

1 Minutes of the Centerville City Council meeting held Tuesday, October 4, 2016 at 7:00 p.m. at
2 Centerville City Hall, 250 North Main Street, Centerville, Utah.

3
4 **MEMBERS PRESENT**

5 Mayor Paul A. Cutler

6 Council Members Tamilyn Fillmore
7 William Ince
8 Stephanie Ivie
9 George McEwan
10 Robyn Mecham

11
12
13 **STAFF PRESENT**

14 Steve Thacker, City Manager
15 Lisa Romney, City Attorney
16 Jacob Smith, Assistant to the City Manager
17 Bruce Cox, Parks and Recreation Director
18 Cory Snyder, Community Development Director
19 Katie Rust, Recording Secretary

20
21 **STAFF ABSENT**

Blaine Lutz, Finance Director/Assistant City Manager

22
23 **VISITORS**

24 Shawn Beus, Davis County Economic
25 Development Director
26 Interested citizens (see attached sign-in sheet)

27 **PLEDGE OF ALLEGIANCE**

28
29 **PRAYER OR THOUGHT** Mayor Cutler

30
31 **OPEN SESSION**

32
33 Steve Allen – Mr. Allen asked when he can expect to see deer traps placed in the city.
34 Bruce Cox, Parks and Recreation Director, responded the city has seen some success with the
35 archery option since the urban deer control season began on August 1st. Trapping will be done
36 in conjunction with the Division of Wildlife Resources (DWR). Mr. Cox said it is his
37 understanding that trapping will begin after other food sources freeze, possibly closer to the end
38 of October.

39
40 **PRESENTATION REGARDING ECONOMIC DEVELOPMENT**

41
42 Shawn Beus with the Davis County Economic Development Department gave a
43 presentation regarding economic development and the goal to increase awareness and
44 recognition of Davis County. Councilwoman Fillmore asked if the County Economic
45 Development Department would be able to help the City with cost benefit analyses when
46 considering spending on economic development. Mr. Beus described third-party software
47 available to help with cost benefit analyses, but added that beautification efforts are a little more
48 difficult to analyze from that perspective. He offered to help whenever he can.

49
50 **MINUTES REVIEW AND ACCEPTANCE**

51
52 The minutes of the September 20, 2016 work session, September 20, 2016 regular
53 Council meeting, and September 7, 2016 joint work session with the Planning Commission –
54 with revisions by the Planning Commission – were reviewed. Councilman Ince made a **motion**
55 to accept all three sets of minutes. Councilwoman Fillmore seconded the motion, which passed
56 by unanimous vote (5-0).

ROCKY MOUNTAIN POWER FRANCHISE EXTENSION

Lisa Romney, City Attorney, explained the request for an extension of the current franchise agreement with Rocky Mountain Power. Steve Rush, representing Rocky Mountain Power, answered questions from the Council. Councilman Ince made a **motion** to adopt Ordinance No. 2016-28 extending the current Rocky Mountain Power Franchise for an additional five years. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – PDO AMENDMENTS – CHAPEL RIDGE COVE PDO

Mr. Snyder gave background information regarding the Chapel Ridge Cove Planned Development Overlay (PDO). The petitioner desires to add different elevation styles, keeping in place the approved architectural theme, materials list, and the 360 degree visual requirements. The Planning Commission has recommended approval of the request. Jacob Toombs, petitioner, stated the proposed elevations are not taller than existing homes in the development. He said most people wanting homes in that area are wanting ramblers with main-floor living.

