

Chair Hirschi asked if the applicant wished to speak. Brent Petersen said he was representing Loren Pankratz because he was stuck in traffic. Mr. Petersen said members of the congregation are already discussing the creation of parking teams to make sure that parking is handled efficiently. He said the Church has contracted with adjacent businesses to use additional parking spaces and that will provide more than enough parking. Chair Hirschi asked approximately how many cars are parked at the church in their present location. The applicant said it is between 60 and 90 cars. The applicant said Sunday mornings will be the only time that extra parking spaces will be needed. He said the rest of the week there should only be 3 people in the building running the office and the children's ministry.

At 7:28 p.m. Chair Hirschi opened the public hearing. Seeing no one wishing to speak, he closed the public hearing at 7:28 p.m. Chair Hirschi opened the matter for discussion. Commissioner Johnson asked Staff if the City's parking code underestimated the parking need for this building. Director Snyder said yes there is a shortfall. He explained that in the case of church or place of worship use, the City's code calculates the amount of parking based on the size of the assembly area.

City Attorney Lisa Romney said she is concerned because this is a 10,000 square foot building and using just the assembly space to calculate the required parking leaves 7,000 square feet that is not included in the parking calculation. She thinks this is a significant loophole in the City's code and the City should look into it further. Chair Hirschi asked how the City calculates parking for all the other churches in Centerville. Mr. Snyder said the parking for all churches is calculated using assembly space, which in most cases includes expanded space such as cultural halls. He said in this case the parking shortage could be mitigated through the CUP process.

Commissioner Wright made a **MOTION** for the Planning Commission to accept the Conceptual Site Plan for the Bridge Community Church to be located at 1284 West 75 North, with the Conditions (1-4) and Reasons for the Action (a-e) stated in the Staff Report. The motion was seconded by Commissioner Helgesen.

Chair Hirschi asked if there was any additional debate. Commissioner Johnson said he is in favor of the motion and likes the idea of mixed use in the area. Because the uses are on different days of the week, he feels the conditional use tool has a good chance of mitigating the issues. However, he concluded, the CUP tool may not be the most effective way of handling the problem.

Commissioner Hirst said she supports the application but asked, for example, what happens in January when there is a big snow storm and the shared parking areas do not get plowed on Sunday morning? Director Snyder said that is a good example of the type of question that would best be taken up in the conditional use debate. Hearing no further discussion, Chair Hirschi called for a vote and the motion passed unanimously (7-0).

CONDITIONS

1. A final site plan application shall be submitted addressing the submittal criteria of CZC 12.21.110(e)(2) of the Zoning Ordinance.
2. A tabled consideration of a conditional use permit for the Church or place of worship may also accompany the Final Site Plan submittal.
3. The site plan and revised parking shall be limited to a single-land use of a Church or place of worship. Any desire to create a multiple use or multi-tenant use shall be subject to a different approval in accordance with any applicable development standard or regulation.

4. Obtain a use approval for a Church or place of worship through a separate Conditional Use Permit.

REASONS FOR THE ACTION

- a) The conceptual site plan submittal has adequately shown how the property may be developed, as per CZC 12.21.110.d.2.
- b) In this nonconforming case, the site plan amendment is limited to meeting or satisfying the parking and loading requirements (*see CZC 12.52.050*) for the proposed change of use to a "Church or Place of Worship."
- c) The amendment to the parking is rightfully subject to the Commission's review to determine if the parking and loading areas provided satisfies the parking and loading requirements, as part of an amended site plan approval, see CZC 12.52.050.
- d) The other non-assembly uses are limited to supporting the assembly use and will not be leased or operated other than for worship activities.
- e) A Church or place of worship is a use requiring a CUP approval in the I-H Zone.

