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3 **PLANNING COMMISSION MINUTES OF MEETING**

4 **Wednesday, July 23, 2014**

5 **7:00 p.m.**
6

7 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
8 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.
9

10 **MEMBERS PRESENT**

11 David Hirschi, Chair

12 William Ince

13 Logan Johnson

14 Scott Kjar

15 Kevin Merrill

16 Debra Randall
17

18 **MEMBERS ABSENT**

19 Gina Hirst
20

21 **STAFF PRESENT**

22 Corvin Snyder, Community Development Director

23 Kathy Streadbeck, Recording Secretary
24

25 **PLEDGE OF ALLEGIANCE**

26
27 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Randall

28
29 **MINUTES REVIEW AND APPROVAL**
30

31 The minutes of the Planning Commission meeting held June 9, 2014 were reviewed and
32 amended. Commissioner Merrill made a **motion** to approve the minutes as amended. The motion
33 was seconded by Commissioner Randall and passed by unanimous vote (6-0).
34

35 **PUBLIC HEARING | BLESON RENTALS LLC | 156 SOUTH 200 EAST -**
36 **Consider a Conditional Use Permit for Bleson Rentals LLC, a home occupation business, to**
37 **rent a limited number of inflatables to the surrounding communities, to be located at 156**
38 **South 200 East, in the R-L Zone. David Williamson, Applicant.**
39

40 Cory Snyder, Community Development Director, reported the applicant desires to
41 operate a home occupation of renting inflatables (i.e., bounce houses/slides) from his residence.
42 The zoning code permits home occupations within a residential structure if the desired use is
43 listed as established within the ordinance. Renting inflatables is not listed as a permitted use,

1 therefore the applicant is requesting a conditional use permit for the desired home occupation.
2 Mr. Snyder reviewed the proposed business model. The inflatables are reserved online or by
3 phone. The proposed home occupation will include a small office space and cleaning and storage
4 of the inflatables. Once reserved, the inflatables will either be delivered by the owner or picked-
5 up by the renter. The proposed business model could bring up to four (4) additional vehicles to
6 the residence within a given day; however, staff recommends allowing up to ten (10) vehicles per
7 day. If the business rises to a level of success, the applicant plans to eventually move the
8 business to a commercial location. Mr. Snyder said staff is comfortable with the proposed home
9 occupation and has reviewed the application for compatibility with surrounding uses. It does not
10 appear the proposed home occupation will generate a large amount of traffic, noise, or nuisance.
11 The applicant will be required to obtain a business license.
12

13 Commission members raised concerns and asked questions of the applicant and staff
14 regarding this application. Commissioners questioned at what point the applicant might move
15 this business to a commercial location. They asked if the applicant is accepting of the reduced
16 hours of operation (see staff report dated 07-23-14). They questioned why the applicant projected
17 an increase of only four (4) vehicles per day. They asked what constitutes the backyard and if the
18 applicant would like to include the large side yard as an additional acceptable area to clean the
19 inflatables. They asked what type of noise is associated with the inflatables. They asked staff if
20 inflating the items for cleaning could be considered advertising, which is prohibited. They
21 questioned where the inflatables will be stored, as the detached garage is not allowed for use in a
22 home occupation. It was also asked if the surrounding neighbors have been petitioned for
23 acceptance of the proposed home occupation.
24

25 Mr. Snyder said the applicant is permitted to inflate and clean the products, but is not
26 allowed to keep the products inflated for an extended period of time. A home occupation is not
27 intended to be displayed in a neighborhood. He said the Commission can dictate how much
28 product is stored on site, but the home occupation ordinance already provides that only 20% of a
29 residence can be used for a home occupation. Ordinances do not allow the use of accessory
30 structures for a home occupation, which would include the detached garage. If the garage were
31 attached to the main structure the applicant would be permitted to use the garage as needed. If
32 the Commission finds it acceptable a condition could be structured to allow the use of the
33 detached garage. Mr. Snyder said the backyard is considered the backyard setback area which is
34 20 feet from the rear property line. The Commission could re-define the backyard for this
35 conditional use permit to include the side yard. Mr. Snyder explained State law no longer
36 requires a petition of the surrounding neighbors for permission.
37