Mayor Cutler opened a public hearing at 7:36 p.m., and closed the public hearing seeing that no one wished to comment. Councilwoman Fillmore made a **motion** to adopt Ordinance No. 2016-30 amending the Chapel Ridge Cove Planned Development Overlay to allow alternative housing styles. The motion failed for lack of a second. The Council examined pictures of the proposed elevations. Mr. Snyder pointed out that two-story homes are already approved in the Master Conceptual Plan. He said he thought it was a mistake on the developer's part to limit the development to three elevations to begin with. Five of the ten lots in the development are already built. Councilwoman Mecham said she would not want something to go in that existing homeowners are not expecting. From the audience, a woman who owns a home in the development said she is hoping the empty lots will be filled to complete the subdivision. Councilman McEwan made a **motion** to adopt Ordinance No. 2016-30 amending the Chapel Ridge Cove PDO to allow alternative housing styles. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ZONING MAP AMENDMENT (REZONE) – BALLING TOWNHOMES – 323 EAST PAGES LANE

Mr. Snyder explained that Mr. Balling has submitted an application to rezone his property located at 323 East Pages Lane from Commercial-High (C-H) to Residential-High (R-H). His desire is to rezone the property and go back to the Planning Commission for review and approval of six units. He said Mr. Balling believes his property will be more compatible with adjacent properties if it is amended to allow for multi-family development. The property east of the Balling lot is Zoned R-H and the property to the north, owned by the LDS Church is Zoned R-L. To the west, adjacent to 300 East is the J.A. Taylor Elementary School Zoned as Public Facility-Medium (PF-M). Across Pages Lane to the south is the old Dick's Market site, Zoned C-H. Mr. Snyder expressed the opinion that the proposed rezone would not create more impact for the elementary school than the C-H.

Mr. Balling gave a history of the properties in question, and emphasized his intention to develop a high-quality six-plex that would appear as much as possible as a single unit. He said he is not seeking the highest possible density for the R-H Zone. The property adjacent to the east has eight units on a comparably sized lot – two more than his proposed plan. Mr. Balling said he feels his request is in line with the General Plan, with the nearest single-family residence being more than 300 feet from his property, and the nearest R-M Zone more than 600 feet away. Mr. Balling said he feels R-L or R-M would not be in harmony with adjacent

1 properties. He said the project would need six units to justify demolition costs. Mr. Balling
2 expressed confidence that it would be the most attractive structure in the area. He said his plan
3 is to design the units to be sold individually.
4

5 Mayor Cutler opened a public hearing at 8:04 p.m.
6

7 Dale McIntyre – Mr. McIntyre provided Council members with excerpts of the General
8 Plan with his own comments and emphasis added (attached). He said he is opposed to
9 rezoning the subject property to R-H because of the precedent it would set for other properties
10 in southeast Centerville, and because it is in direct opposition to the stated goal of the General
11 Plan to have residential property in the area reserved for single-family dwellings.
12

13 JaNae Urry – Ms. Urry said her concern with changing the zoning to R-H is the
14 possibility that the property may be sold following the rezone and developed with higher density
15 than Mr. Balling is proposing. She commented that 300 East has only single-family homes.
16 She said the apartment buildings east of the subject property do not feel to her as high density
17 as the proposal.
18

19 Dean Williams – Mr. Williams said he is not foolish enough to think development will not
20 take place, but said he agrees with the comment regarding this project influencing what goes in
21 later. He said that every time a developer wants to make more money the developer comes to
22 the City for a rezone, and puts in high density. Mr. Williams said he does not believe a
23 developer's right to make money trumps his right as a property owner when it affects him. He
24 said he built his home counting on single-family development in south Centerville as stated in
25 the General Plan. He said, if the city is heading toward high density in the Dick's Market area,
26 he is not in favor of the current request. Mr. Williams expressed the opinion that commercial
27 property owners are aware of the zoning when they purchase their property.
28

29 Cindy Baker – Ms. Baker said she has been Mr. Balling's residential neighbor for 25
30 years. She said Mr. Balling has contributed a lot to the community, and he is a wonderful
31 neighbor. She commented that Centerville does not have a lot of multi-family housing, and she
32 believes the proposed development would be desirable to many people. She vouched for Mr.
33 Balling's character.
34