PUBLIC HEARING – CONCEPTUAL SITE PLAN – ADMINISTRATIVE DECISION, Consider the proposed Conceptual Site Plan for an accessory building at 215 West 1850 North. Kathy Goodfellow and Mary Tullius, Applicants

Assistant City Planner Younger said this application is very similar to a Conceptual Site Plan approved several weeks ago for the Bleaks. The application requests approval to build a garage accessory building. The Goodfellow/Tullius applicant acquired a parcel located behind their house that was outside of a plotted subdivision, and they have legally combined the two parcels. In May, the City Council accepted the Revocable Encroachment License and Maintenance agreement giving the Bleaks and Goodfellow/Tullius households access to their properties from a driveway on 170 West.

Chair Hirschi suggested grammatical edits to Condition 5 in the Staff Report. He invited the applicant to speak. Kathy Goodfellow said they want to build a garage on the newly acquired land behind their home and landscape the entire area. She said the garage will be used for residential storage.

At 7:42 p.m. Chair Hirschi opened the public hearing.

Terry Bleak thanked the Commission for its help in building his garage and improving his lot. He said he is excited his garage is almost complete, and he is excited for Mary and Kathy to get their garage built. Seeing no one else wishing to speak, Chair Hirschi closed the public hearing at 7:43 p.m.

Chair Hirschi made a **MOTION** for the Planning Commission to accept the Conceptual Site Plan for the proposed residential development for an un-platted parcel that has been combined with a home located at 215 West 1850 North with Conditions (1-4) as stated in the Staff Report, Condition 5 as amended, and Reasons for the Action (a-c) from the Staff Report. Commissioner Helgesen seconded the motion. The motion passed unanimously (7-0).

CONDITIONS

- 1. The applicant must submit a final site plan application meeting the standards found in CZC 12.21.110.e of the Ordinance.

2. The owners are to prepare the required legal descriptions for one seven (7) foot side yard and one seven (7) foot rear yard easement(s). Such easement descriptions are to be reviewed by the City Engineer and deemed acceptable.
3. The final site plan must show all utilities being provided to the site and obtain the necessary "will serve" letters from any of the applicable utility providers.
4. The owners will also be required to pay any development fees that may be applicable for the development of this lot.
5. As part of the Final Site Plan submittal, a grading and drainage plan is to be prepared and submitted with the application. Such plan is to be deemed acceptable by the City Engineer.

REASONS FOR THE ACTION

- a) The applicant has clearly shown how the property may be developed [CZC 12.21.110.d.2].
- b) Applicable utility services and easements are required for residential development [CZC 12.21.110.e.2.iii.d & CMC 15-5-106(8)].
- c) A final site plan application is required for completing the process to obtain approval to construct an accessory dwelling on un-platted parcels [CZC 12.21.110.e].

PUBLIC HEARING – CONCEPTUAL SITE PLAN – ADMINISTRATIVE DECISION, Consider the proposed Conceptual Site Plan for an accessory building at 315 East 1825 North, Kim Samuelson, Applicant

Director Snyder said Dr. Samuelson wants to construct a new accessory garage at his home. He has acquired an un-platted parcel of land adjacent to the original home lot and combined the land together into a single parcel (as allowed by state law). However, the added parcel remains outside of the platted subdivision boundary and it was not part of the original lot when the home was constructed. According to CZC 12.21.110.c.2, "any residential development outside a platted subdivision" is required to obtain a Site Plan Review from the Planning Commission. The purpose of this review is to require the necessary lot easements, ensure proper establishment of needed utility services, and payment of any applicable development impact fees.

Director Snyder said the lot is located on the hillside which means additional development reviews are required. He said at some time in the past there has been a cut on the property which has created a sluff-off to adjacent property. Staff's meetings with the applicant have included discussions about how to repair that damage with a retaining system. Director Snyder said the adjacent property owner will need to be in agreement with the repair plan in order for the Final Site Plan to be approved. He said there are also easements, impact fees and an extension of the road frontage and sidewalk that are required. Director Snyder said it is Staff's opinion that the sidewalk be installed at the property owner's cost. He said it is the preliminary opinion of the City Engineer that no further geologic study is needed for the construction of an accessory building.