38 David Williamson, applicant, said they currently own only four (4) inflatables. This is
39 why they did not project a greater number of additional vehicles to the site per day. He is not

1 sure at what point he will move the business to a commercial location. He said as long as his
2 wife is able to park the car in the garage he is safe to keep the business at home. He would prefer
3 to store the inflatables within the detached garage. He said he is accepting of the reduced hours
4 of operation and the rear yard definition. He anticipates customers will pull into his driveway for
5 loading/unloading leaving the roadway free for traffic. He said he has no plans for signage and
6 will only leave products inflated long enough for cleaning. He also explained the fan that inflates
7 the products is no louder than his air conditioning unit.

8
9 Chair Hirschi opened the public hearing. There was no comment. He closed the public
10 hearing.

11
12 Chair Hirschi made a **motion** for the Planning Commission to approve the conditional
13 use permit for the home occupation of Bleson Rentals LLC, allowing the rental of inflatable
14 recreation equipment located at 156 South 200 East, with the following conditions:

15
16 ***Conditions:***

- 17 1. This conditional use permit shall be for a home occupation inflatable rental business
18 located at 156 South 200 East.
- 19 2. The primary use for the home shall be maintained as a single-family dwelling.
- 20 3. Bleson Rentals shall only be operated by persons living within the dwelling unit;
21 where the home occupation is being conducted and meets the criteria for a "Family
22 Unit" found in Chapter 12-12 of the Ordinance.
- 23 4. The pick-up and drop-off of inflatable equipment by clients shall be conducted during
24 the hours of 8:00 a.m. and 9:00 p.m., and on all days of the week. The applicant shall
25 ensure that any renting of product during operating hours does not generate more than
26 10 vehicles per day.
- 27 5. Any outside display or the use of accessory or yard area for the home occupation and
28 the storage of products shall be prohibited; except for the cleaning and repair of
29 equipment found within yard provided; however, for the purposes of this condition
30 the detached garage shall be a permitted area for use or storage and the yard area used
31 for cleaning and repair of equipment will be defined as the area west of house and
32 garage but no further north of the northwest corner of the house.
- 33 6. If the applicant desires any future signage, they shall follow the guidelines found in
34 Section 12-54-080(b) of Zoning Ordinance in regards to signs allowed "By Right."
- 35 7. All prohibited signage called out in Section 12-54-070 of the Zoning Ordinance shall
36 not be allowed.
- 37 8. The applicant shall apply for and receive approval for a Centerville City Business
38 License prior to conducting business.

- 1 9. No product may be stored outside of the dwelling with the exception of the detached
2 garage.

3
4 ***Reasons for the Action (Findings):***

- 5 1. A complete application for a conditional use permit has been submitted [Section 12-
6 21-100(d)(1)].
7 2. The application meets the required established evidence for an approval of a
8 conditional use permit [Section 12-21-100(e)(3)(A-D)].
9 3. The request for a conditional use permit meets the factors to be reviewed and
10 considered for an approval [Section 12-21-100(e)(5)(A-K)].
11 4. The use of a home rental center for inflatable recreation equipment does not appear to
12 be detrimental to the surrounding community [Section 12-21-100(e)(5)(D-E, G, I-K)].
13 5. All development standards for a home occupation have been reviewed and satisfied
14 [Section 12-62-050(a-i)].
15 6. A use not listed on the home occupation approved listing of Section 12-62-040 is
16 subject to receiving a conditional use permit [Section 12-62-060].
17 7. All development standards for a home occupation with a conditional use permit have
18 been reviewed and satisfied [Section 12-62-070(a-d)].
19 8. The approval of a home occupation does not relieve a person from obtaining a
20 Centerville City Business License and other related agency approvals [Section 12-62-
21 050(a)].
22 9. If the applicant does not adhere to the conditional use permit, they may be subject to
23 having the permit revoked [Section 12-21-100(i)(1)(B)].
24

