

1
2 **PLANNING COMMISSION MINUTES OF MEETING**

3 **Wednesday, August 26, 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 Gina Hirst

13 William Ince

14 Logan Johnson

15 Scott Kjar

16 Kevin Merrill

17
18 **STAFF PRESENT**

19 Corvin Snyder, Community Development Director

20 Brandon Toponce, Assistant Planner

21 Lisa Romney, City Attorney

22 Kathy Streadbeck, Recording Secretary

23
24 **PLEDGE OF ALLEGIANCE**

25
26 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Kjar

27
28 **MINUTES REVIEW AND APPROVAL**

29
30 The minutes of the Planning Commission meeting held July 8, 2015 were reviewed and
31 amended. Commissioner Ince made a **motion** to approve the minutes as amended. The motion
32 was seconded by Commissioner Hirst and passed by unanimous vote (6-0). Commissioner Kjar
33 abstained as he was not present at this meeting.

34
35 The minutes of the Planning Commission meeting held July 22, 2015 were reviewed and
36 amended. Commissioner Johnson made a **motion** to approve the minutes as amended. The
37 motion was seconded by Commissioner Hirst and passed by unanimous vote (4-0).
38 Commissioners Hirst, Kjar, and Merrill abstained as they were not present at this meeting.

39
40 **PUBLIC HEARING | MARK L. NELSON DENTAL BLDG | 782 W. PARRISH LN**
41 **- Consider proposed Conceptual Site Plan for the Mark L. Nelson Dental Building on**
42 **property located at 782 West Parrish Lane (Island Parcel - North of Iggy's), for the**
43 **purpose of constructing a new office building. Brett Kearney, JZW Architects, Agent.**
44

1 Brandon Toponce, Assistant Planner, reported the applicant desires to build a new office
2 building, to be used as a dental office, on the island parcel adjacent to Iggy's Sports Grill. The
3 applicant has submitted an application for a conceptual site plan approval. The proposed use is
4 permitted in the Commercial-Very High Zone and the proposed use and layout are supported by
5 the General Plan.
6

7 Mr. Toponce reviewed the site plan explaining the unique aspects of this site. The
8 proposed building meets the necessary development standards including setbacks and street
9 frontage requirements. The applicant proposes a 2-story building with a maximum 5,000 square
10 foot total (will require an amendment to the Development Agreement). This drop in square
11 footage will allow for additional parking, which is already tight on the lot. The parking
12 requirements can be met with the already established shared parking with Iggy's and the MTC
13 across the street. The applicant will be required to submit a final landscaping plan, a final
14 screening plan, and all necessary signage applications. The proposed site is located within the
15 Parrish Lane Gateway and design standards are applicable. The proposed site plan includes the
16 necessary architecture, articulation, and public amenities. Staff strongly encourages the applicant
17 to emphasize any area that may attract pedestrians to their establishment by using stamped-
18 colored concrete, enhanced landscaping, and benches. The applicant will be required to properly
19 grade and drain the site per the City Engineer's approval. The proposed water feature is an
20 appropriate enhancement to the site and additional details will be required during the final site
21 plan approval process. The City Engineer is requesting curbing as part of the parking
22 configuration to ensure parking stalls are appropriately designated. The applicant will be
23 required to submit a lighting plan including parking lot lights, and a streetscape plan including an
24 undulating berm along Market Place Drive.
25

26 The Commission discussed the parking arrangements including the shared parking
27 agreement and concerns regarding parking stops to ensure there is no thru traffic. Concerns were
28 also raised about cars backing into drive lanes. The Commission also discussed the possibility of
29 including additional landscaping instead of parking stops. Mr. Snyder explained the proposed
30 parking configuration is different than what currently exists. The applicant is leasing these
31 parking spaces from Iggy's and will need to request any changes from Iggy's. He said the
32 parking stops will control thru traffic and that additional landscaping is not likely. He also said
33 the proposed configuration will provide a greater backing distance for vehicles than what
34 currently exists.
35

36 Lisa Romney, City Attorney, explained the island parcel was originally part of a
37 Redevelopment Agency (RDA) project and there are several governing documents that apply to
38 this site. This applicant will be required to seek approval from the RDA for this proposed
39 development. In addition, all governing documents will need to be amended and agreed upon.