35 Dale Engberson – Mr. Engberson said he believes everyone is upset because of what
36 has happened in the past. He said he feels what Mr. Balling is requesting is reasonable. He
37 stated that rezoning the subject property to R-H does not mean the larger property across the
38 street will be R-H. Mr. Engberson said he believes the rezone makes sense and fits with the
39 neighboring properties. He said he is afraid people are so set against high density they are not
40 open minded and reasonable. This battle cannot be fought based on a previous battle.
41

42 Garth Heer – Mr. Heer said he owns the property directly to the east of the subject
43 property. He said he feels the requested rezone is in line with the neighboring properties. He
44 commented that the adjacent Church property is a buffer for the single-family homes. Mr. Heer
45 said Mr. Balling is a good neighbor, and has proven that he does good work. He suggested that
46 approval of the rezone be contingent on six or fewer units. Mr. Heer expressed confidence that
47 Mr. Balling will do what he has proposed.
48

49 David Baker – Mr. Baker said he is Mr. Balling's residential neighbor, and emphasized
50 that Mr. Balling's home is a real improvement to the neighborhood. He commented that the
51 Council is looking to improve Centerville with everything they do. Mr. Baker said he believes
52 Mr. Balling is a man of integrity who will do what he proposes. He pointed out that single-family
53 homes usually appeal to families, and families usually do not want to live on busy streets like

1 Pages Lane. He said he feels the proposal fits in with the area and would be a benefit to
2 Centerville.

3
4 The Mayor closed the public hearing at 8:28 p.m. Councilman McEwan commented that
5 the Council has specific criteria to examine when considering a rezone, not including the
6 intended use of the property. Ms. Romney clarified that the Council cannot add conditions to a
7 rezone such as limiting development to six units. The proposed plan is less dense than the
8 properties directly to the east. Councilwoman Fillmore commented that R-H in Centerville is low
9 compared to other cities. She said that, at full potential with R-H, the subject property could
10 have a maximum of nine units, which she feels is in line with neighboring properties.
11 Councilwoman Mecham said she would like to be able to give Mr. Balling what he wants, but
12 there is no way to allow six units on the property without opening up the possibility for more.
13 She said she would approve R-M, but she cannot approve the rezone to R-H.

14
15 Councilman McEwan referred again to the rezoning criteria, and said he feels the
16 Council needs to remain dispassionate about the process. He asked for clarification from staff
17 regarding the General Plan statement that "the southeast residential area shall be developed
18 and maintained in low density single-family residential development". Mr. Snyder responded
19 that the General Plan is made up of generalities. He quoted other portions of the General Plan
20 regarding density, including: "medium or high-density residential development is allowed within
21 appropriate locations within the city." The General Plan is not going to give a line item
22 specifying that a particular property is intended to be a specific zone. Most of Centerville is low-
23 density development, but multi-family is allowed in appropriate locations. Buffering, neighboring
24 uses, and type of street all have to be considered. Mr. Snyder added that the idea that only
25 single-family development will occur, end of discussion, is missing the entire breadth and
26 discussion of the General Plan.

27
28 Councilman McEwan made the point that the word "shall" has very specific legal
29 connotations. If the statement in Section 12-480-2 does not hold, the word "shall" should not be
30 used. Councilwoman Fillmore said the statement applies to areas already developed
31 residential. The challenge before the Council now is dealing objectively with reality. She said
32 the southeast neighborhood has commercial corridors that cannot economically switch to single-
33 family residential. Councilwoman Fillmore stated if the Council is not realistic and objective
34 about what really can happen in those areas, they will be encouraging dilapidation. She said
35 she appreciates a property owner wanting to invest in a property and make improvements.
36 Regarding precedent, she said a precedent was already set with the properties to the east of
37 the subject property. Councilwoman Fillmore said she feels the proposal is harmonious and
38 makes sense.

