the goals and objectives found within the Centerville City General Plan [Section 12-480-3].
- c) The final site plan substantially reflects the conceptual plan acceptance of June 24, 2015.
- d) The proposed final site plan, with the conditions listed, meets the applicable Development Standards for the R-M Zone, Off-Street Parking, and the Landscaping and Screening Standards of the Zoning Ordinance.

The motion was seconded by Commissioner Johnson.

Commissioner Johnson made a **motion to amend** to strike Condition #9 from the motion. He does not believe the level of impact is significant enough to warrant additional mitigation. The motion to amend died for lack of a second.

1 Commissioner Hayman agreed she does not want the applicant's traffic study to be the
2 final say regarding possible traffic impacts. Mr. Snyder said the City Engineer will review the
3 traffic study and may request clarification from the traffic engineer. The City Engineer will then
4 decide if additional information is needed and will act accordingly. The applicant does have the
5 ability to appeal any decision to the Board of Adjustment. Chair Hirschi agreed turning the
6 matter over to the City Engineer is the best course of action.

7
8 Commissioner Johnson said the proposed project complies with current City ordinances
9 and he does not believe the Commission has the grounds to deny this application. He agreed
10 there may be some weaknesses in the ordinances with regard to road widths, sidewalks, and
11 parking, but those are issues that will need to be addressed separately from this application.

12
13 Commissioner Ince said he does not believe the proposed development makes sense and
14 he is frustrated that he feels obligated to approve it. Commissioner Hayman agreed. She also
15 empathizes with the citizens who have raised concerns.

16
17 Chair Hirschi called for a vote on the motion. The **motion passed** by roll-call vote (4-0).
18

19 Commissioner Johnson made a **motion** for the Planning Commission to approve the
20 Conditional Use Permit (CUP) application for the Porter Lane Townhomes Project, to be located
21 on property at 564 West Porter Lane, with the following conditions:
22

23 ***Conditions:***

- 24 1. This conditional use is limited and subject to the development of the property, as
25 submitted and approved with the related final site plan of July 1, 2015, as amended.
26 2. The density use of the property shall not exceed 47 units and 7.62 units per gross
27 acre.
28 3. The development shall comply with the Fire Marshal's Letter dated June 25, 2015
29 and/or applicable fire codes, which at a minimum are:
30 a. Marking the private roadway curbs in red, and
31 b. Posting the signs relating to the "no parking" restrictions
32 4. If it is further deemed necessary by the City Engineer, this project be subject to
33 mitigate their direct portion of the traffic generated at the intersection of 400 West
34 and Porter Lane.
35

36 ***Reasons for the Action (Findings):***

- 37 a) According to Table 12-32-1 for the R-M Zone, a use density of 5-8 dwellings may be
38 established through an approved conditional use permit (CUP).

- b) A conditional use permit application to consider allowing multi-family density of up to 8 units per acre must address the standards found in Section 12-21-100(e) of the Zoning Ordinance.
- c) The property is generally flat and suitable for further development, while the multi-family use and development layout is consistent with the area's neighborhood plan.
- d) The City Engineer, with corrections and changes, has determined that proper drainage for the site is feasible.
- e) The traffic study concludes that adequate traffic capacity exists for allowing the proposed development (Level of Service "C").
- f) Compliance with the Fire Marshal's directives and the parking ratio of over 4 stalls per dwelling, there is sufficient capacity to mitigate the initial concerns regarding access, circulation, and parking.
- g) The use of garbage trucks, deliveries, lighting, and other normal residential-type activities are subject to various City Regulations and Noise Ordinances to prevent such activities from becoming a nuisance.
- h) With the conditions listed and the development subject to the design and layout of the associated final site plan, the density use approved is deemed appropriate for the property.

The motion was seconded by Chair Hirschi.

Commissioner Hayman made a **motion to amend** condition #3a to allow the applicant the ability to consult with the Fire Marshal and use red letter stenciling along the curb instead of completely painting the curbs red. She agreed red curbs can be an eye sore and this may be a better option. The motion to amend was seconded by Chair Hirschi and passed by unanimous roll-call vote (4-0).

Commissioner Ince said there are too many issues associated with this development, i.e., sidewalks, parking, road width, driveway depth, etc. He said approving these issues is inviting future problems and he would prefer to table or deny this application. He does not feel the impacts have been properly mitigated. He is in favor of the permitted 4-units per acre only.

Ms. Romney reminded the Commission that any tabling or denial requires reasons from the record that state how the impacts are not appropriately mitigated. Mr. Snyder agreed stating the Commission must explain who is being injured and how.

Commissioner Hirschi said, other than traffic, he does not see any evidence that there is a violation of the ordinances. In his opinion, the traffic has been sufficiently mitigated by requiring further review and approval by the City Engineer. He said he too would deny this application if

1 there was any substantial evidence showing an impact that has not been mitigated or an issue that
2 did not meet current standards.

3
4 Chair Hirschi called for a vote on the motion as amended. The **motion as amended**
5 **passed** by roll-call vote (3-1). Commissioner Ince opposed.

6
7 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
8

9 1. The next Planning Commission meeting will be Wednesday, August 12, 2015.
10

11
12 The meeting was adjourned at 11:05 p.m.

13
14 
15
16 David Hirschi, Chair

8-26-2015
Date Approved

17
18 
19
20 Kathleen Streadbeck, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

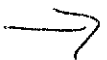
Wednesday, July 22, 2015
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Dean Williams	
Patrick Satt	NSL UT
Craig Call	PCUT
Taylor Spensie	
BARBARA FINN	84014
Collette Austin	84019
Patricia Braithwaite	84014
Heather Strasser	
MARTI MONEY	
PAUL GAPINSKI	84014
NEIL & CHERIE LISH	84014
KAHL GUBLER	84014
Ted & Jennifer Olson	
Rick + Laura Dudley	84014
Tanner Dudley	"
Ryan Dudley	84014
Jeff Thomas	Centv
Irene Yenko	Centerville
Ed Schinner	84014
Kate Nelson	Centerville
Brita Johnson	
John Hellingsohn	
Julie Newell	CT
Dale McIntyre	Centerville
Ken Johnson	Centerville

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Marianne Jensen

Ed Harrison

Karen Cravens

Bruce Wassen

STEVE ALLEN

Robyn Meehan

Shauna Chumakov

Tim Hawkes

Ann Fadel

Ernst Millburn

Bill Davies

Dale Engelsen

Ceroteville