

1 **PLANNING COMMISSION MINUTES OF MEETING**
2 **Wednesday, October 13, 2021**
3 **7:00 p.m.**
4

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

8 **MEMBERS PRESENT**

9 Kevin Daly, Chair
10 Mason Kjar
11 Matt Larsen
12 Heidi Shegrud
13 Spencer Summerhays
14 Christina Wilcox
15 Becki Wright
16

17 **STAFF PRESENT**

18 Cory Snyder, Community Development Director
19 Lisa Romney, City Attorney
20 Mackenzie Wood, Assistant Planner
21 Kevin Campbell, City Engineer
22

23 **VISITORS**

24 Zach Swensen, CW Land
25 Glen Girsberger, JF Capital
26 Mitch Vance, JF Capital
27

28 **PLEDGE OF ALLEGIANCE**

29
30 **OPENING COMMENTS/LEGISLATIVE PRAYER** Commissioner Summerhays
31

32 **WELCOME**

33
34 Chair Daly introduced and welcomed new Planning Commissioner Matt Larsen.
35

36 **PUBLIC HEARING – PRELIMINARY SUBDIVISION AND FINAL SITE PLAN – THE**
37 **LANE**
38

39 On July 14, 2021, the applicant received Conceptual Site Plan approval, with four
40 directives, from the Planning Commission for a development of twelve single-family units on a
41 parcel along Porter Lane. Assistant Planner Mackenzie Wood reported three of the four
42 directives were completed, and staff recommended carrying the fourth directive on to future
43 approvals.
44

45 Staff explained the applicant had recorded an access and utility easement with Truck
46 World to connect drainage to City infrastructure through the Truck World site. City Engineer
47 Kevin Campbell emphasized the need to ensure that drainage not detained on site would
48 connect with public drainage infrastructure on Frontage Road. Both parties, the applicant and
49 Truck World, would sign maintenance agreements with the City for detention.
50

51 Zach Swensen, representing the applicant, explained the request to eliminate sidewalk
52 on the west portion near the entrance of the private lane to allow the required 27 feet of
53 pavement. He stated the hammer-head turnaround at the end of the private lane met Fire Code
54 specifications. He explained the applicant was in the process of obtaining additional easement
55 with Truck World, and said both parties were highly motivated to work out the drainage issue.
56

1 Mr. Swensen said the applicant had not believed it was necessary to obtain a permit
2 from the County regarding the Deuel Creek stream channel because the nearest structure in the
3 development to the stream channel would be 240 feet away. He said his understanding was that
4 a permit would be required if the nearest structure were within 100 feet of a critical flood area.
5

6 Commissioner Wright suggested extending the proposed sidewalk through the curve on
7 both sides at the rear of the private lane to provide better pedestrian/ADA connectivity.
8 Responding to a question from Commissioner Kjar, Mr. Swensen stated placement of garbage
9 cans had not yet been addressed in the CC&Rs.
10

11 At 7:42 p.m., Chair Daly opened a public hearing for the Preliminary Subdivision, and
12 closed the public hearing seeing that no one wished to comment. Responding to a question
13 from Commissioner Shegrud, Mr. Snyder confirmed that open space was not required with
14 single-family development. Commissioner Shegrud commented that the HOA would be able to
15 turn the open space near the entrance into parking space in the future.
16

17 Mr. Campbell explained that a Development and Construction permit would need to be
18 obtained from Davis County because the development was within 100 feet of the Deuel Creek
19 stream channel, but said he believed the process would go smoothly considering the
20 development did not have a building within 100 feet of the stream channel.
21

22 Chair Daly expressed the opinion that the final site plan application was not "watertight",
23 but that he could be convinced to vote for approval. Mr. Snyder said he believed Truck World
24 and the applicant had the drainage issue basically worked out. Commissioner Kjar said he was
25 inclined to vote in favor of approval, with strict conditions related to drainage. Commissioner
26 Wright said she agreed. The Planning Commission and staff discussed possible conditions of
27 approval.
28

29 Commissioner Summerhays **moved** to approve the Final Site Plan for The Lane
30 Subdivision at 644 West 400 South (Porter Lane), parcels 03-001-0178 and 03-001-0179 with
31 the following conditions and reason for action. Commissioner Wright seconded the motion,
32 which passed by unanimous vote (7-0).
33