39
40 Councilman Ince pointed out that General Plan updates took place substantially after the
41 development of properties to the east of the subject property. He said he would be inclined to
42 vote in favor of the request if there were some way to guarantee no more than six units are
43 developed, but there is no way to get that guarantee. Mr. Snyder cautioned the Council against
44 relying on staff to provide guarantees. He said there comes a time as legislators when they
45 need to take a leap of faith. The Council needs to determine if the maximum of nine units would
46 be a bad thing for the property. If the Council does not approve the requested rezone, a
47 developer in the future may be able to get more units. Mr. Snyder confirmed that he has
48 advised the Council against contract zoning. Ms. Romney stated the focus should be on the
49 Ordinance. She said the General Plan is a little vague in this situation. Section 12-480-
50 2.1(e)(1) would not apply to the subject property because it is not in the southeast residential
51 area. She suggested the Council focus on impact to the school, and said she feels residential is
52 less of an impact to the school than commercial.

1 Councilwoman Mecham stated she is not comfortable with R-H. She said she believes
2 the south end of the city has its share of high density units. She said residents do not want
3 more, and she does not want to set a precedent. Councilman McEwan stated there is nothing
4 in the approval standards regarding precedent. The Council cannot be concerned with a
5 precedent set in the approval process. Councilman McEwan said the "faith" comment disturbs
6 him because the Council made a zoning decision earlier in the year based on the zoning
7 criteria. If the Council were to now make a zoning decision based on faith, they could be
8 accused of being capricious. Councilwoman Fillmore said the question is what is best for the
9 neighborhood and what the possibilities are. The known possibilities are: (1) the property
10 remains C-H with no redevelopment; (2) application for R-H is approved with 6-9 units possible;
11 and (3) the property remains commercial and is sold for another commercial use. She read
12 from the table of approved C-H uses, with the point that the R-H may make people less
13 uncomfortable. Councilwoman Fillmore expressed a desire to weigh the risks of the R-H with
14 the possible impacts of other C-H uses. Councilman McEwan pointed out that according to the
15 code any use shall be designed for minimal impact on the school. Ms. Romney stated the
16 Zoning Code trumps the General Plan. The purpose of the General Plan is to give a vision,
17 which is then implemented with the Zoning Code. Councilwoman Ivie expressed the opinion
18 that the Council has the job to listen, not only to the property owner, but to the people all around
19 it. Considering the comments she has heard and the emails she has received, Councilwoman
20 Ivie made a **motion** to reject the R-H Zoning application. Councilwoman Mecham seconded the
21 motion.

22
23 Mr. Balling stated he respects what the neighbors want. He said he received approval
24 from the Planning Commission for the plan ten years ago, but neighbors made it clear they
25 would prefer the property to not have access from 300 East. He has waited ten years to finish
26 up his commercial use of the property to be able to design the development with access solely
27 off Pages Lane. He said his proposal is for 5.8 units per acre. Six units will require a
28 conditional use permit from the Planning Commission. Mr. Balling said he feels requiring R-M
29 would be capricious, with no R-M within 600 feet of his property. He said he is trying to do what
30 the neighbors want. He thinks it is the best option for the property. Mr. Balling said he will build
31 what he intends to build, and he would like to do it as quickly as possible.

32
33 Mayor Cutler shared the opinion that it would be wise to take a pragmatic approach with
34 a local developer with a reputation for integrity trying to improve the area and make the situation
35 better for the school by removing access on 300 East. Councilman Ince asked if there would be
36 a way for Mr. Balling to acquire the additional property necessary to qualify for R-M from Mr.
37 Heer's adjacent property. Councilman Ince agreed the proposed development is an
38 improvement, but said he cannot approve R-H. Mr. Thacker pointed out that, if the application
39 comes back requesting R-M, the tension would still exist between the first and second criteria
40 for zoning. Mr. Snyder repeated the position of staff that the subject property is not in the
41 southeast residential area. Ms. Romney explained conditions involved with a reapplication.
42 She also explained that conditions can only be placed on a conditional use permit to mitigate
43 potential negative impacts.