Chair Hirschi invited the applicant to speak. Dr. Kim Samuelson said he originally bought 3 acres of property and had the home built on one acre. He said the sidewalk was never installed by the builder, but he was told at that time, approximately 25 years ago, that there was a bond to cover sidewalk installation. Now he is being told that bond has been spent on other things. He said he feels forced to pay for the installation of a sidewalk in order to install a barn (accessory garage), and he feels he has already paid for the sidewalk. Additionally, he said he paid \$350 to get easements recorded and he wonders if he will get a refund. He said he is surprised to hear about an additional storm drain fee.

At 8:01 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to speak, he closed the public hearing at 8:01 p.m.

Commissioner Johnson asked Staff to explain the City's role in public improvements. Director Snyder said the ordinance requires public sidewalk improvements to be installed at the time of development. He said the applicant can make an application to the City Council under the Delayed Improvement Agreement and request a delay of the sidewalk installation. Chair Hirschi asked if there may be any County records regarding earlier agreements with Dr. Samuelson. Director Snyder said the City Engineer's preliminary position is that the earlier bond did not cover the sidewalk. He said that question should be resolved before the Final Site Plan application.

Chair Hirschi asked Staff to explain the Storm Drainage Management System that is part of the Hillside Ordinance. Director Snyder said the City adopted a Storm Drainage Management System with a fee that is pro-rated according to acreage and is applied to all properties. He believes there is a relief mechanism for the fee if the applicant wants to go before the City Council.

Commissioner Helgesen made a **MOTION** for the Planning Commission to accept the conceptual site plan for the proposed accessory building development for an un-platted parcel, that has been combined with home located at 318 East 1825 North, with the Conditions (1-9) stated in the Staff Report and the Reasons for Action (a-d). The motion was seconded by Commissioner Hayman and it passed unanimously (7-0),

CONDITIONS

1. The applicant must submit a final site plan application meeting the submittal requirements of CZC 12.21.110.e of the Zoning Ordinance.
2. The required legal descriptions for one seven (7) foot side yard and one seven (7) foot rear yard easement(s) are to be reviewed and deemed acceptable by the City Engineer.
3. The site plan depicting a setback of 50 feet from an inferred fault from the USGS Map is to be deemed acceptable by the City Engineer.
4. The final site plan lists all utilities being provided to the accessory building and obtains the necessary "will serve" letters from any of the applicable utility providers, and more specifically from the South Davis Metro Fire District.
5. The applicant must obtain permission from the adjacent property owner to rectify the slope cut on the adjacent parcel, as deemed acceptable by the City Attorney.
6. As part of the Final Site Plan submittal, a SWPPP shall be added to the grading and drainage plan and such plan is to be deemed acceptable by the City Engineer and the Drainage Utility Manager.
7. The use of building colors are to blend harmoniously with the natural settings of the hillside and be compatible with the colors of the existing home.
8. The applicant/owner of parcel must sign an acknowledgment of hazards and risk associated with land use in this area prior to the issuance of a building permit for any dwelling or accessory building.
9. The applicant/owner will be required to pay any development fees that may be applicable for the accessory building development of this lot.

REASONS FOR THE ACTION

- a) The applicant has shown how the property may be developed [CZC 12.21.110.d.2].
- b) Applicable utility services and easements are required for residential development [CZC 12.21.110.e.2.iii.d & CMC 15-5-106(8)].

