

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, January 25, 2023**

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.

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8 **MEMBERS PRESENT**

9 Kevin Daly

10 Shawn Hoth (excused at 7:21 p.m.)

11 Mason Kjar

12 Matt Larsen, Vice Chair

13 Heidi Shegrud, Chair

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15 **MEMBERS ABSENT**

16 Becki Wright

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18 **STAFF PRESENT**

19 Cory Snyder, Community Development Director

20 Lisa Romney, City Attorney

21 Whittney Black, Assistant Planner

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23 **VISITORS**

24 Kevin Mortensen

25 Dean Fraughton

26 Kirk Olsen, Symphony Homes

27 Spencer Packer

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29 **PLEDGE OF ALLEGIANCE**

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31 **LEGISLATIVE PRAYER OR THOUGHT** Commissioner Hoth

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33 **PUBLIC HEARING – CONCEPTUAL SUBDIVISION, CHASE CREEK SUBDIVISION**
34 **AT APPROXIMATELY 224 WEST CHASE LANE**

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36 Assistant Planner Whittney Black presented a Conceptual Subdivision Plan for a nine
37 lot, single-family subdivision with a cul-de-sac at approximately 224 West Chase Lane. The City
38 Council approved a rezone of the property from Agricultural-Low (A-L) Zone to Residential-Low
39 (R-L) Zone on October 4, 2022. The current use of the property was residential with accessory
40 agricultural uses, with a single-family home, several accessory buildings, horses, and a garden.
41 Ms. Black said staff believed the proposed subdivision had the potential to meet or satisfy the
42 City's subdivision regulations with directives provided in the Staff Report, and suggested the
43 Planning Commission accept the Conceptual Subdivision Plan and allow the applicant to
44 proceed to the Preliminary Subdivision Submittal stage.

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46 Community Development Director Cory Snyder explained conflicts and staff
47 recommendations related to a retention pond. Mr. Snyder answered questions from the
48 Planning Commission about retention alternatives. Commissioner Daly said it would be nice to
49 avoid needing an HOA. City Attorney Lisa Romney said ideas and information could be
50 obtained from the Drainage Supervisor regarding LID requirements. She said another entity
51 (HOA) would likely be needed to maintain the retention unless the retention was a swale area
52 on which each owner had a lot restriction. Ms. Romney added that a long-term storm water
53 facility maintenance plan would also be required.
54

Kevin Mortensen, applicant, said he would be comfortable with a maintenance agreement, and said he would prefer the retention to remain part of a buildable lot. He explained that some of the proposed lot lines were skewed rather than straight to enable uniform sizes for the planned homes. He answered questions from the Planning Commission regarding differing lot sizes. Mr. Mortensen and Dean Fraughton, a friend of Mr. Mortensen and property owner of 316 West Chase Lane, shared knowledge about an existing drop inlet and canal channel. Mr. Snyder stated the proposed subdivision would require working diligently with the County for a 404 Permit.

Chair Shegrud open a public hearing at 7:34 p.m., and closed the public hearing seeing that no one stepped forward to comment. Commissioner Daly said the proposed subdivision would be tricky, but clearly a lot of thought had gone into the planning. He encouraged the applicant to straighten out lot lines as much as possible.

Commissioner Kjar said he was hesitant to approve a conceptual plan if major issues had not been addressed, and the cross-maintenance, HOA, and stream were major items that caused him concern. Commissioner Kjar said he was disinclined to vote in favor of the conceptual plan at that time. Chair Shegrud said she agreed, and would like to see more of the issues figured out before conceptual approval. Commissioner Larsen expressed concern about the restrictive nature of the proposed lot lines.

Commissioner Kjar made a **motion** for the Planning Commission to table the Conceptual Subdivision Plan for the Chase Creek Subdivision located at approximately 224 West Chase Lane, with the following conditions and directives, and reasons for the action. Commissioner Daly seconded the motion, which passed by unanimous vote (4-0).

Conditions/Directives:

1. The applicant shall apply for a preliminary plat and meet all the submittal requirements listed in CMC 15.03.
2. The preliminary plat shall indicate the following information:
 - a. Depict/correct the lot width on Lots 1-8 such that they comply with City Ordinances. Address this matter more particularly on Lot 1.
 - b. Depict the Buildable Area for each lot, providing a minimum of 2,000 square feet meeting the Buildable Ratio of the Zoning Ordinance.
 - c. Depict three public utility easements on each lot with an easement along the street frontage of each lot measuring 10 feet and an easement along a side and rear yard on each lot measuring a minimum of 7 feet.
 - d. Depict adequate fire protection including any existing or new fire hydrants required by the Fire Marshal.
3. The applicant shall provide a utility provider sheet/letter indicating all utility providers can service each lot.
4. The applicant shall address how the retention pond will be maintained, including a consideration of an HOA.
5. The applicant shall obtain a 404 Permit from the U.S. Army Corps of Engineers, the Utah State's Engineer's Office, and an approval from Davis County.
6. The applicant shall realign the lot lines to comply with CMC 15.05.020(d). The applicant may ask for an exception and provide a narrative explanation in support thereof; however, such exception is subject to discretion afforded under City Ordinance as noted by the City Council.

Reasons for action:

- a. The Conceptual Subdivision plan appears to be consistent with the applicable Neighborhood Plan as described in CMC 12.480.5.
- b. The proposed subdivision plan appears to likely be able to satisfy the Development Standards provided in CZC 12.32.300.
- c. The applicable review standards of CMC 15.02 have been reviewed and directives established to allow the proposal to proceed to a preliminary subdivision plan submittal.
- d. The stream channel issues, lot line issues, and retention management issues are the reason for the table.

