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2 **PLANNING COMMISSION MINUTES OF MEETING**

3 **Wednesday, July 27, 2016**

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 7:00 p.m.

8
9 **MEMBERS PRESENT**

10 Kevin Daly

11 Becki Wright

12 Logan Johnson, Vice Chair

13 Cheylynn Hayman

14 Scott Kjar

15
16 **MEMBERS ABSENT**

17 David Hirschi, Chair

18 Gina Hirst

19
20 **STAFF PRESENT**

21 Cory Snyder, Community Development Director

22 Brandon Toponce, Assistant Planner

23 Lisa Romney, City Attorney

24 Kathy Streadbeck, Recording Secretary

25
26 **VISITORS**

27 Interested Citizens

28
29 **PLEDGE OF ALLEGIANCE**

30
31 **OPENING COMMENT/PRAAYER**

Kevin Daly

32
33 **MINUTES REVIEW AND APPROVAL**

34
35 The minutes of the Planning Commission meeting held July 13, 2016 were reviewed and
36 amended. Commissioner Daly made a **motion** to approve the minutes as amended. The motion
37 was seconded by Commissioner Wright and passed by unanimous roll-call vote (5-0).

38
39 **PUBLIC HEARING | GENERAL PLAN AMENDMENT FOR THE WEST**
40 **CENTERVILLE NEIGHBORHOOD PLAN - Consider the General Plan Amendment**
41 **regarding Section 12-480-6, West Centerville Neighborhood Plan, Goal 1, Objective 1.I,**
42 **reconsidering whether the I-VH (Industrial-Very High) Zoning District should continue in**
43 **the future for this neighborhood. Centerville City, Applicant.**
44

1 Brandon Toponce, Assistant Planner, reported the Planning Commission and City
2 Council have been concerned that the intensity of uses allowed within the Industrial-Very High
3 (I-VH) Zone are no longer in harmony with the future of the West Centerville Neighborhood. At
4 a previous work session (March 23, 2016) the Commission and Council discussed the idea of
5 eliminating the I-VH Zone. During the work session concerns were raised that the I-VH uses
6 conflict with future desires and that a continued mixture of office space, residential,
7 entertainment, and business space may be best for West Centerville. Mr. Toponce reviewed the
8 current policies for the West Centerville Neighborhood and the definition for the I-VH Zone. He
9 also reviewed current existing uses and businesses within the I-VH Zone and how they may be
10 affected by a change to the ordinance. He also reviewed possible impacts to the current
11 surrounding mixed-uses if I-VH is maintained. Given the recent development of commercial and
12 residential in West Centerville, staff agrees the I-VH Zone may no longer be feasible. The
13 elimination of the I-VH Zone may help enhance the perceived value of the West Centerville and
14 West Bountiful neighborhoods. It will also encourage future development that is more
15 compatible with existing and desired future development. Mr. Toponce reviewed the proposed
16 amendment to the General Plan eliminating the I-VH Zone from the southeast area of the
17 Centerville Business Park District.

18
19 Cory Snyder, Community Development Director, said this is only step one of the process.
20 He explained the General Plan is a policy not an ordinance. Eliminating the I-VH Zone from the
21 General Plan simply shows a desire for future planning; it does not set a zoning map regulation.
22 To ultimately eliminate the I-VH Zone from West Centerville a Zone Map Amendment will need
23 to be completed. At this time, the City has not researched all the pros and cons of an amendment
24 to the Zoning Map and does not have a specific goal in mind. This is a process that requires
25 extensive study and planning. He said it could be argued that a General Plan amendment at this
26 time is premature because there is not a set Zoning Map plan as of yet. However, if the I-VH is
27 eliminated from the General Plan at this time then it would help discourage any future heavy
28 industrial uses from locating in West Centerville until a full zone map planning process is
29 completed or a better vision is foreseen as driven by the market. If the I-VH is eliminated the
30 default zone could fall to Industrial-High (I-H). Mr. Snyder discussed current uses within the I-
31 VH Zone. He explained there are a few businesses located in the I-VH Zone but that only one
32 (Syro Steel), to this knowledge, is conducting business in a manner consistent with the Heavy
33 Industry definition. The other businesses are less intense and their uses could possibly fall under
34 the I-H Zone. In this one instance (Syro Steel), eliminating the I-VH Zone would create a non-
35 conforming use after a Zone Map Amendment is completed. However, all the businesses within
36 the I-VH Zone have the right to use their property according to I-VH definition at this time.

37
38 Vice Chair Johnson opened the public hearing.