- 1 c) A final site plan application is required for completing the process to obtain approval to
2 construct an accessory dwelling on un-platted parcels [CZC 12.21.110.e].
3 d) The development standards and provisions set forth in the overlay zone are required in
4 connection with all building and construction in the Hillside Overlay Zone [CZC 12.53].
5

6 **PUBLIC HEARING – REQUEST FOR RECONSIDERATION – ADMINISTRATIVE DECISION,**
7 **Request to reconsider the Conceptual Site Plan for Quick Quack Car Wash at 518 North 400 West,**
8 **Dallas Hakes, Applicant**
9

10 Assistant City Planner Younger said that on June 28th the Planning Commission reviewed
11 and recommended approval for a Conceptual Site Plan for Quick Quack Car Wash at 518 N 400
12 West, adding Condition 6, that the project must comply with the Parrish Creek Design Guidelines,
13 due to its significant presence on Parrish Lane. The motion passed unanimously. On July 11th,
14 Quick Quack asked for reconsideration to comply with the Parrish Creek Design Guidelines.
15

16 Chair Hirschi made a **MOTION** for the Planning Commission to reconsider the
17 Conceptual Site Plan of Quick Quack Car Wash at 518 N 400 West. The motion was seconded by
18 Commissioner Johnson. The Commissioners engaged in a discussion about the suitability of the
19 Parrish Lane Design Guidelines on this application. City Attorney Lisa Romney suggested it
20 would be fair to let the applicant speak first about why the Planning Commission should
21 reconsider.
22

23 Joseph Earnest said he works with Lonestar Builders and as General Counsel for Quick
24 Quack Car Wash. He asked the Commission to reconsider the application of the Parrish Lane
25 Design Guidelines on the Quick Quack Car Wash for the following reasons:
26

- 27 • The location does not have “significant visual presence” along Parrish Lane
28 • The majority of the site is blocked by Dairy Queen, Beans and Brew, Jiffy Lube, and
29 Subway
30 • The site is going to be pushed back another 28 feet due to UDOT’s widening of 400 West
31 • Other nearby buildings have bright colors: Maverik, McDonalds, Chili’s, and Sonic
32 • The design standard’s use of the words “shall” or “should” allows discretion

33 In response to a question from Commissioner Daly about Sonic’s bright yellow colors,
34 Director Snyder clarified that the design guidelines apply to building materials, not signage. The
35 Commissioners voted on the motion to reconsider and it passed (4-3) with Commissioners Wright,
36 Hirst and Daly voting against.
37

38 Assistant Staff Planner Younger said the purpose of the Parrish Lane Design Guidelines is
39 to provide a cohesive, aesthetic look along the whole corridor. She said, for example, In-N-Out
40 Burger was required to comply with the design guidelines and it has less of a visual presence along
41 Parrish Lane than Quick Quack will have.
42

43 In response to a question from Commissioner Johnson, City Attorney Romney said the
44 primary issue before the Planning Commission is to decide if the site has a “significant visual
45 presence” along Parrish Lane. She said the issue of the “should” and “shall” language can be
46 decided at the time of the Final Site Plan application. She said the City’s guidelines say “materials
47 should harmonize with existing surrounding development” and the City has used that language
48 consistently to require muted colors. She said there is no mention in the guidelines of not allowing

primary colors. She said it is important to be consistent and her recollection was that Chili's, Sonic, In-N-Out Burger and Dairy Queen all toned down their colors.

Several Commissioners added their opinions that the design guidelines should be applied because

- The location has a "significant visual presence"
- The approval should be consistent with past approvals by the Planning Commission
- The color guidelines apply only to building materials, not signage
- Pedestrian-friendly streetscape portion of the guidelines are important
- The site is "part of a larger project" as stated in the guidelines

Commissioner Daly made a **MOTION** for the Planning Commission to accept the conceptual site plan of Quick Quack Car Wash at 518 North 400 West with Conditions (1-6) stated in the Staff Report, with Condition 6 being "the applicant shall abide by and be subject to the Parrish Lane Design Guidelines due to the finding of "significant visual presence" on Parrish Lane by the Planning Commission, and with Reasons for the Action (a-d). The motion was seconded by Commissioner Hirst.