1 She said the RDA will also complete the necessary steps to review and approve the applicants
2 request to diminish the maximum square footage for the building from 6,000 to 5,000.

3
4 Brett Kearney, applicant, addressed the issue of parked vehicles backing into traffic
5 lanes. He said the proposed design actually reduces that risk from what is currently provided.

6
7 Chair Hirschi opened the public hearing. Seeing no one wishing to speak; he closed the
8 public hearing.

9
10 Commissioner Merrill made a **motion** for the Planning Commission to accept the
11 conceptual site plan for the Mark L. Nelson Dental Office, to be located at 782 West Parrish
12 Lane, and render the following directives:

13
14 ***Conditions:***

- 15 1. A final site plan application shall be submitted following the criteria found in Section
16 12-21-110(e)(2) of the Zoning Ordinance.
- 17 2. A storyboard depicting the final colors and materials shall be submitted with the final
18 site plan application.
- 19 3. Clarification on the structures total height shall be identified on the final sketches.
- 20 4. Proposed sign locations on the final plans shall be indicated.
- 21 5. A lighting plan shall be submitted indicating all parking lot and wall-mounted
22 lighting.
- 23 6. All easements and utilities shall be shown on the final site plan.
- 24 7. The applicant shall work with the City Engineer and Public Works Director
25 concerning curbing or other device within the southeast parking lot.
- 26 8. A final landscaping plan shall be submitted following all applicable standards found
27 in Chapter 12-51 and 12-63 of the Zoning Ordinance and shall address the following:
 - 28 a. Location and type of all vegetation
 - 29 b. The total number of trees and shrubs
 - 30 c. An irrigation plan
 - 31 d. Depiction of a landscaping theme throughout the site that may include rock
32 features, types of gravel, or specific shape of planting beds. This theme shall
33 have similarities to Iggy's so it will blend with the rest of the island parcel
 - 34 e. Vegetation around all walkways should be emphasized
 - 35 f. Streetscape Standards such as street trees, pedestrian lighting and berming
36 features shall be depicted on the final site plan
- 37 9. The dumpster screening and any wall-mounted equipment shall be indicated on the
38 final site plans.
- 39 10. The design of the water feature shall be submitted for final review.

11. The applicant shall work with the City Engineer and Public Works Director to establish what development fees may still be required.
12. A bond must be established for all on-site improvements by the City Engineer and posted by the applicant prior to receiving a building permit.
13. The RDA must review the conceptual design to approve a change in "use" on the island parcel.
14. Developer and the development shall comply with all governing documents for the Island Parcel, including but not limited to: (1) the Parrish Lane Gateway Neighborhood Development Plan, as amended; and (2) the Agreement for Disposition of Land, as amended.

Reasons for the Action:

1. A complete conceptual site plan application has been submitted [Section 12-21-110(d)(1)].
2. 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 [Section 12-21-110(d)(5)].
3. The use of "Medical Services" is allowed within the C-VH Zone [Chapter 12-36].
4. This location is found within the Parrish Lane Gateway and must address all applicable standards of Chapter Section 12-63 of the Zoning Ordinance.
5. The proposed location is part of the island parcel and an RDA designated area, which may be subject to additional governing documents.

The motion was seconded by Commissioner Hayman and passed by unanimous roll-call vote (7-0).

PUBLIC HEARING | LEGACY TRAIL APARTMENTS | 1250 W & PARRISH - Consider amending the Planned Development Overlay Approval and Conceptual Plan for the Legacy Trail Apartments Development on property located at 1250 West & Parrish Lane, for the purpose of allowing an alternative commercial architectural design. Fred Hale, Applicant.