44
45 Councilwoman Mecham said she would love to see the project happen, but she cannot
46 vote in favor of R-H. Councilman McEwan stated it is important to him to be consistent and
47 avoid any decisions that would make a property owner feel disadvantaged. He said he feels it
48 would be very hard to argue that residential is not in the vicinity, since R-H is right next door.
49 Referring to the overall character of the neighborhood, he pointed out there is a blighted area to
50 the south, R-H to the east, and an elementary school to the west. Therefore, he said he feels
51 the property meets that particular criterion. Councilman McEwan said, based on the criteria, he
52 cannot find enough reason to reject the application. Councilwoman Fillmore said she feels they
53 all want what is best for the neighborhood, and she feels this would be an improvement over

1 other options for the area. She said she also thinks it is important to consider friendliness to
2 positive redevelopment. Councilwoman Fillmore said she feels the Council is making it too
3 difficult to do reasonable things that would bring improvement and would benefit citizens, based
4 on whether there is an "H" or an "M" after the R. Councilwoman Ivie said she thinks the Council
5 is stuck because of the General Plan. She said the General Plan needs to be fixed so that the
6 Council can pass things it likes without having conflict. Councilwoman Mecham said she would
7 like to see more options in zoning so it does not have to be just one or the other. The motion to
8 reject the application to rezone passed by majority vote (3-2), with Council members Ivie, Ince,
9 and Mecham in favor, and Council members Fillmore and McEwan dissenting. The following
10 findings were included.

11
12 Findings:

- 13
14 1. The City Council believes a vast number of citizens have expressed sincere and
15 substantial concern about continuing high-density development, and the Council's
16 hands are tied to keep this from qualifying. Therefore, the Council had no choice but
17 to reject the application.
18 2. The City Council feels 300 East does not have the necessary road width to justify R-
19 H.
20 3. The City Council believes the application is not consistent with the goals and
21 objectives of the General Plan.
22

23 **GENERAL PLAN AMENDMENTS – BICYCLE AND NON-MOTORIZED VEHICLE**
24 **PATHWAYS AND TRAILS MASTER PLAN MAP**

25
26 Mr. Thacker presented proposed General Plan amendments to Section 12-450-3
27 regarding bicycle and non-motorized vehicle pathways in the transportation and circulation
28 element of the General Plan. Councilman McEwan made a **motion** to adopt Ordinance No.
29 2016-21 amending Section 12-450-3 of the Centerville General Plan regarding Bicycle and Non-
30 Motorized Vehicle Pathways and amendments and updates to the Centerville Trails Master Plan
31 Map as referenced in Section 12-460-2. Councilman Ince seconded the motion, which passed
32 by unanimous vote (5-0).
33

34 At 9:28 p.m. the Council took a break, returning at 9:42 p.m.

35
36 **ADMINISTRATIVE POLICY – NEWSLETTER, UTILITY BILL INSERTS AND PUBLIC**
37 **OUTREACH POLICY**

38
39 At a previous meeting, the City Council requested staff to prepare a written policy
40 governing the use of City newsletters, utility bill inserts and other public communications. The
41 Council specifically requested the policy to address the limitations and conditions for the use of
42 such communications for non-city purposes or entities such as utility bill inserts for advertising
43 CenterPoint Theatre events and other governmental or nonprofit entity information. Ms.
44 Romney presented proposed Resolution No. 2016-24. The Council discussed and indicated
45 support for the Mayor and staff retaining flexibility to deem what material would be in the public
46 interest, guided by the Policy.
47

48 Ms. Romney suggested changing the beginning language of Subsection 040(a) to: "The
49 information is related to a governmental entity or non-profit program deemed to be in the public
50 interest. . .". Councilwoman Ivie made a **motion** to approve Resolution No. 2016-24 adopting a
51 new administrative policy regarding Newsletter, Utility Bill Inserts and Public Outreach Policy,
52 with the change suggested by the City Attorney. Councilman McEwan seconded the motion,
53 which passed by unanimous vote (5-0).

