

1
2 **PLANNING COMMISSION MINUTES OF MEETING**

3 **Wednesday, August 10, 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 David Hirschi, Chair

13 Logan Johnson

14 Cheylynn Hayman

15 Scott Kjar

16
17 **MEMBERS ABSENT**

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 Chuck & Conni Madsen

28
29 **PLEDGE OF ALLEGIANCE**

30
31 **OPENING COMMENT/LEGISLATIVE PRAYER**

Becki Wright

32
33 **MINUTES REVIEW AND APPROVAL**

34
35 The minutes of the Planning Commission meeting held July 27, 2016 were reviewed and
36 amended. Commissioner Johnson made a **motion** to approve the minutes as amended. The
37 motion was seconded by Commissioner Wright and passed by unanimous roll-call vote (5-0).
38 Chair Hirschi abstained from voting as he was not present at this meeting.

39
40 **PUBLIC HEARING | LEGACY CROSSING STORAGE | 150 NORTH 1250 WEST**
41 **- Consider the proposed Final Site plan and a Conditional Use Permit for a self-storage**
42 **facility (Legacy Crossing Storage) on property located at approximately 150 North 1250**
43 **West**
44

1 Cory Snyder, Community Development Director, reported the applicant has requested
2 this item be postponed until the August 24, 2016 Planning Commission meeting do to some
3 changes the applicant would like to make to the application.
4

5 **PUBLIC HEARING | MARTHA'S PLACE | 347 NORTH 400 EAST - Consider the**
6 **proposed Conceptual Site Plan and Conditional Use Permit for Martha's Place (formerly**
7 **347 Subdivision), on property located at 347 North 400 East, for the purpose of a multi-**
8 **family development; consisting of 1 tri-plex and 1 single-family dwelling. Chad Morris,**
9 **Applicant**
10

11 Brandon Toponce, Assistant Planner, reported the applicant previously received approval
12 for a flag lot on this property but has since decided to seek approval for a multi-family
13 development. The site plan indicates the existing single-family home will remain with a tri-plex
14 in the rear of the property. At this point, the applicant is still looking at options for both a one-
15 story and two-story tri-plex. This information will need to be submitted prior to final site plan
16 approval. The proposed development meets the goals of the General Plan and is allowed within
17 the Residential-Medium (R-M) Zone. This property is found within the Centerville Deuel Creek
18 Historic District which was created to encourage the preservation of the original Centerville
19 town site. This voluntary program does not prohibit any development by a property owner but
20 does provide some incentives if compatible development is maintained.
21

22 Mr. Toponce reported the proposed development meets applicable development standards
23 for the R-M Zone. The applicant will be required to submit a full landscape plan at final site plan
24 submittal. The applicant has met necessary requirements for parking, drive-isle, and turnarounds.
25 Staff recommends no parking signs be placed along the drive-isle to ensure property fire safety.
26 The property already shows existing fencing but the applicant will need to call out specific
27 location and type of fencing used. The South Davis Sewer District has verified that the existing
28 sewer lines are adequate to accommodate the proposed development. The applicant will need to
29 include a plan for an overhead telephone line located across Unit 1. The applicant will also need
30 to show all public utility easements as required and ensure appropriate fire protection as
31 approved by the Fire Marshal.

32 Mr. Toponce reviewed the conditional use permit application. The proposed development
33 would bring a total density of 7.6 units per acre. The R-M Zone allows a permitted maximum
34 density of 4 units per acre and a maximum of 8-units per acre with a conditional use permit. The
35 proposed development appears to be suitable for the area and in harmony with the majority of
36 surrounding uses. The tri-plex could have somewhat of a negative impact to the homes located
37 on the south which are in the Residential-Low (R-L) Zone. The proposed project is higher in
38 elevation than the homes to the south and it could feel as if the homes are rising above their
39 backyard. In order to mitigate this issue, the applicant will need to place a solid fence along the
40 south property line and plant additional trees along the north side of the fence. The proposed tri-

plex is permitted a maximum building height of 35 feet as are all residential uses in the R-M Zone. Another potential impact is traffic; however, staff does not see the increase of traffic from 3 additional dwellings as being significant on 400 East, which is considered a collector road. The applicant will need to show proper ingress, egress, and clear view from 400 East. Staff has received utility provider sheets showing adequate service to the site. The applicant will need to continue to work with City Staff in creating a drainage design that will not have a negative impact on the lower lots. This includes a berm, drainage swell and a new storm drain connection. The applicant will need to receive final approval from the City Engineer for the drainage plan.