Cory Snyder, Community Development Director, reported the applicant desires to amend the approved project's architectural design scheme and add an alternative commercial design for the Legacy Trail PDO Master Conceptual Plan. The proposed design change would allow the commercial buildings to utilize a flat-roof design to accommodate roof-mounted equipment and to allow the use of heavy timber design features. Lot 1 previously received conceptual plan acceptance with a directive to apply for an amendment to allow for the proposed building design (i.e. flat roof and heavy timber elements) for the Maverik Store. If the amendment is approved, such design would also be available for commercial buildings on Lots 2 & 3.

1 Mr. Snyder reviewed the originally approved Planned Development Overlay (PDO)
2 architectural design and the proposed amendments. The proposed amendments allow for a flat
3 roof design, heavy timber features, hanging awnings, stucco-style materials, and increased use of
4 colors. Overall, staff is comfortable with the proposed changes.

5
6 Fred Hale, applicant, said the pitched roof design will remain for all residential buildings.
7 He said Maverik proposed the flat roof in order to allow for equipment storage. He said the
8 proposed building design for the Maverik is very nice and includes the pitched roof design for
9 the entry and eyebrows of the building.

10
11 The Commission discussed the pros and cons of a pitched-roof vs. flat-roof design. The
12 Commission discussed that the birds-eye view from the Parrish Lane overpass will be able to see
13 the roof-mounted equipment but agreed this may be better than equipment placed around the
14 building where cars and pedestrians also share space. Some Commissioners agreed that both
15 designs are acceptable and therefore flexibility is the best option.

16
17 Chair Hirschi opened the public hearing. Seeing no one wishing to speak; he closed the
18 public hearing.

19
20 Chair Hirschi made a **motion** for the Planning Commission to recommend to the City
21 Council approval of the petition to amend the Legacy Trails Development's PDO Approval, as
22 follows:

- 23
24 1. The Alternative Commercial Design Plan Concepts are:
- 25 a. The building design shall consist of a flat roof design with parapets to screen
26 roof-mounted equipment.
 - 27 b. Provision of heavy timber and/or hanging awning features for building entry
28 points.
 - 29 c. The use of colors and materials shall be consistent with the development's
30 originally approved Architectural Conceptual Design Plan, and may also include
31 colors or materials compatible with the Legacy Crossing Development or from
32 the template of the Shorelands Commerce Park Design Guidelines.
 - 33 d. All buildings to have a substantial architectural material base using rock, brick, or
34 other similar maintenance free design material (see provision Section 12-63-
35 040.c.2).
 - 36 e. All other related or associated conditions of the Legacy Trail Development PDO
37 Approval remain in effect with this amendment.
- 38
39
40

Reasons for the Action:

- a) The Commission finds that amendments to a PDO approval are subject to the original procedure used for obtaining a preliminary approval.
- b) The Commission finds that according to Section 12-41-010, the purpose of the PDO provisions is to allow: “mixed residential/commercial projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations.”
- c) The Commission finds that Section 12-41-070 allows for “variations from development standards” from both the Subdivision and Zoning Ordinances.
- d) The Commission finds that allowing an alternative commercial design plan facilitates the screening of needed utility and equipment for service to buildings.
- e) The Commission finds that the conditions of approval of the Alternative Commercial Design Plan are consistent and compatible with the originally approved Architectural Design Plan of the Legacy Trails Development.

The motion was seconded by Commissioner Johnson and passed by unanimous roll-call vote (7-0).

TRI-CITY POLARIS | 461 SOUTH FRONTAGE ROAD - Consider proposed Final Site Plan amending the site plan approval for Tri-City Polaris on property located at 461 South 800 West, for the purpose of a new fenced yard. Bob Mason, Mason Family Partnership, Applicant.