DISCUSSION REGARDING POTENTIAL USES OF RAP TAX REVENUE

Councilwoman Ivie stated that, considering the dedicated work sessions held recently with both CenterPoint Theatre (CPT) representatives and the Parks and Recreation Committee to discuss potential uses of RAP Tax revenue, she would like the Council to also meet with the Whitaker Museum Board to discuss their budget and request for funds. The Whitaker Museum Board has a meeting scheduled for October 25th. Councilwoman Ivie made a **motion** to table discussion of potential uses of RAP Tax revenue until the Council has met with the Whitaker Museum Board. Councilman McEwan seconded the motion. Councilman Ince expressed a preference to begin the discussion now, but not make final decisions until the Council has met with the Whitaker Museum Board. The Council discussed their availability to meet with the Whitaker Museum Board, and accepted the suggestion that they join the Board at the October 25th meeting. Councilwoman Ivie **withdrew the motion** to table further discussion, and made a **motion** to schedule a work session with the Whitaker Museum Board prior to deciding on RAP Tax distribution, with a proposed date of October 25th at 6:30 p.m. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

Councilman Ince said he would like to reserve 5% of annual RAP Tax revenues on a contingency basis for surprises. Mayor Cutler agreed annual distribution should include flexibility. The Mayor said he envisions a vast majority of RAP Tax revenues being allocated for parks capital improvement, a small portion for arts, and a portion for Whitaker Museum capital improvement. CPT has requested 10% of annual Centerville RAP Tax revenues. The Council discussed the purpose of the various reserve funds associated with CPT and the Davis Center for the Performing Arts. CPT has also requested 10% of Bountiful City RAP Tax revenues. However, the guidelines adopted by Bountiful City state that Bountiful RAP Tax revenues will be used for projects rather than ongoing operations. Mr. Thacker suggested the application to Bountiful could be for funds to cover the annual HVAC contract and building insurance. He said it is his understanding that CPT is hoping for a total of about \$60,000 from both cities together, which is less than 10% of the estimated combined RAP Tax revenues.

MAYOR'S REPORT

- UTOPIA/UIA financial reports are available with the meeting agenda on NovusAgenda. Mayor Cutler reported that UTOPIA/UIA is planning to move office locations.
- The Council discussed the proposed City Hall lobby update. Councilwoman Fillmore suggested asking the designer who has already donated time in putting together a design board to give an opinion of the cost to do the entire update all at once. Councilwoman Ivie said she would rather not go too trendy with the update. She expressed a desire to retain the hometown Centerville feel.

CITY MANAGER'S REPORT

- Mr. Thacker updated the Council on upcoming events:
 - October 5 – Sidewalks & Trees Open House
 - October 8 – Emergency Communications Exercise
 - October 8 – Pedestrian Bridge ribbon-cutting

- UDOT has responded to the request for crosswalk improvements on Main Street. Mr. Thacker agreed to forward the email from UDOT to the Council members.
- Referring to the sidewalk/tree removal project, Mr. Thacker reported that some of the property owners approached regarding tree removal have requested the city remove all trees in their park strips, including trees not identified as currently causing a problem. Removal of additional trees would increase the cost from \$25,000 to approximately \$30,000. Councilmen Ince and McEwan expressed the opinion that the Council already decided to pay for the tree removal if property owners said yes.

MISCELLANEOUS BUSINESS

- Councilwoman Fillmore commented that the mosquito problem is worse than it has ever been. She asked if anything could be done to improve the situation. As liaison to the Mosquito Abatement District, Councilman McEwan responded that there is no point in spraying when nighttime temperatures are lower than 50 degrees because there is nothing to spray. The increased mosquito activity is due to the weather. He commented that mosquito abatement would be the one line item on his tax bill that he would not mind increasing.
- Councilwoman Ivie said she feels the Cub Scout group that cleared the weeds off the sidewalk on the west side of Main Street just north of Centerville Junior High did an awesome job. The Council and Mayor agreed.
- Mr. Thacker updated the Council on a complaint regarding the Woods Park Subdivision.