Chad Morris, applicant, reviewed the site plan and responded to questions from the Commission. He said he has not yet decided if he will construct a garage for the existing home, but if he does it will be on the north side of the home and will share the proposed drive-isle. He explained he chose to change his plans from the flag lot once he fully understood the flag lot definition and realized this was a better option for maintaining the existing home. He said he is working with the Fire Marshal on the details and requirements for fire safety and explained where the fire hydrant will likely be placed. He said he is still debating between a single-story or 2-story building design. He said he envisions these units as smaller empty-nester type homes with main floor living. Mr. Morris said he does not yet have a plan for the fence and landscape buffer on the south property line but will install both as required. He said a large solid wall could also pose a negative impact to neighbors but he understands the concern and will buffer as needed.

Commissioner Hayman said she is concerned a 2-story structure could loom over neighboring properties and said she would like to see a significant buffer provided that could mitigate the possible bulkiness of this structure. She asked if there was a requirement for tree height. The Commission also discussed maximum building height.

Cory Snyder, Community Development Director, said there is a standard buffer requirement which includes both fencing and landscaping but it does not call out specifically what type of landscaping or height of landscaping. He explained this buffer is required on the south property line because it borders R-L, a different zoning district from the proposed site. Mr. Snyder said all homes within the R-M Zone are eligible for the 35-foot maximum building height. He cautioned the Commission not to lower the building height for this development because any neighboring structure could remodel and increase their height to 35 feet. This is the current standard. It is difficult to call out a negative impact for building height when all surrounding structures are allowed the same standard. He reminded the Commission to focus on mitigating the possible height with buffers, not by reducing the maximum height allowed. Mr. Snyder also discussed how redevelopment will help revitalize this area.

Chair Hirschi opened the public hearing.

1 Chuck Madsen said the applicant is being asked to mitigate negative impacts from the
2 neighboring property to the south, but what about him, the neighbor to the north. He said this
3 development will negatively impact his property as well. He said he does not want to see a large
4 drive-isle and traffic, let alone the large tri-plex. He said this will impact his privacy and create
5 noise and dust. He would like the applicant to install a 6-foot fence on the north property line as
6 well. He said the applicant's brother is looking to buy a neighboring property which could
7 potentially increase the size of this project. He is concerned this is just the starting point and this
8 negative impact will increase.

9
10 Conni Madsen said she is concerned this development will continue to grow as more
11 properties are purchased around it. She said this project has too many units for this property. She
12 said it doesn't matter what the zoning is, this development is too large for this area, and it is a
13 negative impact for those living in the area. She said it is not fair or right to allow this
14 development. She said no one on the Commission lives in the area and the Commission has no
15 idea how much of an impact this development will cause. She said she does not like what the
16 applicant is proposing with this property.

17
18 Seeing no others wishing to speak, Chair Hirschi closed the public hearing.

19
20 Chad Morris, applicant, said he grew up around the corner from this lot and he knows
21 very well what this area is like. He said he understands the concerns from neighbors and he will
22 mitigate as required but does not have a detailed plan as of yet. He said this area is mostly older
23 homes and is in need of revitalization. He believes his proposal will help rejuvenate this area and
24 bring value to surrounding properties. He said he is not planning a fence along the north property
25 line at this time. He also explained his brother did show interest in purchasing a neighboring
26 property, but he (the applicant), is not part of any purchasing plan, is not under contract to
27 purchase any other property, and does not plan to expand his project.

28
29 Mr. Snyder explained the application tonight is for this project alone. He said if any
30 future expansion was proposed it would require a new application and approval process. He also
31 explained the fence and landscape buffer is required on the south property line because it is a
32 different zoning district from the proposed development site. The property to the north shares the
33 R-M Zone designation, shares the multi-family use status, already has a significant setback
34 because it's the rear-yard, and has the ability to install their own fence if desired. However, if the
35 Commission finds a negative impact, i.e., noise, dust, headlights, etc., then mitigation measures
36 can be required.

