

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

4 **Wednesday, December 9, 2015**

5 **7:00 p.m.**
6

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

10 **MEMBERS PRESENT**

11 Cheylynn Hayman
12 David Hirschi, Chair
13 Gina Hirst
14 William Ince
15 Logan Johnson
16 Scott Kjar
17 Kevin Merrill
18

19 **STAFF PRESENT**

20 Corvin Snyder, Community Development Director
21 Brandon Toponce, Assistant Planner
22 Lisa Romney, City Attorney
23 Kathy Streadbeck, Recording Secretary
24

25 **VISITORS**

26 Interested Citizens
27

28 **PLEDGE OF ALLEGIANCE**

29
30 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Scott Kjar

31
32 **MINUTES REVIEW AND APPROVAL**
33

34 The minutes of the Planning Commission meeting held November 18, 2015 were
35 reviewed and amended. Commissioner Hirst made a **motion** to approve the minutes as amended.
36 The motion was seconded by Commissioner Ince and passed by unanimous vote (7-0).
37

38 **COMMISSION BUSINESS - 2016 Planning Commissioner Meeting Schedule**
39

40 The Commission reviewed and accepted the Planning Commission Meeting schedule for
41 2016.
42
43

RASBAND RESIDENTIAL BUILDING LOT | 85 EAST CHASE LANE - Consider proposed Final Site Plan for an unplatted residential building lot, for the purpose of constructing a new dwelling on property located at 85 East Chase Lane. Glade Jones, Calute Homes, Applicant

Brandon Toponce, Assistant Planner, reported the applicant has already received a rezone and a conceptual site plan acceptance for this proposed project. The applicant has addressed previous conditions of approval and is now ready for a final site plan review. Mr. Toponce reviewed the conditions of approval from the conceptual acceptance explaining those that still require attention and those that will stay in place throughout the building permit process. The applicant will be responsible to pay all applicable fees and will continue to work with the City Engineer on several items. The final site plan is in harmony with the conceptual site plan, and meets all applicable Development Standards and Zoning Ordinances.

Commissioner Merrill made a **motion** for the Planning Commission to approve the Final Site Plan for the Rasband Residential Building Lot, located at 85 East Chase Lane, with the following conditions:

Conditions:

1. All professional service fees, development fees and related impact fees shall be paid.
2. A bond for all public improvements shall be posted and the applicant shall enter into an improvement agreement prior to the issuance of a building permit.
3. The applicant will determine the lowest floor elevation that is acceptable to the City Engineer.
4. All easements shall be accepted by the City Council and recorded with the Davis County Recorder's Office.

Reasons for the Action:

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

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

PUBLIC HEARING | HOLBROOK PROPERTY | 1851 NORTH MAIN STREET -
Consider proposed Zone Map Amendment for property located at 1851 North Main Street
(Holbrook Trust) from A-L (Agricultural-Low) to R-L (Residential-Low). Gary Perkins,
Applicant

Cory Snyder, Community Development Director, reported the petitioners are requesting to rezone the subject property from Agricultural-Low (A-L) to Residential-Low (R-L). The petitioners desire to sell a major portion of the property to several of their neighbors to the north and leave the existing home on Main Street, as a lot meeting the R-L requirements. The transfer of land would be a sequential lot line adjustment assimilating the excess land into those lots along 1850 North, beginning from the west and ending at the existing home site. If performed in this manner and if no new or additional lots are created, State law allows this transfer of land to occur without having to receive a subdivision approval from the City. The Planning Commission has the assignment to review the merits of the rezone without considering the outcome of the future selected land use pattern. According to City Ordinance the proposed request is consistent with the goals and objectives of the General Plan. The proposed rezone is reflective of the surrounding predominate zoning district found in the area, which is also R-L. The proposed rezone will not likely negatively affect adjacent property owners. In addition, the subject property already has adequate services and facilities available for any future development.

