

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, November 9, 2022**

3 **7:00 p.m.**

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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 Shawn Hoth

11 Matt Larsen

12 Christina Wilcox
13

14 **MEMBERS ABSENT**

15 Mason Kjar

16 Heidi Shegrud

17 Becki Wright
18

19 **STAFF PRESENT**

20 Cory Snyder, Community Development Director

21 Lisa Romney, City Attorney

22 Jennifer Robison, City Recorder
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24 **VISITORS**

25 Sam Anderson, Clubhouse Motor Company

26 Walker Wood, CW Land

27 Kelly Payne

28 Jeff Payne
29

30 **PLEDGE OF ALLEGIANCE**

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32 Chair Daly suggested staff present related business agenda items one and two together.
33

34 **PARKING MODIFICATION REQUEST AND CONDITIONAL USE PERMIT REQUEST**
35 **(TABLED FROM 10-12-22) – CLUBHOUSE MOTOR COMPANY AT 71 NORTH 1400 WEST**
36

37 The Planning Commission reviewed and tabled the Conditional Use Permit request from
38 Clubhouse Motor Company on October 12, 2022 because of questions related to parking
39 availability at the location. Community Development Director Cory Snyder explained the Parking
40 Modification request submitted by the applicant (shared-use scenario), and commented that
41 under the Commercial Use Zone, the Planning Commission had broad discretion to modify
42 parking requirements depending on the situation. Due to the hobby nature of the proposed use,
43 Mr. Snyder suggested the three parking spots available at the location would be sufficient if the
44 applicant were willing to agree to maintain the narrow business model submitted.
45

46 Sam Anderson, applicant, said he had consistently observed at least ten parking spots
47 available during business hours at the location.
48

49 Commissioner Larsen **moved** for the Planning Commission to grant a Parking
50 Modification for Clubhouse Motor Company located at 71 North 1400 West with the following
51 conditions, and for the following reasons for action. Commissioner Wilcox seconded the motion,
52 which passed by unanimous vote (4-0).
53

Conditions:

1. This modification is only for Clubhouse Motor Company and is not transferable to another location or another user at this location.
2. This modification amends the required parking spaces for this use at this specific location from four to three.
3. This modification is contingent on the approval of a subsequent Conditional Use Permit.

Reasons for action:

- a) The Planning Commission finds that according to CZC 12.52.110(a), Parking Modifications, the Planning Commission may modify the number of parking spaces required.
- b) The Planning Commission finds that this parking modification is consistent with the June 2003 approved site plan.
- c) Therefore, the Planning Commission finds that, with the conditions imposed, the parking modification will adequately accommodate the operations of the Clubhouse Motor Company.

Commissioner Wilcox **moved** for the Planning Commission to approve a Conditional Use Permit for Clubhouse Motor Company located at 71 North 1400 West with the following conditions, and for the following reasons for action. Commissioner Hoth seconded the motion, which passed by unanimous vote (4-0).

Conditions:

1. This Conditional Use Permit shall apply to the user space located at 71 North 1400 West, or otherwise known as Clubhouse Motor Company. This permit shall not be transferred to another similar user, unless approved by the City.
2. This Conditional Use Permit approval is for vehicle rental or sale, used, limited.
3. All display vehicles shall be located inside the building only.
4. Other business operations at this tenant location shall cease prior to the opening of Clubhouse Motor Company.
5. All customers shall be served by appointment only.
6. No repairs, washing, or other maintenance to the vehicles shall be made onsite, other than the general cleaning, such as vacuuming and detailing or similar preparation work for selling the vehicle.
7. The transport of display vehicles shall not be loaded or unloaded using the public rights-of-way.
8. If the use does not adhere to the parameters of this conditional use permit or creates additional impacts beyond the approved conditions addressed by the CUP, the permit shall be amended, and if not mitigated, may be revoked per CZC 12.62.060.

Reasons for action:

- a) A complete application for a conditional use permit has been submitted per CZC 12.21.100(d)(1).
- b) The application meets the required established evidence for an approval of a conditional use permit 12.21.100(e)(3).
- c) With the approved parking modification, the request for a conditional use permit meets the factors to be reviewed and considered for an approval under CZC 12.21.100(e)(5)(A-J).

- d) The proposed use, vehicle rental or sale, used, limited is a conditional use in the Industrial-High Zone under CZC 12.36.040.

FINAL SITE PLAN AMENDMENT SUBMITTAL – THE HIVE DEVELOPMENT AT 555 NORTH 400 WEST

Mr. Snyder reviewed with the Planning Commission the request to amend Site Plan Approval for The Hive Development to add a 1' to 3' retaining wall, and then install the approved 6-foot fence on top of the retaining wall along the entire northern property line due to final site grading. The final height of the fence would range from 7 feet to 9 feet. Mr. Snyder explained the proposed drainage plan was reviewed and approved by the Building Official and the City Engineer.

Walker Wood, representing the applicant, said no changes were made since the previous submittal to the City.

Commissioner Hoth **moved** to approve the Final Site Plan requesting an increased fence height for the Hive Development with the following conditions, and for the following reasons for action. Commissioner Larsen seconded the motion, which passed by unanimous vote (4-0).