APPOINTMENT

Mayor Cutler nominated Tiffany Reese to the Parks and Recreation Committee. Councilman Ince made a **motion** to appoint Tiffany Reese to the Parks and Recreation Committee. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 10:48 p.m., Councilman Ince made a **motion** to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).


Marsha L. Morrow, City Recorder

10-18-16
Date Approved


Katie Rust, Recording Secretary



During the 14 September Planning Commission meeting, Community Development Director Cory Snyder listed four criteria to be examined during discussion of rezoning. The 1st was the General Plan, 2nd the property itself, 3rd properties around it, and 4th the ability to adequately meet service needs. He stated that the General Plan is adopted by ordinance so they are required to look at the General Plan for their guidance. He then diverted to a discussion of schools instead of the requirements in the General Plan for residential construction. He did not reference the following pertinent areas from the General Plan. (In the following quotes, all emphasis is mine.)

Section 12-420-1 is entitled RESIDENTIAL CHARACTER

"The citizens of Centerville have expressed a desire to retain a suburban residential lifestyle. These feelings have been reemphasized by the Community Surveys done by the City. The citizens of Centerville recognize the diversity of lifestyles that exist throughout the region; however, we do not feel an obligation to provide a cross-section of those different lifestyles within the boundaries of our small community. Centerville has a small land area, much of which is developed. That development has predominantly been single family residential. **We desire to maintain that character of development.**

"Quality of life is important to the residents of Centerville, as it is to many people. **The citizens of Centerville desire to achieve a quality of life that is consistent with the development of low density residential development.**"

Section 12-480-2 is entitled NEIGHBORHOOD 1, SOUTHEAST CENTERVILLE.

Within that, section 12-480-2-1-e-1 states:

"The southeast residential area shall be developed and maintained in low density single-family residential development."

During the 14 September Planning Commission meeting, Commissioner Daly expressed his opposition to this rezoning because of his concerns about density, impact on J A Taylor, and the setting of a precedent. Chairman Hirschi expressed his concern for the property owner, and stated that he did not believe rezoning to Residential-High would set a precedent. Commissioner Hayman praised the applicant for presenting a detailed proposal for the property. She also admitted she was aware that they were not supposed to look at any particular proposal while deciding on zoning. Commissioner Kjar stated that previous construction by the owner was high quality. Commissioner Johnson stated that rezoning the area would send a clear message to developers as to what they should try for across the street. By a 4-1 majority vote, the above requirements of the General Plan were disregarded. They used, as their reason for favoring the rezoning, the precedent of Residential-High property to the east.

I wonder whether the Commercial-High zoning of the property across the street to the south was used as a precedent in the original rezoning of the Balling property from Residential to Commercial-High.

I am opposed to rezoning the Balling property to Residential-High because of the precedent it sets for rezoning of other property in Southeast Centerville and because it is in direct opposition to the stated goal of the General Plan to have residential property in the area reserved for single family dwellings.

Dale McIntyre, Centerville resident

CENTERVILLE CITY COUNCIL MEETING

Tuesday, Oct 4, 2016
7:00 p.m.

①

NAME (PLEASE PRINT)	ADDRESS**
Dean Williams	130 W 520 S
Annette Miller	19 E. 1200 N.
Dale McIntyre	259 E - 2025
Grace McIntyre	11
Jacob Tombs	13546 S. Bridle Pointe Dr
Shawn Bens	Davis County Econ Dev.
Scott Ballwe	1795 N 100 E
Bruce Cox	364 W. 1375 N. Cent.
STEVE & TENA ALLEN	133 ROCK MAJOR DR
TIFFANY SHAW	2153 Chapel Bridge Cir
Kiegan Wirtz	162 E 200 N Centerville
STEVE RUSH	RMP
MARK DIMOND	120 W 925 N CENTERVILLE
Janae Urry	2116 Canyon Breeze Dr. Centerville
Garth Heer	77 E 1975 N
David + Andy Baker	1987 N 100 E

** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the City Council meeting.