Brandon Toponce, Assistant Planner, reported the applicant previously received conceptual site plan acceptance from the Planning Commission. The proposed project includes an amendment of the Tri-City parcel for an off-road vehicle display just east of the existing building. Approval of this amendment will end an enforcement found on the unapproved parcel south of the existing building. The lot with the existing structure and the lot to the east for the new display area will be combined to have one parcel ID number. Mr. Toponce reviewed the conceptual site plan conditions of approval. It appears all zoning standards for development have been addressed and satisfied. The applicant will be responsible for any future public improvements. The applicant is required to post a bond for all public improvements, storm drainage, and landscaping. A deferral agreement will be created in order to allow the completion of the required landscaping and the curb and gutter after the culvert has been constructed. This agreement shall be created by the City Attorney, with a time frame determined by the City Engineer and Public Works Director of the culvert construction.

1 Lisa Romney, City Attorney, suggested a 30-day time frame for combining and recording
2 the two (2) lots. She explained the deferral agreement will be reviewed and approved by the City
3 Council and said it may be a good idea to have this agreement recorded also.

4
5 Bob Mason, applicant, said current storage will be cleared and this portion of the site will
6 be used for display of product.

7
8 Commissioner Johnson made a **motion** for the Planning Commission approve the
9 amended final site plan for the Tri-City property located at 461 South 800 West, with the
10 following conditions:

11
12 ***Conditions:***

- 13 1. The amended site plan shall be for a display area on the east portion of the lot only.
14 This display area shall not include the storage of machinery, parts, equipment or
15 storage containers of any kind.
- 16 2. The applicant shall combine the east and west lot at the Davis County Recorder's
17 Office to create one parcel. This information shall be submitted to City staff as part of
18 the final amended site plan application.
- 19 3. A bond shall be posted by the applicant for all public improvements including; curb
20 gutter and landscaping.
- 21 4. A deferral agreement for all related public improvements along Porter Lane shall be
22 created and recorded and approved by the City Council with the assistance of the City
23 Attorney with the time period being determined by the City Engineer and Public
24 Works Director in relation to the culvert construction taking place.
- 25 5. All equipment, storage and other material shall be removed from the south portion of
26 the unauthorized property, so as to close all previous enforcement matters and as part
27 of the final approval for the east display area.

28
29 ***Reasons for Action:***

- 30 a. An amended final site plan requires the applicant to go through the same procedural
31 requirements as the original approval [Section 12-21-110(i)(2)].
- 32 b. The applicant has clearly shown how the property may be developed [Section 12-21-
33 110(d)(2)].
- 34 c. Complies with all applicable Ordinances for development found within the
35 Commercial-High Zone [Chapter 12-34].

36
37 The motion was seconded by Commissioner Kjar and passed by unanimous roll-call vote
38 (7-0).

Chair Hirschi made a **motion to amend** condition #2 as follows:

2. The applicant shall combine the east and west lot at the Davis County Recorder's Office to create one parcel. This information shall be submitted to City staff within 30 days of this approval.

The motion to amend was seconded by Commissioner Hirst and passed by unanimous vote (7-0).

Chair Hirschi called for a vote on the motion as amended. The motion **passed** with a unanimous roll-call vote (7-0).

PUBLIC HEARING | PORTER WALTON TOWNHOMES | 564 W PORTER LN -
Consider proposed Conceptual Subdivision for the Porter Walton Townhomes Planned Residential Unit Development on property located at 564 West Porter Lane, for the purpose of platting the approved multi-family project. Taylor Spendlove, Applicant

Cory Snyder, Community Development Director, reported the City recently approved a 46-unit multi-family townhome style community with one (1) existing single-family home. The applicant is now seeking a conversion of the project into a Planned Unit Development (PUD) subdivision to allow each dwelling unit to be purchased and owned by future residents of this community. The applicant has submitted a "Conceptual Subdivision" application for review by the Planning Commission. This conceptual review is the first step of a three-phase process. Mr. Snyder reviewed the proposed subdivision layout explaining the private space, common spaces, driveways, roadways, and private use areas. The proposed subdivision plan is consistent with the expectation of the General Plan for this neighborhood. A PUD is to be in harmony with the applicable neighborhood plan and with applicable design standards. The applicant will be required to prepare and record related conditions, covenants, and restrictions (i.e., CC&Rs).