Chair Hirschi said he was not convinced the location necessarily has a "significant visual presence" along Parrish Lane. He said, however, other aspects of the guidelines are important for that intersection. The motion passed (5-2) with Commissioners Hirschi and Johnson voting against.

CONDITIONS

1. A cross-access or shared access agreement for the private drive to the north of the property with Colonial Lumber is provided and verified.
2. If necessary, a cross-access agreement with Dairy Queen shall also be provided and recorded with the County.
3. The escape lane from the car wash is adjusted as to not conflict with the vacuums or parking.
4. A traffic study shall be completed before the Final Site Plan submission to determine the suitability of the shared accesses, turn radius, and circulation of the site.
5. Final Site Plan shall be submitted in accordance with CZC 12.21.110.e.
6. The applicant shall abide by and be subject to the Parrish Lane Design guidelines due to the finding of significant visual presence on Parrish Lane by the Planning Commission as defined in CZC 12.63.020.

REASONS FOR THE ACTION

- a) A complete conceptual site plan application has been submitted [CZC 12.21.110.d.1].
- b) A conceptual site plan is not intended to permit actual development of property, merely to represent how the property may be developed and does not create any vested rights to develop [CZC 12.21.110.d.5].
- c) The use of "car wash" is a permitted use in C-VH Zones. [CZC 12.36.040]
- d) The property and its development will have a significant visual presence on Parrish Lane due to its proximity to Parrish Lane, Dairy Queen and the Performing Arts Center, and due to the proposed height of the building and the size of the Parrish Lane intersection.

PUBLIC MEETING - SOUTHEAST COMMUNITY PLAN – SCENARIOS, Discussion of land use planning scenarios within the Pages Lane Commercial District.

Chair Hirschi thanked Staff for the emailed report on potential scenarios for the Southeast Pages Lane development. Director Snyder said the City Council is planning a Work Session for August 15 that is motivated, in part, by the Planning Commission's discussions regarding these scenarios, cemetery issues and the Island View Park grant.

Director Snyder said the City Council has asked City Manager Steve Thacker and the Park and Recreation Director to provide relevant details about the Island View Park grant and trust. He said this also involves the Parks and Recreation Committee. He said the City Council asked if a feasibility study was necessary.

Director Snyder presented his three scenarios and preliminary numbers for potential development in the southeast area. He cautioned against presenting the numbers to interested stakeholders because the estimates are preliminary.

Scenario 1 – Commercial & Park

- Commercial Use Node

- Zoning District (Choose One):

- Commercial –High (Existing) - 50,000 sq. ft. Bldg. Size Limit
 - Commercial—Medium (Change) - 10,000 sq. ft. Bldg. Size Limit

- Land Valuation: \$ 2,876,375.00 (estimated)

- Park Use Node

- Land Valuation: \$ 1,725,825.00 (estimated)

- Improvement Cost (est.)

- \$ 653,400.00 (Green Space Only), and
 - \$ 74,000.00 (Typical Playground), or
 - \$ 180,000.00 (Pavilion/Restroom), or
 - \$ 250,000 (Skate Park)

Scenario 2 – Residential/Park Partnership

- Residential Use Node

- Zoning District:

- Residential—Medium (Multi)
 - 4 Dwellings/Acre Permitted (28)
 - 8 Dwellings/Acre Conditional (56)
 - Land Valuation: \$ 4,026,925.00 (estimated)

- Private/Public Park Partnership

- Est. Generated Park Impact Fees (7 acres Residential Re-development):

- Residential—Medium (Multi)
 - \$ 57,596.00 (Permitted)
 - \$ 115,192.00 (Conditional)

- Land Valuation: \$ 575,275 .00 (estimated)

- Improvement Cost (est.)

