

1
2
3
4 **PLANNING COMMISSION MINUTES OF MEETING**

5 **Wednesday, August 28, 2013**

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

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

10
11 **MEMBERS PRESENT**

12 Tamilyn Fillmore

13 David Hirschi

14 Kevin Merrill, Chair

15 Debra Randall

16 Scott Kjar, arrived 7:12 p.m.

17 Steven Markham, arrived 7:28 p.m.

18
19 **MEMBERS ABSENT**

20 Brian Holman

21
22 **STAFF PRESENT**

23 Corvin Snyder, Community Development Director

24 Lisa Romney, City Attorney

25 Kathy Streadbeck, Recording Secretary

26
27 **PLEDGE OF ALLEGIANCE**

28
29 **OPENING COMMENT/LEGISLATIVE PRAYER** Chair Merrill

30
31 **MINUTES REVIEW AND APPROVAL**

32
33 Minutes of the Planning Commission meeting held August 14, 2013 were reviewed.
34 Chair Merrill made a **motion** to approve the minutes as amended. The motion was seconded by
35 Commissioner Fillmore and passed by unanimous vote (4-0). Commissioners Kjar and
36 Markham arrived after the approval of the minutes.

37
38 **PUBLIC HEARING | BRIGHTON HOMES UTAH LLC | 530 EAST 100 SOUTH**
39 **Consideration of a conceptual site plan for an unplatted residential building lot, located at**
40 **530 East 100 South, for the purpose of constructing a new dwelling, in the R-L Zone.**
41 **Brighton Homes Utah, LLC, Applicant**
42

1 Cory Snyder, Community Development Director, reported the proposed lot sits within an
2 existing neighborhood and was originally part of a larger parcel. This application is to be
3 reviewed to ensure the lot is buildable, meets all applicable zoning ordinances, and to place the
4 proper public utility easements on the property. All easements will need to be accepted by the
5 City Council. The application appears to meet all applicable development standards and all
6 infrastructures are already in place. The applicant will need to submit all necessary utility
7 provider sheets. The property does have a significant slope and drainage is a concern. The
8 applicant has provided a drainage plan, including a detention basin in the southwest corner of the
9 lot and a retaining wall. This drainage plan must be reviewed and approved by the City Engineer.

10
11 The Commission discussed the slope of the property and the proposed drainage plan. It
12 was mentioned that the site in its current condition sheets runoff onto neighboring properties.
13 Staff said it appears the proposed drainage plan is acceptable. The City Engineer will provide
14 final approval of the plan.

15
16 Patrick Scott, applicant, said the drainage plan will detain water until it can percolate into
17 the soil. He said it is possible they will lower the level of the property before building, but in
18 order to make the drainage plan work it may be necessary to leave the height and slope as is.

19
20 Chair Merrill opened the public hearing.

21
22 Rust Mickelson said he is the homeowner to the west of this site. He is curious about the
23 applicants landscaping plans. He said he is currently re-landscaping his own yard and is
24 concerned with the fill on the property. He believes the grade of this site is too great and may
25 negatively impact his yard.

26
27 Valerie Herrman said she lives across the street from this site. She too is concerned with
28 the significant amount of fill on the property. She is concerned a home will tower over
29 neighboring homes. She said originally this site was in the flood zone but the amount of fill
30 added has taken the property out of the flood zone. She is hoping once the fill is compacted it
31 will be more reasonable, but encouraged the builder to lower the site as much as possible.

32
33 Chair Merrill closed the public hearing.

34
35 Mr. Snyder said a final grading plan has not been prepared, but staff is aware of the slope
36 issues related to this site and solutions are being discussed. It is not likely the property will drop
37 significantly, but a foot or two may be possible while maintaining drainage. With regard to the
38 height of the home, City ordinance allows a maximum height of 35 feet.

1 Mr. Scott said Brighton Homes is willing to speak with and work with neighbors
2 regarding drainage and landscaping. He said the home will be a single-story above ground. The
3 home should not have an overly large feeling and will not be imposing. He said the grade of the
4 property is not likely to change significantly because the drainage plan will not function without
5 the proper grade. Brighton Homes prefers a flat driveway and intends to lower the grade as much
6 as possible while maintaining drainage.

7
8 Commissioner Kjar made a **motion** for the Planning Commission to accept the
9 conceptual site plan for the Brighton Homes lot, located at 530 East 100 South, with the
10 following conditions:

11
12 ***Conditions:***

- 13 1. All fees shall be paid; including all related development fees.
- 14 2. The applicant shall submit a final site plan application meeting the standards found in
15 Section 12-21-110(e) of the Zoning Ordinance.
- 16 3. All utilities shall be indicated on the final site plan.
- 17 4. All utility provider sheets shall be submitted to City staff at the time of the final site
18 plan application.
- 19 5. Three (3) public utility easements shall be drawn on the site plan with a 10-foot along
20 the front property line adjacent to 100 South, and two (2) additional easements
21 measured at 7 feet.
- 22 6. Legal descriptions of the public utility easements shall be prepared and reviewed by
23 the City Engineer.
- 24 7. The drainage swell, and detention area shall be shown on the final site plan to be
25 reviewed and approved by the City Engineer.