34 Conditions:
35

- 36 1. The approved use shall be 12 single-family detached dwellings.
- 37 2. The applicant shall combine the two parcels prior to or concurrent with recording the
38 final plat or prior to issuance of any development or building permit within the project,
39 whichever occurs first.
- 40 3. The applicant shall provide drawings that show the required improvements on the
41 ACC Auto Site (aka Truck World) needed for The Lane Subdivision drainage, with a
42 drainage easement out to Frontage Road.
- 43 4. The development shall be subject to the terms and conditions of providing adequate
44 utilities to the project, in accordance with applicable law from all related utility
45 providers.
- 46 5. Sidewalks shall extend to the driveways of Lots 5 and 8.
- 47 6. The developer shall be required to provide a drainage plan and long-term storm
48 water facilities maintenance agreement.
49

50 Reason for Action:
51

- 52 a. The Planning Commission finds that proposed Final Site Plan conforms or is
53 conditioned to conform to the Conceptual Site Plan, as per CZC 12.21.110(f), as
54 outlined in the related Planning Staff Report.

Commissioner Summerhays **moved** to approve the Preliminary Plat (Subdivision) for The Lane Subdivision at approximately 644 West 400 South (Porter Lane) parcels 03-001-0178 and 03-001-0179 with the following conditions and reasons for action. Commissioner Kjar seconded the motion, which passed by unanimous vote (7-0).

Conditions:

1. Receive approval of drainage plan from City Engineer and City Drainage Specialist.
2. Obtain and submit a Davis County Development and Construction permit and provide any required stream channel easements or restricted build areas.
3. The applicant shall combine the two parcels prior to or concurrent with recording the final plat or prior to issuance of any development or building permit within the project, whichever occurs first.
4. A Final Subdivision Application and Plat shall be submitted in accordance with CMC 15.04 of the Subdivision Ordinance, with Licensed Architect's signature and seal.
5. The Final Subdivision Submittal shall also provide the applicable subdivision infrastructure construction plans for the subdivision in accordance with CMC 15.04.104.
6. In accordance with the City's addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City's Public Works Director.
7. Sidewalks shall extend to the driveways of Lots 5 and 8.
8. A long-term detention and storm water maintenance agreement shall be put in place.
9. Drainage easement shall extend out to Frontage Road.

Reasons for Action:

- a. The Planning Commission finds that Preliminary Subdivision Plans are substantially consistent with the previous Conceptual Plan Acceptance.
- b. The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the Subdivision Ordinance.
- c. The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the City's Zoning Ordinance, regarding lot development within the R-M Zone.

FINAL SITE PLAN – THE COMMONS AT LEGACY CROSSING

Mr. Snyder explained the applicant was seeking a Final Site Plan approval for Lots 2 and 3 of Legacy Crossing at Parrish Lane. He stated many of the conditions of Conceptual Site Plan approval had been met, and said staff recommended approval of the Final Site Plan with conditions. Mr. Snyder answered questions regarding parking and landscaping. Commissioner Shegrud suggested that since the plan was "overparked", a few concrete islands with trees to provide shade for vehicles might be desirable. Mr. Snyder and City Attorney Lisa Romney discussed the concept of "conditional approval" with the Planning Commission.

Mitch Vance, representing the applicant, said he was comfortable with the conditions recommended by staff. Glen Girsberger, also representing the applicant, explained that proposed retail space was designed to be flexible and work with a variety of retail uses. They explained that pole lighting would be added for parking as needed, and stated the entire project would be developed at the same time. Mr. Girsberger said he liked the suggestion to add islands with trees in the parking area, and spoke of desirable sight lines for retail. He said he understood a building permit would not be possible until all conditions were met.

1 Commissioner Kjar **moved** to conditionally approve the Final Site Plan for Lots 2 and 3
2 of the Legacy Crossing Development, subject to the following conditions and with the following
3 reasons for action. Commissioner Summerhays seconded the motion, which passed by
4 unanimous vote (7-0).