The Commission raised some ownership and maintenance concerns. Chair Hirschi said it seems each unit can be individually owned but there is a common wall between units. He questioned how this is resolved. He also asked how the front yard and driveway areas will be maintained as they are listed as limited common space. Commissioner Johnson said the rear yards are listed as limited common space and are fully fenced. He questioned if these spaces are maintained by the individual homeowner or the Homeowner Association.

Mr. Snyder said when the units are constructed the building inspector will likely require a fire wall construction on both sides of the common wall since they will be individually owned units. This is a higher standard because of the individual ownership. He said all maintenance concerns will be called out in the CC&Rs.

1 Taylor Spendlove, applicant, said all landscaping will be maintained by the Homeowners
2 Association including all limited common space. The maintenance crews will have gate access to
3 all rear yards.

4
5 Chair Hirschi opened the public hearing.
6

7 Heather Strasser said the single-family home is still a problem for this development as it
8 does not fit. This home should be dealt with the same as the entire development and should be
9 limited common space. She said the neighborhood is frustrated because this was rezoned for an
10 assisted living center and not for a multi-family development.
11

12 Marti Money said the property for the single-family home is so large it could be
13 converted or subdivided in the future to create additional units. This would raise the density for
14 the development and decrease common open space. She said there needs to be a contingency
15 plan for this property. She said the single-family home should be eliminated and the common
16 open space increased. She said the "mansion" is a misfit and will be a burden to the Homeowners
17 Association and the development as a whole. She also expressed concerns with the road access to
18 the single-family home. She said it is as if the "mansion" is marooned behind the development
19 and has more than its fair share.
20

21 Laura Dudley agreed the "mansion" needs a contingency plan. She said it is not likely
22 this site will ever sell and the developer will be looking to use that space differently in the future.
23 She does not want to see additional units built that will raise the already high density level. She
24 asked for clarification on the gate between this property and the Home Depot property to the
25 north. Will residents be allowed to use the gate? She also raised concern with the lack of guest
26 parking within the development.
27

28 Charles Granere said he rents a nearby home on Mr. David Bell's property to the west of
29 this site. He has two (2) special needs children and is concerned for their safety during
30 construction. He said he is also concerned the property on which he resides is part of this
31 development. He said he has not been properly informed. He is concerned with the amount of
32 traffic and the intensity of this development. He said he moved to this particular location because
33 it was rural nature which is the best fit for his children. He said he has an access road to his home
34 and is concerned it could be cut off during construction.
35

36 Chair Hirschi closed the public hearing.
37

38 Mr. Snyder explained this property was rezoned to Residential-Medium (R-M) and with
39 that zone comes several use options including both an assisted living center and multi-family
40 development, among others. The City debated all these issues during the rezone and was aware

1 of the possible uses within the R-M Zone. He said the City prefers single-family development
2 whether it is a misfit or mistake. The City's legislative body has always favored single-family
3 development and many of the Zoning Code and the General Plan policies are written in favor of
4 such development, no matter the location. He explained the site plan represents limited common
5 space in two (2) different ways on the site map. There is limited common and limited common
6 with public utilities. This is why the driveway space appears different on the site plan (driveways
7 have utilities within them), but both are limited common. Mr. Snyder also said Mr. David Bell's
8 property is not part of this development but that Mr. Bell has been actively discussing future
9 options for his property with the City.

10
11 Taylor Spendlove said the rear yard of the existing single-family home is private, will be
12 maintained by that private property owner and is not calculated into the common open space
13 requirement for the development as a whole. If the single-family rear yard were calculated into
14 the common open space then the development would exceed the 40% open space requirement.
15 He said the fence and gate located between this development and the Home Depot belongs to the
16 Home Depot. In fact, the Home Depot owns an additional 50-feet beyond the gate to the property
17 line for this development. He said they have no ability to move or change the gate and fence. It is
18 not on Brighton Homes Property. He said the single-family home will be part of the
19 Homeowners Association and will be assessed fees accordingly. He too explained Mr. Bell's
20 property to the west is not part of this project and Brighton Homes has no intention of purchasing
21 Mr. Bells property now or in the future. He said it is not likely the single-family home could ever
22 be subdivide because the underlying zone would not allow it.