Mr. Snyder explained this is a unique situation in that there is an island A-L Zone surrounded by R-L. There is enough land (approximately 3 acres), including two (2) stub roads, that the property has a potential to be subdivided and developed. However, it seems the intent of the residents involved is to absorb this land into several existing R-L properties. Mr. Snyder explained there has been some discussion about keeping the zoning A-L since the intent is not to develop. Mr. Snyder said this is not likely given that each absorbed parcel is not large enough to accommodate animal rights. It is also not possible to have a property with two separate zoning designations. Since the properties that wish to absorb this land are already zoned R-L the additional land to be absorbed should also be rezoned to R-L. If the property owner desires to keep A-L then the best option is to subdivide and develop with 1/2 acre lots. Mr. Snyder explained any circumstance will leave a sliver of A-L Zoned property adjacent to this proposed rezone which is owned by a separate party. This separate party parcel includes a flag lot and several smaller lots. This is not a factor in this decision because it is existing and will not be created by this proposed rezone.

Commissioner Merrill asked if a property owner bought more than one remnant parcel, creating a 1/2 acre lot, could they keep the animal rights? Commissioner Hayman questioned if these R-L lots wishing to absorb the property could be rezoned or grand-fathered back to A-L. Mr. Snyder said the property owners could petition for a rezone back to A-L. This may or may not be feasible because the existing homes may or may not meet the development standards for the A-L Zone.

1 Gary Perkins, applicant, said the property has been farmed continuously for the past 50
2 years. The property is now under the direction of the Holbrook Family Trust which is responsible
3 to liquidate the property. He explained the property was under reviewed for development when
4 several property owners/neighbors made an offer to purchase the property and absorb it into
5 several existing lots. He said they intend to divide off the existing home into a 1/3 acre parcel.
6 The home is currently vacant and up for sale. He said preliminary discussions included a desire
7 to keep the property zoned A-L due to tax reasons. However, since the various property owners
8 do not wish to develop that is not longer an issue and the rezone to R-L is acceptable.

9
10 Chair Hirschi opened the public hearing.

11
12 Mary Tullin said she is one of the potential buyers. She said there are eight (8)
13 neighbors/property owners that wish to purchase a portion of this property. She said she has lived
14 in this area for 24 years and has watched this property be farmed year after year. She said the
15 neighborhood loves this open space and desires to keep it open. This is what prompted these
16 neighbors to make an offer to the Holbrook Family Trust. She said none of the potential property
17 owners desire animal rights. She said she plans to use some space for garden and enjoy the rest
18 as open land.

19
20 Chair Hirschi closed the public hearing.

21
22 Chair Hirschi questioned what other potential down sides could be created with this
23 rezone. Commissioner Merrill asked if the two (2) stub streets could be vacated? Mr. Snyder said
24 the stub streets are an issue during snow season because the City pushes snow to the end of the
25 drive. This could potentially block access to the property, but given the intent that these may
26 become back yards, access may not be an issue. Mr. Snyder said the stub streets could possibly
27 be vacated, however, some of the adjacent homes front onto the stub streets which would require
28 a change in access for these homes.

29
30 Chair Hirschi made a **motion** for the Planning Commission to recommend to the City
31 Council the following amendment to the Centerville City Zoning Map:

32
33 ***“Rezone Parcel 07-072-0113 (3.08 acres), addressed as 1851 North Main Street, shall***
34 ***be rezoned from Agricultural-Low (A-L) to Residential-Low (R-L).”***

35
36 ***Reasons for the Action (Findings):***

- 37 a) The Planning Commission finds that the proposed zoning change is consistent with
38 the goals and objectives of the General Plan [Section 12-480-3(1)(d)(1) & Section 12-
39 420-2.1].

b) The Planning Commission finds that the recommendation to approve the proposed zone map amendment has taken into account the "factors to be considered," as listed in Section 12-21-080 and described in the related Staff Report dated 12-09-2015.