39
40 Mark Green said he has owned a business in the I-VH Zone in West Centerville since
41 1978. He said this is the fifth time the City has asked him to leave. He said his company has

1 supplied all the water pipes and road materials for the City over the years and he does not
2 appreciate being pushed out. He said I-VH should not be eliminated. He said the City talks about
3 negative impacts of the I-VH Zone, but he said it is him that has been negatively impacted by
4 current development. He said this is unfair and it won't matter if the I-VH Zone is stricken from
5 the books because it is clear that industrial uses are not wanted and there is no industrial business
6 that would relocate to Centerville given recent developments, i.e., residential and commercial
7 uses. He said the City has put him in a position where he cannot get a reasonable return on his
8 property. He felt it will take significant money to make his relocation possible and the City is
9 limiting his options. He agreed that his business no longer fits in West Centerville but he does
10 not appreciate being forced out of the City, nor does he appreciate that his property value is
11 being diminished. He said if Centerville wants him to go, then the City will need to think big and
12 encourage big money to move in.

13
14 Richard Rowe said his small business also resides in the I-VH Zone. He said his business
15 has served him well and he had hoped it would also provide him retirement once sold or
16 redeveloped, but if the I-VH Zone is eliminated then so is his retirement. He agreed that it
17 doesn't matter what the zoning designation is because Centerville has already made it clear to
18 industrial companies that they are not wanted. He said this makes it difficult to turn over a
19 business. He agreed it will take big incentives and big money to make any redevelopment
20 worthwhile. He asked the Commission to consider the negative effects this type of decision
21 makes on those that have been here for many years, who have put their blood, sweat, and tears
22 into Centerville, and not just those that might come in the future.

23
24 Bob Mason questioned what types of zones could replace the I-VH if eliminated. He said
25 the City claims there is not a plan for the West Centerville Zoning Map and yet it is listed as an
26 agenda item for the Planning Commission to discuss in a couple weeks. He said if there is not a
27 plan then the General Plan should not be amended at this time and if a zone map amendment
28 truly takes time to study then it should not already be listed on a future agenda.

29
30 Seeing no one else wishing to speak, Vice Chair Johnson closed the public hearing.

31
32 Mr. Snyder said a possible Zone Map Amendment discussion is already listed on a future
33 Commission agenda in order to meet noticing requirements. This was simply in anticipation that
34 the Council may direct the Commission to discuss this issue further after tonight's General Plan
35 decision moves forward to the City Council for final approval. The agenda item may or may not
36 move forward but the posting of the future agenda item will allow the beginning of the zone map
37 amendment process if needed. He reminded the Commission and the public that a Zone Map
38 Amendment will include additional public hearings and encouraged additional public comments
39 at those times.

1 Vice Chair Johnson clarified that tonight's decision is regarding the General Plan, a
2 future visionary policy. He said eliminating the I-VH from the General Plan simply shows that
3 Centerville no longer envisions I-VH in the future for this area. Mr. Snyder agreed. He said the
4 assumption is that the I-H Zone would replace the I-VH Zone until a map amendment process
5 can be completed. The City has yet to know what the best vision and subsequent zoning for this
6 area of the City would be. After research and discussions, it may be found that I-H is also not the
7 best vision for this area, this is the beauty of the process.

8
9 Lisa Romney, City Attorney, asked how the Syro Steel use is currently nonconforming.
10 Cory Snyder stated that they are not currently nonconforming. Ms. Romney then explained that
11 Syro Steel is a conditional use as a "heavy industrial" use in the Industrial Very-High Zone under
12 the current Table of Uses. So, even if Syro closed, another user could take over the use or apply
13 for a new condition use under current zoning. She also reminded the Commission that this is a
14 two-step process. Right now, the Planning Commission is only reviewing the proposed General
15 Plan amendment to eliminate language regarding Industrial Very-High uses and zoning in West
16 Centerville. Even if the General Plan amendment is adopted by the City, a separate application
17 would have to be processed and considered for any Zoning Map amendment to change the actual
18 zoning of the subject properties.

19
20 Commissioner Hayman agreed that West Centerville has changed in such a way that it is
21 clear that I-VH is no longer compatible nor desired. She questioned if the General Plan could be
22 amended at this time to clarify this vision but the Zone Map amendment put on hold until there is
23 a better understanding of what may be best in the future. She said this would allow current
24 property owners to continue as desired and perhaps give the City time to see where the market
25 may lead. Mr. Snyder said it is likely the Council will direct staff and the Commission to
26 continue on with the zone map amendment, but that process could lead to no changes.