Conditions:

1. The proposed increased fence height of 1' to 3' shall be limited to the submitted Final Site Plans depicted on Sheet C4 and C4.1. Drainage Plan, Sheet C5.1, Drainage Plan, and the Retaining Wall System designed by Focus Engineering & Surveying, LLC, dated August 24, 2022.
2. Nevertheless, the fencing shall be reduced/limited to the allowable 48-inch height in the front yard setback area of 400 West and 800 West – See CZC 12.55.110(b) – miss labeled/typed as (a).
3. This accepted amendment to the fencing, retaining wall system, and the drainage plan may still be modified, if necessary, to be in compliance with the City Engineer's final review and approval, provided however, the modification does not exceed the proposed 1'-3' increase in height.
4. This accepted amendment to the fencing and retaining wall system may still be modified, if necessary, to be in compliance with the City Building Official's final review and approval, provided however, the modification does not exceed the proposed 1'-3' increase in height.

Reasons for action:

- a) The Planning Commission finds that according to CZC 12.55.110, Fences and Walls, the Planning Commission may approve a fence, wall, or similar structure not to exceed 10 feet in a rear area or side yard in the R-H Zone.
- b) The Planning Commission finds that on February 24, 2021, as part of the original Final Site Plan approval, the Commission communicated and encouraged the possibility of allowing an increased fence height.
- c) The Planning Commission finds that the increased fence height will assist in buffering the new development in this higher density zone that is adjacent to the residential low zone to the north (see CZC 12.55.110(4)(B)).
- d) Therefore, the Planning Commission finds that, with the conditions imposed, the increased fence height is a benefit to the surrounding properties and/or would help to buffer the new uses being constructed in The Hive Development project and is in the City's best interest for the overall development outcome of the property.

PARKING MODIFICATION REQUEST – 380 SOUTH MAIN STREET, NATHAN AND KELLY PAYNE

Mr. Snyder explained that the applicant had leased a portion (600 square feet) of the building located at 380 South Main Street. The total building size was estimated to be approximately 2,300 square feet. Because of the increased intensity of the new tenant's use and the City's parking calculations, the sum of the tenant's parking requirement would exceed the existing formal parking stalls. Based on the actual use of the current tenants and the nature of the applicant's business as a medical service to "at home patients and no more than three patients per hour," Mr. Snyder said the applicant argued the high calculation for formally developed parking was unnecessary for the true use of the property. Mr. Snyder added that gravel areas on the property had been historically used for parking in addition to the formal parking stalls. Responding to a question from Chair Daly, Mr. Snyder said he did not believe emergency access would be a concern with the proposed parking modification.

Kelly Payne, applicant, explained the majority of her husband's podiatry practice would involve in-home patient visits, but they would like the option for patients to be seen in the office. She said the medical practice would not grow with regard to staff, and no more than three patients would be seen per hour.

Chair Daly commented that the property was unique, and said it appeared to him that plenty of parking was available between formal and gravel parking areas. Commissioner Wilcox **moved** for the Planning Commission to approve the proposed parking modification with the following conditions, and for the following reasons for action. Commissioner Larsen seconded the motion, which passed by unanimous vote (4-0).

Conditions:

- 1) The proposed parking modification is for the on-site parking counts located at 380 South Main Street.
- 2) The proposed parking modification count is as follows:
- 3) The parking modification is narrowly defined for and limited to the following businesses:
 - a. Cook Rentals Office – operating Monday-Friday from 9am to 12pm
 - b. Global Security Office – a provider of security systems
 - c. Both Cook Rentals and Global Security shall not exceed a combined total of three employees.
 - d. A podiatry Office – consisting of only one medical provider and shall not exceed an operational patient capacity of three persons per hour.
- 4) Any changes to the uses, as defined in this parking modification, or any proposed additional uses to the site shall NOT be undertaken, unless additional approvals are obtained from the City.
- 5) This parking modification shall become null and void if the conditions of this approval are found to be in violation or the approved uses are altered or abandoned in manner that required additional parking capacity, unless otherwise approved by the City.
- 6) The property owner shall sign an "affidavit of acknowledgement" to agree to the terms and conditions of this parking modification and intent to comply with the approval, which shall return to the Community Development Department.
- 7) This "parking modification" shall not become effective until the affidavit of acknowledgement is submitted, as per Condition 6.

Reasons for action:

- a) The Planning Commission finds that according to CZC 12.52.110(a), Parking Modifications, the Planning Commission may modify the number of parking spaces required.
- b) The Planning Commission finds that based on the historical construction sales and service use of the site for the parking of customer, employee, and equipment, the current actual uses and the proposed medical service use limited to "at home patients and no more three patients per hour," the ordinance required calculations are unnecessary at this time.
- c) Therefore, the Planning Commission finds that, with the conditions imposed, the parking modification will accommodate the current parking demand for the site.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Planning Commission was scheduled to meet next on December 14, 2022. Mr. Snyder updated the Planning Commission regarding recent actions of the City Council. The Planning Commission and staff discussed a possible update of the General Plan, and discussed proposed parking requirement modifications forwarded to the City Council earlier in the year. Chair Daly expressed a desire for the Commission to meet in a joint discussion with the City Council to discuss the proposed parking modifications.

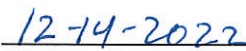
MINUTES REVIEW AND APPROVAL

Minutes of the October 12, 2022 Planning Commission meeting were reviewed. Commissioner Larsen **moved** to approve the minutes. Commissioner Hoth seconded the motion, which passed by unanimous vote (4-0).

ADJOURNMENT

At 7:51 p.m., Chair Daly **moved** to adjourn the meeting. Commissioner Wilcox seconded the motion, which passed by unanimous vote (4-0).


Jennifer Robison, City Recorder


Date Approved