26
27 ***Reasons for Action (findings):***

- 28 1. The applicant has clearly shown how the property may be developed [Section 12-21-
29 110(d)(2)].
- 30 2. The applicant has submitted a full application [Section 12-21-110(d)(1)].
- 31 3. Proposed utility easements are required on all developed lots [Section 12-21-
32 110(e)(2)(iii)(d), 15-5-106(8)].
- 33 4. A final site plan application shall be required for submittal [Section 12-21-110(e)].

34
35 The motion was seconded by Commissioner Fillmore and passed by unanimous roll-call
36 vote (6-0).
37

PUBLIC HEARING | CHITOSE JOHNSON SUBDIVISION | 200 East 1200 South
Consideration of a conditional use permit for allowing single-family dwellings in an R-M
(Residential-Medium) Zone, for the Chitose Johnson Subdivision, (formally known as Lot 2
of the Bangerter Subdivision), located at 200 East 1200 South. Ronn Marshall, Maple Hills
Realty, Applicant

Cory Snyder, Community Development Director, reported this application proposes to build two single-family homes on lots within the Residential-Medium (R-M) Zone. A single-family use is conditional in the R-M Zone. The permitted density in the R-M Zone is 1-4 units per acre. It is staffs opinion that this is an under-utilization of the property which could cause a negative impact in the future. City ordinances do not prohibit or intend to prohibit single-family uses and this use is acceptable for the property. However, if in the future the property owner decides to utilize this property to its full permitted density, then the single-family uses may be negatively impacted. The current property owner is aware of this possibility and is accepting of possible consequences and is choosing two single-family dwellings at this time.

Commissioner Kjar said any future property owner would be aware of the R-M Zone, since it is listed on the plat. They would know what they are moving into. Commissioner Fillmore said the conditional use permit should allow the City the opportunity to mitigate as needed in the future. Lisa Romney, City Attorney, said single family dwellings are a conditional use in the R-M zone pursuant to applicable City ordinances, subject to any conditions deemed necessary to mitigate negative impacts. The proposed condition #3 provides a disclaimer for this property regarding the single family dwelling use in the R-M zone. Based on staff's analysis, these proceeding and all other information regarding this property is public record and should provide sufficient notification to future owners that the property may be further developed into multi-family as a permitted use in the R-M zone.

Ronn Marshall, applicant, said Lot 2 is owned by an elderly woman and Lot 1 is owned by her daughter and son-in-law, who intend to care for her and the properties. Both are aware of the situation and the potential for the future. It is likely the daughter and son-in-law will inherit the balance of the property sometime in the future. The property owners' intend to build quality homes. The home on Lot 2 will be directly north of the home on Lot 1. He said staff is comfortable with the design and they are ready to move forward. He also explained a local resident has farmed the property for years and will continue to do so.

Chair Merrill opened the public hearing. There was no comment; he closed the public hearing.

Commissioner Fillmore made a **motion** for the Planning Commission to approve the conditional use permit for Lots 1 and 2 of the Chitose Johnson Subdivision, subject to the following conditions and/or terms:

Conditions/Terms:

1. This conditional use permit shall be for the approval of constructing two (2) single-family uses located separately on Lots 1 and 2.
2. This conditional use permit approval is subject to the terms and conditions of the final approval and recordation of the Chitose Johnson Subdivision, including the construction of a temporary fire access turn-around.
3. Because the property is currently Zoned R-M, this conditional use permit approval does not warrant against, guarantee protection from, mitigate, or restrict any future potential development impacts to the approved single-family uses regarding multi-family development that may possibly occur within the subdivision boundaries, as may be approved in accordance with City ordinances.

Reasons for Action (findings):

1. The Planning Commission finds that the use of single-family development within the Residential Medium (R-M) Zone is allowed with a conditional use permit [Chapter 12-36-Table of Uses].
2. The Planning Commission finds that, with the conditions of approval, the development of two (2) single-family dwellings meets or satisfies the approval standards of the conditional use permit, as found in Section 12-21-100 and described in the staff report dated August 28, 2013.
3. The Planning Commission finds that there remains sufficient area involving Lot #2 to allow for future development that may capitalize on the allowed densities and the multi-family types of the R-M Zone. Thus, developing these single-family uses may be impacted by other potential future decisions and the applicant ought to fully understand this possibility.

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

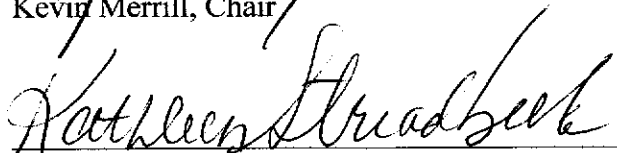
COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be Wednesday, September 11, 2013.
2. Upcoming Agenda Items
 - 1872 North Main Street, Conceptual Subdivision Plan

The meeting was adjourned at 7:56 p.m.


Kevin Merrill, Chair

9-25-13
Date Approved


Kathleen Streadbeck, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, August 28 2013
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Ronn Marshall

Rust Mickelson

Patrick Scott

Merilee Briot

161 North Main Bldg 411

520 E. 100 S. Centerville UT

320 W 500 S. St-210 Park Rd 1, UT

519 E. 100 S. 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.