5
6 Conditions:

- 7
8 1. The revised PDO Development Agreement, Assignment Agreement, and other
9 governing document amendments shall be prepared and submitted by the Applicant
10 to the City Council and shall obtain Council approval in order for this Final Site Plan
11 Approval to become effective.
12 2. The Applicant shall prepare, submit, and record the plat linen related to the Approved
13 Subdivision Plat Amendment in order for this Final Site Plan Approval to become
14 effective.
15 3. The development of the property shall comply with the Final Site Plans Submittal
16 given to the City and as reviewed by the Planning Commission, unless otherwise
17 amended either by this approval or any subsequent amended approved in
18 accordance with the Zoning Ordinance.
19 4. With this Final Approval, the site is approved for "retail uses." Other uses to be
20 established in the future shall be reviewed and approved in accordance with
21 approved PDO provisions and/or applicable City Ordinances.
22 5. Prior to receiving any development related construction permit for the site, the
23 Applicant shall complete the following tasks:
24 i. In accordance with CZC 12.52.110(i), the applicant shall submit a lighting
25 plan that conforms to the requirements for parking lot night illumination.
26 ii. The Final Site Plan shall verify/comply with the required four-foot (4') parking
27 lot perimeter.
28 iii. The Final Site Plan shall verify/comply with the required 5% internal parking
29 area landscaping requirement.
30 iv. The Final Site Plan shall depict the required design details for the dumpster
31 locations.
32 v. The applicant shall depict or alter the Final Site Plan to accomplish these
33 tasks and shall submit the changes to the Zoning Administrator for review
34 and compliance with this approval or applicable regulation.
35 vi. Any disputes that arise from performing these tasks shall be remanded back
36 to the Planning Commission for review and making the final decision.
37 6. The site shall be developed in its entirety and all related bonding, fees, etc. shall be
38 submitted prior to commencing construction. Nonetheless if desired, the applicant
39 may subsequently submit a "phasing plan" in accordance with CZC 12.21.110(f),
40 which is to be reviewed and approved by the Planning Commission at a later date.

41
42 Reasons for Action:

- 43
44 a. The Planning Commission finds that the submitted final site plan, with the conditions
45 imposed, complies with the provisions and regulations of the related PDO
46 Amendment and Conceptual Site Plan approval granted by the City.
47 b. The Planning Commission finds that the submitted final site plan, with the conditions
48 imposed, complies with the provisions and regulations of the related original PDO
49 Amendment, as also outlined in the report to the Commission.
50 c. The Planning Commission finds that the submitted final site plan, with the conditions
51 imposed, complies with the applicable provisions and regulations of the Commercial
52 Very-High Zone, as also outlined in the report to the Commission.

- 1 d. The Planning Commission finds that the submitted final site plan, with the conditions
2 imposed, complies with the applicable provisions and regulations of the Parrish Lane
3 Gateway Design Standards, as also outlined in the report to the Commission.
4 e. Therefore, the Planning Commission finds that the Final Site Plan submittal is eligible
5 to receive a Final Site Plan Approval.
6

7 **LAND USE TRAINING – MUNICIPAL LAND USE, DEVELOPMENT, AND**
8 **MANAGEMENT ACT – PART 8 – DISTRICT COURT REVIEW**
9

10 Ms. Romney provided Municipal Land Use, Development, and Management Act training
11 regarding district court review, and answered questions from the Commission.
12

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

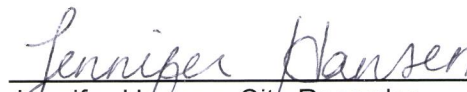
15 The Planning Commission was scheduled to meet next on October 27, 2021. The
16 Planning Commission and staff discussed public hearings and whether or not the Commission
17 would want to hold public hearings in situations when not required by law (e.g., upcoming
18 Summerhill Lane Final Subdivision review). Commissioner Wright commented that the
19 Summerhill Lane development project had caused a great deal of public concern, and
20 suggested an additional public hearing may be appropriate. Commissioner Shegrud expressed
21 a desire to be consistent and follow established procedure. Mr. Snyder reported on recent
22 actions by the City Council.
23

24 **MINUTES REVIEW AND ACCEPTANCE**
25

26 Minutes of the September 22, 2021 meeting were reviewed. Commissioner Shegrud
27 **moved** to accept the minutes. Commissioner Wilcox seconded the motion, which passed by
28 unanimous vote (7-0).
29

30 **ADJOURNMENT**
31

32 At 9:23 p.m., Chair Daly **moved** to adjourn the meeting. Commissioner Summerhays
33 seconded the motion, which passed by unanimous vote (7-0).
34

35
36 
37 _____
38 Jennifer Hansen, City Recorder
39

11-01-2021

Date Approved

40
41 
42 _____
43 Katie Rust, Recording Secretary