PUBLIC HEARING – SUMMERHILL LANE SUBDIVISION PDO AND ZONE MAP AMENDMENTS

Mr. Snyder explained the applicant desired to amend the original subdivision boundary for Summerhill Lane Subdivision to allow for several property exchanges. The boundary adjustments, involving two neighboring property owners (Millet and Fowers) and land acquired from the adjacent school, would require rezoning from A-L to R-L, and in another instance R-L to A-L. Such exchanges would necessitate plat amendments to the original recorded plan, which would be reviewed by the City Council along with the recommendation from the Commission regarding the PDO and Zone Map amendments. Mr. Snyder showed the proposed boundary adjustments on a map.

Commissioner Kjar disclosed that he currently worked in the same firm as the attorney who represented Spencer Packer in a separate land dispute involving Summerhill Lane, and stated that, at that time, the issues remained separate and unrelated.

Kirk Olsen with Symphony Homes thanked Mr. Snyder for his presentation of the proposed amendments.

Chair Shegrud opened a public hearing at 7:59 p.m., and closed the public hearing seeing that no one wished to comment. Chair Shegrud said she believed the proposed amendments were straightforward, and said she was in favor. Commissioners Daly and Larsen expressed agreement.

Commissioner Daly made a **motion** for the Planning Commission to recommend approval for a Planned Development Overlay Amendment and Rezoning for the Summerhill Lane Subdivision, subject to the following conditions and with the following reasons for action. Chair Shegrud seconded the motion, which passed by unanimous vote (4-0).

Conditions:

1. The Amendments of the PDO Approval and Rezoning shall consist of the following elements:
 - a. Alteration #1 – Combine land from the school with Lots 142-148. This requires the school's land to be rezoned from A-L to R-L and adjustment of the original PDO subdivision boundary – see Plat Amendment #1 submittal.
 - b. Alteration #2 – Vacate all of Parcel "C" and a portion of Lot 148 of Summerhill Lane and combine such area with Lot 408 of the Lexington Park Subdivision. This will require a rezone of a portion of school land, previously purchased by the owner of Lot 408, from A-L to R-L and adjusting the original PDO subdivision boundary – see Plat Amendment #2 submittal.

- c. Alteration #3 – Vacate/Amend all of Lots 106-108 and Lots 111-113 and Parcel A of the Summerhill Lane Subdivision and a portion of Parcel 07-072-0200 to facilitate a few boundary adjustments. This will reconfigure the original subdivision boundary to provide direct access for the parcel to the new cul-de-sac and add additional land area to several Summerhill Lane lots. These changes will require rezoning from A-L to R-L portions that are absorbed into the Summerhill Lane project and also R-L to A-L when absorbed into the neighboring property, and adjusting the original PDO subdivision boundary – see Plat Amendment #3 submittal.
2. Lots 106-108, Lots 111-113, and Lots 142-148 shall remain part of the PDO and shall be rezoned to R-L/PD, where needed.
3. For Parcel 07-072-0200, the existing access along the Frontage Road shall be removed and shall be secured by an improvement bond in accordance with City Ordinances. Additionally, a restrictive easement, deemed acceptable by the City, shall be recorded prohibiting direct access for the parcel, so long as it remains a single development parcel.
4. All other applicable PDO and Development Agreement Approval provisions shall remain in effect for the Summerhill Lane Subdivision that have not been amended by this Approval.
5. The various proposed Subdivision Plat Amendments shall be submitted in accordance with CMC 15.09.020, Plat Amendments, which shall be obtained and recorded prior to issuance of any building permits for the subject lots.
6. Where deemed applicable by the City Engineer or City Attorney, all applicable existing subdivision plat notes from either Summerhill Lane or Lexington Lane Subdivisions shall be depicted on the applicable subdivision amended plats when approval is obtained from the City.

Reasons for action:

- a. The Planning Commission finds that amendments to a PDO approval are subject to the original procedure for obtaining a PDO Approval – see CZC 12.41.080(g).
- b. The Planning Commission finds that the proposed changes/alterations are minimal with regards to the original development design and layout of the original Summerhill Lane PDO approval.
- c. The Planning Commission finds that the proposed rezonings generally remain consistent with the Northwest Neighborhood Plan, which outlines low density development for this area – see GP Section 12-480-5, Goal 1 and associated policies to establish appropriate land-use patterns and land use transitions.
- d. The Planning Commission finds double frontage lots may be allowed along the Frontage Road – see CMC 15.05.020.h.
- e. The Planning Commission also finds that the Northwest Neighborhood Plan states that “no new development shall front or have direct access onto the Frontage Road” – see GP Section 12-480-5, Goal 4.
- f. Therefore, the Planning Commission finds that the proposed PDO amendments and associated rezonings, with the conditions imposed, are consistent with the intent of the PDO Approval Criteria of CZC 12.41.080(b), and are consistent with the City’s General Plan and Zoning Ordinances.

COMMUNITY DEVELOPMENT DIRECTOR’S REPORT

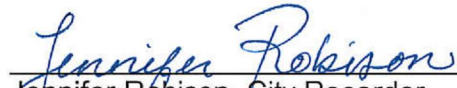
The Planning Commission was scheduled to meet next on February 8, 2023. Mr. Snyder reported no items had been submitted for the February 8 agenda. The Planning Commission decided to cancel the February 8 meeting, and meet next on February 22, 2023.

MINUTES REVIEW AND APPROVAL

Minutes of the January 11, 2023 Planning Commission meeting were reviewed. Commissioner Daly **moved** to approve the minutes. Commissioner Larsen seconded the motion, which passed by unanimous vote (4-0).

ADJOURNMENT

At 8:08 p.m., Chair Shegrud **moved** to adjourn the meeting. Commissioner Daly seconded the motion, which passed by unanimous vote (4-0).



Jennifer Robison, City Recorder

2-22-2023
Date Approved