- \$ 217,800.00 (Green Space Only)
 - \$ 250,000 (Skate Park) or
 - \$ 74,000.00 (Typical Playground)

Scenario 3 – Mixed Use

- Commercial Use Node Zoning District (Choose One)
 - Commercial –High (Existing) - 50,000 sq. ft. Bldg. Size Limit
 - Commercial—Medium (Change) - 10,000 sq. ft. Bldg. Size Limit
- Land Valuation: \$ 862,912.50 (estimated)
- Residential Use Node Zoning District (Choose One)
 - Residential – Low (Single-Family) - 4 Dwellings/Acre Limit
 - Residential—Medium (Multi)
 - 4 Dwellings/Acre Permitted
 - 8 Dwellings/Acre Conditional
 - Land Valuation: \$ 2, 013,462.50 (estimated)
- Park Use Node
 - Est. Generated Park Impact Fees (3.5 acres Residential Re- Development)
 - Residential – Low (Single-Family) \$ 28,798.00
 - Residential—Medium (Multi) \$ 28,798.00 (Permitted)
 - \$ 57,596.00 (Conditional)
 - Land Valuation: \$ 1,725,825.00 (estimated)
 - Improvement Cost (est.):
 - \$ 653,400.00 (Green Space Only)
 - \$ 74,000.00 (Typical Playground)
 - \$ 180,000.00 (Pavilion/Restroom)

In response to a question from Commissioner Hayman, Director Snyder said he did not include an estimate on splash pads or fountains because the short time frame did not allow for research into associated plumbing and pump costs. Director Snyder said pickleball courts are popular now. In response to a question from Commissioner Wright, Director Snyder said tennis courts can be converted into pickleball courts and that the City has been asked by Bountiful City to share court space for their pickleball overflow.

Commissioner Hayman expressed her preference for a large neighborhood park instead of 3 acre. She said Commissioners Hirst and Daly shared their view in a previous meeting that the city is under-parked. Director Snyder said he is concerned about the doing anything that would devalue the property or become a takings issue.

Chair Hirschi suggested the takings issue may be avoided by forming a committee to arrive at a consensus approach. He suggested the committee be a public/private partnership of stakeholders, potential developers, property owners, neighbors, business owners, the City Council, and the Planning Commission. Chair Hirschi cautioned, however, there is risk in delay because property owners may not wait and the City may end up with storage facilities or other uses that are not preferred. He recommended a holistic approach plus continuing action.

Staff and several Commissioners agreed to proceed with their plan to hold a Business and Property Owner Work Session at 7 p.m. on August 9 at the next regular meeting of the Planning Commission. It was suggested the Work Session be the first item of business and the review and approval of the minutes be moved to the end of the meeting. Director Snyder said he will send notification of the Work Session to the same list of stakeholders used for the last public forum on this topic.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

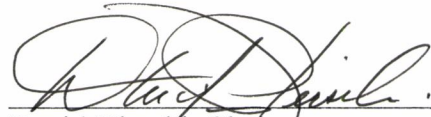
- Parrish Creek Business Park
- Legacy Commons, Wright Development

CITY COUNCIL ACTIONS REPORT

- Incentive for Historic Landmarks Register
- Porter Lane Re-Zone

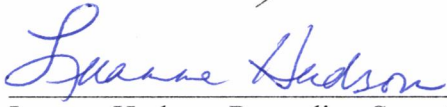
ADJOURNMENT

Commissioner Wright made a **MOTION** to adjourn. Commissioner Hirst seconded the motion, which passed unanimously (7-0). The meeting adjourned at 9:33 p.m.

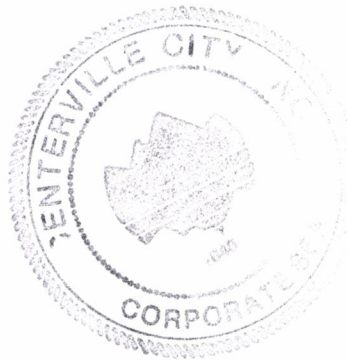


David Hirschi, Chairman

8-9-2017
Date Approved



Luanne Hudson, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, July 26, 2017
7:00 p.m.

NAME (PLEASE PRINT)

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** 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.