25 The motion was seconded by Commissioner Ince and passed by unanimous roll-call vote
26 (6-0).

27
28 **PUBLIC HEARING | LEGACY TRAIL APARTMENTS DEVELOPMENT -**
29 **Consider a Conceptual Subdivision plan for the Legacy Trail Apartments Development;**
30 **which consists of a mixed-use development allowing office, retail, gas/convenience store**
31 **uses, and multi-family dwelling units, to be located on the southwest corner of 1250 West**
32 **and Parrish Lane, in the C-VH/PD Zone. Fred Hale & Chad Salmon, Applicants.**
33

34 Cory Snyder, Community Development Director, reported the Legacy Trail Apartment
35 Development is a planned mixed-use project. The Planned Development Overlay Zone was
36 approved earlier this year and the applicant is now ready for conceptual subdivision approval.
37 Conceptual subdivision approval considers the layout of the project including placement of
38 residential uses, commercial uses, traffic circulation and accesses, trails/pathways, and
39 easements. Mr. Snyder reviewed the proposed conceptual subdivision application stating the

1 project meets the parameters as required by ordinance. He explained there are still issues
2 regarding the internal circulation system which will be resolved during preliminary and final
3 subdivision approvals. The applicant has done some work on the site including cleanup, soil
4 analysis and preloading of the site to ensure the site can support development. Staff believes the
5 conceptual subdivision plan is appropriate and recommends approval.

6
7 Chair Hirschi expressed concern regarding ownership of the land. He is hesitant to
8 approve an application without more indication that the property has been secured. He also asked
9 about the plans for the right-hand turn pocket on 1250 West.

10 Mr. Snyder said the City has on record an affidavit from each property owner stating their
11 consent for the rezone application. The applicant will also be required, during the
12 preliminary/final subdivision processes, to prove sufficient control of the property. This is not a
13 requirement of the conceptual subdivision approval process. In addition, the applicant will be
14 required to list all owners on the construction title and within the CC&Rs. The title and
15 covenants will also contain the construction and maintenance requirements for the roadways.

16 Mr. Snyder explained the applicant has two (2) options with the right-hand turn pocket
17 designed to feed traffic off Parrish Lane southbound onto 1250 West into the corner lot
18 convenient store. The applicant may choose to have the right-hand turn pocket take up space
19 traditionally used for park strip and sidewalk or adjust the property to the west providing
20 additional space for the park strip and sidewalk. Mr. Snyder reviewed the sidewalk crossings,
21 accesses, and internal traffic circulation. He explained the development plan will be designed in
22 a way to provide sufficient access and circulation for each developing phase. Development plans
23 will also include private vs. public improvements and dedications. The applicant and City
24 Engineer will deal with these issues during the next steps of approval.

25
26 Fred Hale, applicant, said the architectural drawings, site engineering, and landscape
27 plans are nearly complete. He said the site has been cleaned, the soil condition is currently under
28 review and the preloading is nearly finished. He explained there are three (3) property owners
29 and the property acquisition contracts are in place. He reviewed the access points and internal
30 circulation stating UDOT is accepting of the accesses as presented.

31
32 Chair Hirschi opened the public hearing. There was no comment. He closed the public
33 hearing.

34
35 Commissioner Merrill made a **motion** for the Planning Commission to accept the
36 conceptual subdivision plans for the Legacy Trail Subdivision, with the following directives to
37 be completed or submitted for further consideration, as part of the next subdivision application:

Directives:

1. In accordance with the City's Subdivision Ordinance, the applicant must prepare and submit an application for preliminary subdivision approval.
2. In accordance with the City's Subdivision Ordinance, the applicant must prepare and submit a preliminary subdivision plan, as outlined in the City's Subdivision Ordinance.
3. The preliminary subdivision plan submittal must address the design and construction of the required internal cross-access and circulation system. Such design and construction plan needs to ensure that each phase or lot to be developed can function in its entirety without the need to rely on an adjacent or other phase to be developed within the project.
4. For the master trail/pathway system, UDOT, the City, and applicable off-site owners need come to a written agreement about the design, funding, construction, and maintenance of this system improvement. Such agreement is to be submitted with the preliminary subdivision plans and may include a memorandum of understanding or other written method deemed acceptable to the City and the related parties.
5. As part of the master trail/pathway system (*being a public improvement*), a landscaping design component must be prepared and submitted. This needs to be completed in order for such improvements to be installed as part of the subdivision improvements.
6. The small parcel along Parrish Lane that is being dedicated to UDOT, must be addressed with the preliminary plans. It is not clear if this is being done prior to or as part of the subdivision plat.
7. The right-turn pocket for 1250 West is depicted; however, it appears that it comes at the consequence of eliminating a standard park strip. This was not approved in the original terms and conditions of the PDO approval (*see PDO Approval Condition #4*). Thus, there is a need to amend the PDO approval or correct the plans. The City Engineer needs to weigh in on this issue.
8. The PDO approval requires the use of "stamped designed pedestrian" crossing for all pathways intersecting drive approaches or circulation lanes (*see PDO Approval Condition #7 and Parrish Lane Gateway Design Standards, 12-63-060.3*). There are three (3) locations to be addressed: (1) the access at Parrish Lane for Lots 1 & 4; (2) the access for Lots 1 & 2; (3) and the 1250 West roundabout between Lots 2 & 3. The discussion needs to occur as to whether all or part of the crossings should be done now with the subdivision improvements or later with each site plan approval. In addition, the City Engineer needs to weigh in on this issue.
9. The applicant will need to coordinate the proposed subdivision construction plans with the City Engineer and applicable agencies to confirm utility service line

1 placement, storm drainage lines, fire service/protection issues, and other related
2 improvements. In addition to these other custom utility lines, the Subdivision
3 Ordinance requires a seven-foot (7') easement on all rear lot lines and on one (1) of
4 side lot lines.

5 10. As it has been discovered, there are significant amounts of debris and fill. These
6 discoveries and soil engineering recommendations need to be checked and
7 coordinated with the construction improvements for subdivision approval. The City
8 Engineer needs to weigh in on this issue as the subdivision construction documents
9 are prepared and submitted for preliminary and final subdivision approvals.

10 11. As part of the preliminary subdivision plan submittal, the applicants need to secure
11 permission or authorization from all legal owners of property within the proposed
12 subdivision or have executed purchase and ownership of the properties.

13 12. As part of the preliminary subdivision plan submittal, the applicants will need to
14 provide the required title reports for review by the City.

15
16 ***Reasons for the Action (Findings):***

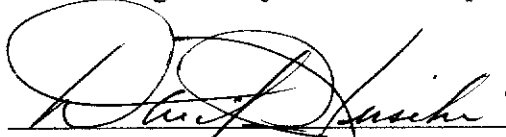
- 17 a. The Commission finds that the proposed subdivision is subject to the terms and
18 conditions of the PDO approval for the Legacy Trail Apartments Project.
19 b. The Commission finds that the submitted conceptual plans are sufficient in scope to
20 access the subdivision's probable compliance with the City's General Plan, Zoning,
21 Subdivision, and other applicable regulations adopted by the City.
22 c. The Commission finds that the directives provided address the adequacy for probable
23 compliance with the adopted regulations and provide needed feedback for preparing
24 and submitting a preliminary subdivision application.

25
26 The motion was seconded by Commissioner Johnson and passed by unanimous roll-call
27 vote (6-0).

28
29 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- 30
31 1. The next Planning Commission meeting will be Wednesday, August 13, 2014.
32 2. ADU Panel Discussion to be held on July 30, 2014 at 7:00 p.m.
33 3. Upcoming Agenda Items
34 • Gas Station located at 1101 South Main, Conditional Use Permit
35 • Apiaries/Beekeeping
36 • West Centerville General Plan
37 • Transit-Oriented Development (TOD) District, Text Amendment
38

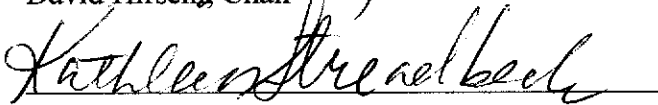
1 The meeting was adjourned at 8:50 p.m.
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3

4 

5 David Hirschi, Chair

8-13-2014

Date Approved

6 

7 Kathleen Streadbeck, Recording Secretary
8



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, July 23, 2014
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

DAVID WILLIAMSON
Shawna/Garmon

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the Planning Commission meeting.