23
24 Commissioner Merrill made a **motion** for the Planning Commission to accept the
25 Conceptual Subdivision Plat for the proposed Porter Walton Townhomes Development, located
26 at approximately 564 West Porter Lane, subject to the following:

- 27
28 1. The applicant shall prepare and submit a preliminary subdivision plat and associated
29 construction drawings, as outlined in Chapter 15-3, Preliminary Plat of the Municipal
30 Code.
31 2. The layout and design of the preliminary plat submittal must be consistent with the
32 related City approved Final Site Plan and Conditional Use Permit.
33 3. The applicant shall prepare and submit plat related conditions, covenant, and
34 restrictions (i.e. CC&Rs) that address matters regarding PUD Subdivisions, as
35 outlined in Chapter 15-6 of the Municipal Code.
36

37 ***Reasons for the Action:***

- 38 a) The conceptual subdivision is in harmony with the relevant provisions of the General
39 Plan [Section 12-480-1(a)].

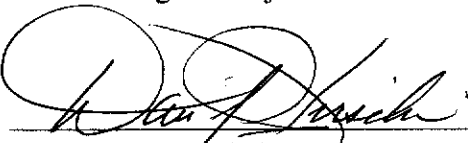
- 1 b) The new subdivision is in harmony with the provisions of the Residential-Medium
2 Zone, as approved by the City for the related Final Site Plan and Conditional Use
3 Permit.
4 c) With the directives listed, the acceptance is consistent with the expectations for PUD
5 subdivisions, as outlined in Section 15-6, Planned Unit Development.
6

7 The motion was seconded by Chair Hirschi and passed by unanimous roll-call vote (6-0).
8 Commissioner Ince abstained from voting.
9

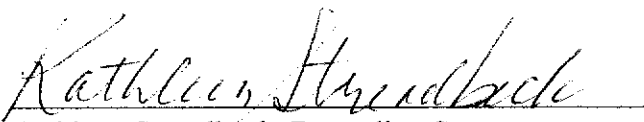
10 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
11

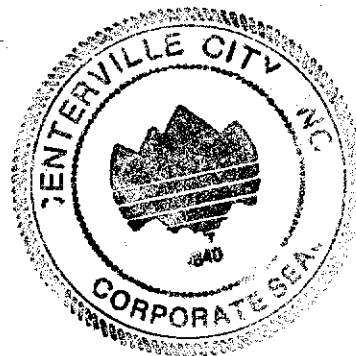
- 12 1. The next Planning Commission meeting will be Wednesday, September 9, 2015.
13 2. Upcoming Agenda Items:
14 • Elysian Auto CUP for Used Car Sales in I-H Zone
15 • Huffaker Dental Duplex Rezone & Lot Split at 134 S Main Street
16 3. Mr. Snyder reviewed recently adopted Resolution No. 2015-15 approving
17 compensation in the amount of \$35 for any Commissioner that attends land use (or
18 other applicable training) of a least 2 hours.
19
20

21 The meeting was adjourned at 9:07 p.m.

22 
23
24
25 David Hirschi, Chair

9-9-2015
Date Approved

26
27 
28
29 Kathleen Streadbeck, Recording Secretary



Planning Commission Meeting

Aug. 26, 2015

7:00 p.m.

Please sign in below:

Deb Masol - Twp. Clerk

Natale Brooks - IPI Agent

Becky Wright

Rick + Laura Dudley

MARTY MONY

BRETT KEARNEY

Barb FINN

Taylor Spindle

Melissa Bigger

Tom Cresswell

Charles Phil Evers

Heather Strasser