27
28 Commissioner Kjar agreed it is clear that heavy industrial uses are no longer desired in
29 West Centerville and agreed it is not likely any industrial business would choose to locate here
30 even if allowed. In this regard, he questioned if it is even necessary to amend the General Plan at
31 this time. However, he also understands that amending the General Plan will help facilitate
32 possible future goals. He said he is sensitive to current property owners and wants to make sure
33 that any change is not prejudiced.

34
35 Lisa Romney, City Attorney, suggested that amendments should also be made to Section
36 12-430-3 of the General Plan. Cory Snyder responded that Section 12-430-3 is only addressing
37 existing conditions and that in his opinion no amendments are needed to this section.

38
39 Vice Chair Johnson made a **motion** for the Planning Commission to accept the General
40 Plan Amendment and recommend approval to the City Council regarding Section 12-480-6(1.I.),
41 as described:

1 **12-480-6(1.I.) Remove the Industrial-Very High Zoning District in the extreme**
2 **southeast area from this area of the Centerville Business Park District.**

3
4 ***Reasons for the Action:***

- 5 1. The proposed amendment meets the requirements found in Section 12-21-070(d) of
6 the Zoning Ordinance in relation to the general procedures.
7 2. The current use of Industrial-Very High was found to be incompatible to the
8 surrounding neighborhoods and to the future goals for the West Centerville
9 Neighborhood Plan [Sections 12-21-070(d)(vi), 12-480-6(1.)]
10 3. The proposed General Plan Amendment meets the approval standards found in
11 Section 12-21-070(e) and 12-21-060(a)(2)(A) of the Zoning Ordinance for a
12 comprehensive decision based on: incompatible development, does not promote the
13 public interest for future uses, does not promote the public interest or general welfare.
14 4. The remaining uses found within the I-VH Zone may continue to operate as is,
15 following the nonconforming standards in Chapter 12-22 of the Zoning Ordinance.

16
17 The motion was seconded by Commissioner Hayman.

18
19 Commissioner Wright said this issue feels a bit like a “cart before the horse” situation but
20 she also sees the value of providing a vision and a direction for future goals and planning.

21
22 Commissioner Daly agreed. He said it is clear this neighborhood is moving more and
23 more toward mixed residential and commercial uses. It is clear that industrial uses are no longer
24 desired but he too is sensitive to current property owners and their exiting uses. He said it seems
25 the proposed amendment to the General Plan will not negatively impact current property owners
26 and will allow them to continue.

27
28 Commissioner Hayman said she empathizes with the current I-VH property owners. She
29 said she would like to protect property rights and property values. She also sees the value in
30 amending the General Plan in order to provide direction in future planning.

31
32 Vice Chair Johnson called for a vote on the motion. The motion **passed** with 4-1 vote.
33 Vice Chair Johnson opposed.

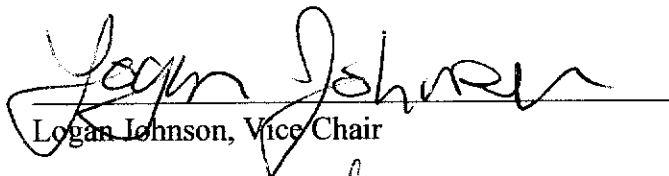
34
35 Vice Chair Johnson said he understands and agrees with both sides but chooses to err on
36 the side of current property owners.

37
38 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

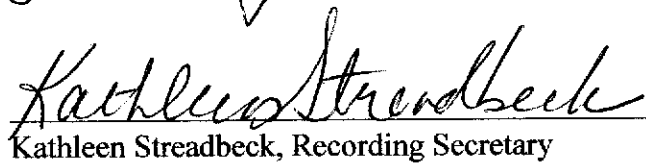
- 39 1. The next regularly scheduled Planning Commission meeting will be held on
40 Wednesday, August 10, 2016.
41 2. Upcoming Agenda Items:

- Zone Map Amendment for I-VH Zone in West Centerville Neighborhood
- Legacy Storage CUP & Final Site Plan
- Martha's Place (347 North 400 East) CUP & Conceptual Site Plan
- Steve Tate, Code Text Amendment to allow storage in C-H Zone

The meeting was adjourned at 8:15 p.m.


Logan Johnson, Vice Chair

8-10-2016
Date Approved


Kathleen Streadbeck, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, July 27th, 2016
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

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Debbie Rowe

" " "

Bob Masner

462 S. 675 W. CENTERVILLE

** 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.