37
38 Commissioner Wright expressed concern with the buffer on the north side. She would
39 like to see a detailed plan before any approval is granted. She questioned if the conditional use
40 permit could be tabled until a more detailed plan is submitted. This would give the Commission
41 a chance to review the fencing and landscape buffer for adequate screening.

1 Mr. Snyder said the conceptual site plan is just an idea of what might be possible and is
2 an acceptance reviewed by the Planning Commission, not approved. He said if the proposed plan
3 is substantially possible it should be accepted. The Commission can provide directives for the
4 final site plan approval process. He said the conditional use permit could be tabled until the final
5 site plan approval process. This would give the applicant time to submit greater details, including
6 the landscape plan, and give the Commission more information before final approvals. Lisa
7 Romney, City Attorney, agreed saying the conditional use permit can be tabled until greater
8 details are provided. Ms. Romney reminded the Planning Commission that conditions may only
9 be imposed on a conditional use application to mitigate established negative impacts of the
10 proposed use. In this case, a landscaped buffer may be required as a condition of approval of the
11 conditional use permit for additional density if a negative impact of the project is established.

12
13 Chair Hirschi agreed that tabling the conditional use permit at this time may be beneficial
14 to ensure adequate buffering. He said the Commission can then address negative impacts during
15 the final site plan process once all information has been submitted.

16
17 Commissioner Hirschi made a **motion** for the Planning Commission to table the
18 Conditional Use Permit until the final site plan approval process. The motion was seconded by
19 Commissioner Daly and passed by unanimous roll-call vote (6-0).

20
21 Commissioner Wright made a **motion** for the Planning Commission to accept the
22 Conceptual Site Plan for Martha's Place, located at 347 North 400 East, with the following
23 conditions:

24
25 **Conditions:**

- 26 1. Architectural renderings shall be submitted, clarifying the height of each building.
- 27 2. The applicant should address the design standards for the tri-plex as found within
- 28 Chapter 12.49 of the Zoning Ordinance.
- 29 3. A complete landscaping plan shall be submitted meeting the requirements for a multi-
- 30 family development as found within Chapter 12.51 of the Zoning Ordinance. This
- 31 landscaping plan shall address the requested additional trees on the south property
- 32 line and the vegetation found around the single-family home.
- 33 4. No parking signs shall be posted along the driveway to ensure adequate space for a
- 34 fire lane.
- 35 5. The final site plan shall indicate all new and existing fencing.
- 36 6. If the applicant desires to have signage for the project, this shall be indicated on the
- 37 final site plan and meet the requirements found in Chapter 12.54 of the Zoning
- 38 Ordinance.
- 39 7. Three public utility easements must be located on the site and depicted on the final
- 40 site plan, as follows:
- 41 a. 10-foot easement on the east property line adjacent to 400 East

b.7-foot easement along the south property line

c.7-foot easement on the west property line

All easements shall be accepted by the City Council and recorded at the Davis County Recorder's Office.

8. The applicant shall address the overhead telephone line with the proper utility company for relocation, burial or allowing the line to stay in place.

9. The location of the fire hydrant shall receive final approval from the City Engineer and the South Davis Metro Fire.

10. A final site plan shall be submitted following all applicable standards found in Section 12.21.110(e) of the Zoning Ordinance.

11. The applicant shall receive the approval of a conditional use permit for the density of 4 units; which includes the use of a single family dwelling.

Reasons for the Action:

a) The conceptual site plan submittal has adequately shown how the property may be developed [Section 12.21.110(d)(2)].

b) The development appears to satisfy the goals and objectives found within the Centerville City General Plan [Section 12-480-2(1)(b)].

c) The proposed conceptual site plan, with the directives given, appears to be capable of meeting applicable Development Standards for the R-M Zone.

d) A conditional use permit is required for a single-family development, and a multi-family use over 4 units per acre.