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

PUBLIC HEARING | ZONE MAP AMENDMENT FOR THE DEUEL CREEK HISTORIC DISTRICT - Consider proposed Zone Map Amendment for the new Deuel Creek Historic District (Chapter 12-49). The proposed district consists of a specific geographic boundary reflecting the old town site area. Centerville City, Applicant

Brandon Toponce, Assistant Planner, reported the Commission previously reviewed and recommended approval of the Deuel Creek Historic District. This District provides incentives (i.e., setbacks and building permit fee reductions) for historic preservation in the designated area between Main Street and 400 East and between Parrish Lane and Porter Lane. The proposed District would only be recognized by Centerville and not subject to any state or national guidelines. This informal style allows the community to create an individual incentive program and gives the neighborhood a chance to become more involved in shaping the future of their community. The City Council reviewed the District Ordinance at their December 1, 2015 meeting and were positive and supportive of the District. The Council will be holding a public hearing to discuss the District further at their December 15, 2015 City Council Meeting.

Mr. Toponce explained the first step in creating the Deuel Creek Historic District is its creation and acceptance. The Planning Commission is now being asked to review and approve an overlay zone. This will establish the district officially and allow citizens within the area to take advantage of the proposed incentives. These incentives, however, would not be available to those who do not wish to participate within the preservation program. This overlay zone will not affect the underlying zoning and will allow a property owner to utilize their property as they see fit. The Landmarks Commission believes the proposed Zoning Code Text Amendment has been created in a way that would be considered positive for historic preservation. In addition, it appears the proposal is in harmony with all applicable goals and objectives of the General Plan. The Landmarks Commission is hopeful that by creating the district, it will encourage future preservation projects within the neighborhood.

Chair Hirschi opened the public hearing.

Becky Neville said she owns a home in this area which she rents out. She said she would like to add a garage to this property and wasn't sure if the proposed amendment would hinder her plans. She said it sounds as though this will not be a problem. She also said she is in favor of such an ordinance because she believes it will actually improve property values.

Chair Hirschi closed the public hearing.

Commissioner Hirst made a **motion** for the Planning Commission to accept the Zone Map Amendment to create an overlay zone for the Deuel Creek Historic District as depicted within the Staff Report dated December 9, 2015, and to recommend approval to the City Council.

Reasons for the Action:

1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
2. The proposed Zone Map Amendment meets the goals and objectives of the General Plan concerning a historic district [Section 12-480-8(3)].
3. Creating the Deuel Creek Historic District would not have a negative impact on the surrounding community.
4. Through research, site visits, three public work sessions and several meetings, the Landmarks Commission believes they have covered important aspects of location, guidelines and incentives for the overlay zone.
5. The Landmarks Commission believes the proposed overlay zone and related proposed Ordinance will be beneficial to the neighborhood.

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

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next regularly scheduled Planning Commission meeting will be Wednesday, January 13, 2016.

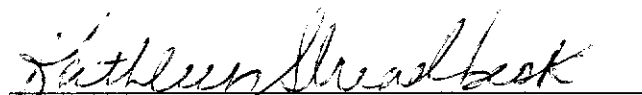
The meeting was adjourned at 8:30 p.m.



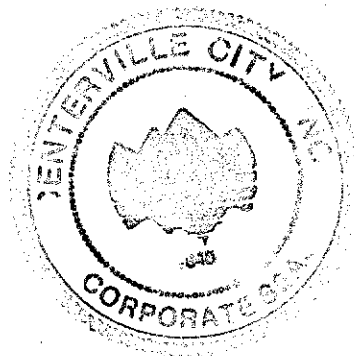
David Hirsch, Chair

1-27-2016

Date Approved



Kathleen Streadbeck, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, December 9, 2015

7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Linda H. Wright

Bird Hollerick

B. L. Kelly

Cathy K. O'Brien

Becky Neville

Patricc Neville

May 1968

GARY PERKINS

ALLY R. KING

Kathy Goodfellow

Robert M. Nelson

Justin Corzo

3770 Summer Ridge Rd. Morgan

3105 S. Willow Way Kansas

3066 10050

55 EAST 400 St

45 E. 100 N.

15 W. 42nd St.

572 E 636 N

215 W 1850 N

202-1008

192 E-400 So. 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.