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

PUBLIC HEARING | CODE TEXT AMENDMENT | ALLOW CLIMATE CONTROLLED STORAGE IN VARIOUS ZONES - Consider the proposed Code Text Amendment regarding Section 12-12-040-Definitions, by adding "Climate Controlled Storage" and Chapter 12-36-Tables of Uses Allowed, by allowing "Climate Controlled Storage" in various zones; including C-H (Commercial-High) Zoning District. Steve Tate, Applicant.

Commissioner Johnson recused himself from this item because he has significant professional interest in this topic.

Cory Snyder, Community Development Director, reported the applicant desires to amend the City Zoning Ordinance to add a "climate controlled storage" to the Zoning Code Definitions and Table of Uses to allow this use in the Commercial-High (C-H) Zone. Currently, this type of use is not listed in Centerville's Zoning Ordinance. This is a petition to create a new use. Staff feels it is necessary to define this use differently than other storage uses. This use, if approved,

1 would be allowed across the city in all C-H Zones. If there is a potential to allow this proposed
2 use in the C-H Zone, the Commission ought to consider the possibility of allowing this use in the
3 Commercial-Very High (C-VH) Zone as well. Mr. Snyder explained staff remains neutral on this
4 new use because it could be viewed as both positive and negative with the same findings. He
5 reminded the Commission that the General Plan policies are a broad scope and said the proposed
6 amendments may be too specific. He explained there is a demand for such storage units and that
7 these types of facilities are rapidly growing across the county. However, he indicated it is not
8 clear this is something that Centerville wants. He also explained, at a minimum, the proposed
9 new use should be considered as a conditional use, not as a permitted use.

10
11 Chair Hirschi questioned if there is a way to allow this use under specific circumstances
12 and not as a broad use over all commercial zones.

13
14 Steve Tate, applicant, said his family purchased the Parrish Lane shopping square about
15 two years ago and he has personally lived in the area for the past eighteen years. He said, over
16 the past 18 years, he has watched this shopping square go from vibrant to run-down. He is now
17 looking for ways to utilize the space in a way that will help revitalize this shopping square. He
18 explained these types of shopping squares were poorly designed in a U-shape making the corner
19 spaces large with very little frontage. He said his corner units have only 36-inches of frontage,
20 which is the front door. He said the market states that the best types of uses for these odd spaces
21 are CrossFit gyms and climate controlled storage. He said his previous tenant was a CrossFit
22 gym but he lost that use to a new retail development. He said research shows that climate
23 controlled storage is the best option for these spaces. His plans include rear access to these units
24 with limited key card access during business hours only. He said the rear of this shopping square
25 is large and could easily accommodate traffic and parking. He believes this rear access will also
26 help police this area which is often used for questionable activities. He also believes the rear
27 access will help diminish traffic and parking problems that currently exist in the front of the
28 shopping square. Mr. Tate agrees the proposed use should be specific and limited and not used as
29 a broad commercial use. He said the language could include only those spaces with the limited
30 36-inch frontage. He is accepting of a strict definition and use requirements. He discussed the
31 high demand that exists for climate controlled storage units and explained there are a few
32 popping up in neighboring cities. He said he has even spoken with current tenants of his
33 shopping square who have already shown an interest in utilizing the proposed storage.

34
35 Chari Hirschi opened the public hearing.

36
37 Logan Johnson agreed there is great pressure within the real estate market for this type of
38 use especially on the east side of I-15. He said he does not believe that the conditional use
39 process is the best option for this type of use scenario based on past experience.

40
41 Seeing no others wishing to speak, Chair Hirschi closed the public hearing.

1 Commissioner Daly agreed there is a demand for this type of storage and he is nervous
2 because of it. He expressed concern with allowing this use across all commercial zones. He
3 discussed the Pages Lane commercial area. He said he would not want to allow a climate control
4 storage use on Pages Lane. He said that area is in need of redevelopment but it is not intended for
5 storage units. He said if this use is allowed across all commercial zones then this type of use
6 could pop up in several unwanted places. However, he did agree this is a good use for this
7 particular property owner and his situation.

8
9 Several members of the Commission agreed a broad use of a climate controlled storage
10 definition may not be the best option. They expressed concern with a big box store that
11 potentially goes dark which could use a broad application of this definition. Some Commission
12 members agreed a climate controlled storage definition should be strictly limited. The
13 Commission discussed several ideas for allowing this use on a very specific and strict basis
14 including licensing, frontage requirements, size restrictions, overlay zone, etc. A majority of the
15 Commission agreed this is a good use for some commercial spaces and this could help revitalize
16 some limited areas.

17
18 Mr. Snyder said the concern with Pages Lane is valid because it is not likely that area will
19 redevelop as a retail use. He said there is a goal to change the zoning of the Pages Lane
20 commercial district but its timing is unknown. If a climate controlled storage allowance was
21 granted it is possible the use may be utilized before a new zone was established on Pages Lane.
22 He said although a strict definition seems appropriate, it is difficult to allow spot uses because it
23 is unfair to similar property owners, which becomes a legal issue. He said an overlay zone may
24 be possible but would require research and several meetings for discussion. He explained the
25 difficulties associated with climate controlled storage, the currently non-conforming Parrish
26 Lane shopping square and the Parrish Lane Design Guidelines. He is unsure if the applicant is
27 willing to wait for a lengthy process, which may or may not yield the desired outcome.

28
29 Lisa Romney, City Attorney, said a text amendment is zone wide and by law should
30 provide all similarly situated properties the same rights.

31
32 Chair Hirschi said this is a difficult issue. He does not want to see Centerville turn into
33 the storage capital of Davis County but he agreed there is high demand for storage and this
34 seems a reasonable option for this particular situation. He mentioned Draper City created a
35 specific zone for climate controlled storage. He said he would like to explore an overlay option,
36 perhaps with relation to those commercial uses that do not conform to the Parrish Lane Design
37 Guidelines.

38
39 Mr. Tate said he would like to see where these discussions might lead. He said he is
40 willing to wait out the process if there is a possibility this use may be allowed. He said he already
41 has many contract restrictions with each of his tenants. He said he would be willing to limit this

1 use according to unit space as needed per tenant contracts. Mr. Tate agreed the Pages Lane area
2 will not redevelop as a retail site. He said he works within the retail marketing realm and there is
3 currently no interest in Pages Lane as a retail site. He is hopeful the City will find a new zone or
4 use that will help revitalize the Pages Lane area.

5
6 Chair Hirschi made a **motion** to table this matter with a directive to Staff to investigate
7 the possibility of an overlay zone for those areas within the Commercial-High Zone along
8 Parrish Lane that are nonconforming with the Pages Lane Design Guidelines and to also
9 investigate the possibility of a new zoning district. The motion was seconded by Commissioner
10 Wright and passed by unanimous roll-call vote (5-0).

11
12 Commissioner Johnson rejoined the meeting.

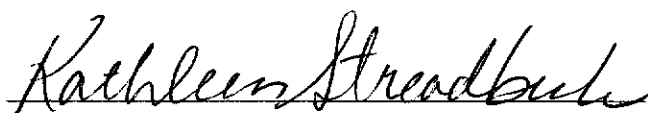
13
14 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

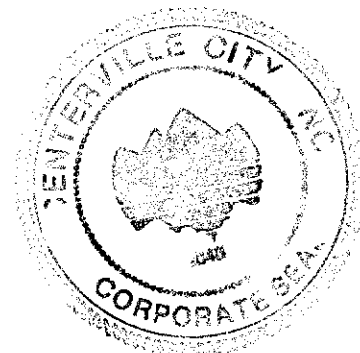
- 15 1. The next regularly scheduled Planning Commission meeting will be held on
16 Wednesday, August 24, 2016.
17 2. Possible Upcoming Agenda Items:
18 • West Centerville Neighborhood Plan, General Plan & Zone Map Amendment for
19 I-VH Zone
20 • Youngblood Storage, Conceptual Site Plan
21 • Legacy Crossing Storage, CUP & Final Site Plan
22 • Bartile Storage Sheds, Final Site Plan
23

24 The meeting was adjourned at 9:20 p.m.

25
26
27 
28 David Hirschi, Chair

8-24-2016
Date Approved

29
30
31 
32 Kathleen Streadbeck, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, August 10, 2016
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Connie + Chuck Madsen
Chad Morris

533 W. Valley Dr., Cent

** 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.