

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, July 26, 2023**

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 Shawn Hoth

10 Mason Kjar

11 LaRae Patterson

12 Heidi Shegrud, Chair

13
14 **MEMBERS ABSENT**

15 Matt Larsen, Vice Chair

16 Tyler Moss

17
18 **STAFF PRESENT**

19 Cory Snyder, Community Development Director

20 Lisa Romney, City Attorney

21 Whitney Black, Assistant Planner

22
23 **VISITORS**

24 Daniel Rasband

25 Paul Feser

26 Chand Randal

27 Sam Nelson (via Zoom)

28
29 **LEGISLATIVE THOUGHT/PRAYER** Commissioner Patterson

30
31 **PLEDGE OF ALLEGIANCE**

32
33 **PARKING MODIFICATION REQUEST – BRUSH AND PALETTE ART STUDIO**

34
35 Assistant Planner Whitney Black explained the applicant had leased a portion of the
36 building located at 281 South Main Street, and wanted to use the space for artistic instruction
37 (Brush and Palette Art Studio). The property was located within the Traditional Main Street
38 Subdistrict of the South Main Street Corridor (SMSC) Overlay District, and the building was
39 constructed in 1979 (4568 square feet) with 30 parking spaces. With the City's current parking
40 requirements for the SMSC and the addition of the proposed use, the site would be deficient by
41 12 parking spaces, thus a parking modification was requested. The parking modification request
42 included a shared parking proposal, arguing that the uses would not produce a substantial
43 demand for parking at the same time. The peak hours for the medical service providers in the
44 building were between 7:00 a.m. and 4:00 p.m., and Brush and Palette's peak hours would be
45 between 4:00 p.m. and 9:00 p.m. Ms. Black said staff believed the shared parking arrangement
46 could work with the differing peak hours, and recommended approval of the parking modification
47 request.
48

49 Daniel Rasband, applicant, said he and his wife were excited to start taking registrations
50 for classes. He described a variety of evening classes that would be offered, and said the
51 maximum number of students would be 12-15. Easel space would be available to rent for a
52 limited number of individuals during daytime hours. Some classes may also be offered during
53 the day, with a limited number of students.
54

Chair Shegrud said she was in favor of finding compatible uses for building space, and said she believed the applicant had clearly thought through the situation.

Commissioner Hoth **moved** to approve a parking modification with the following conditions and reasons for action. Commissioner Patterson seconded the motion, which passed by unanimous vote (4-0).

Conditions:

- 1) The proposed parking modification is for the on-site parking located at 281 South Main Street.
- 2) The parking modification is narrowly defined for and limited to the following businesses:
 - i. Pitt Family Dental, P.C.
 - ii. Arbuckle Dental, P.C.
 - iii. Ridge Park Dental South
 - iv. David G. Johnson, D.D.S., P.C.
 - v. D.B. Knoles DDS, PLLC
 - vi. Brush and Palette Art Studio
- 3) This parking modification permits the shared use of 12 of the 30 on-site parking spaces.
- 4) The uses sharing the parking lot shall not produce a substantial demand for parking at the same time.
- 5) Required parking spaces reserved for persons with disabilities shall not be reduced.
- 6) The parking lot shall be continuously available unless an alternative legal parking lot is provided.
- 7) All parking spaces shall be available without charge.
- 8) No future building additions, enlargements, or new buildings within whole or part of a shared use site arrangement, which requires additional on-site parking, shall be undertaken unless the original on-site required parking count is provided, or a new parking modification is approved by the City.
- 9) Any changes to the uses, as defined in the parking modification, or any proposed additional uses to the site shall NOT be undertaken, unless additional approvals are obtained from the City.
- 10) 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.
- 11) 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 be returned to the Community Development Department.
- 12) This "parking modification" shall not become effective until the affidavit of acknowledgement is submitted, as per Condition 11.

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 information provided, the analysis from planning staff, and due to the nature of the current actual uses and the proposed personal instruction service use, the ordinance required calculations are unnecessary at this time.

- 1 c) Therefore, the Planning Commission finds that, with the conditions imposed, the
2 parking modification will accommodate the current parking demand for the site.
3

4 **PUBLIC HEARING – CONCEPTUAL SUBDIVISION, CHASE CREEK SUBDIVISION**
5 **AT APPROXIMATELY 224 WEST CHASE LANE**
6

7 This item was previously reviewed and tabled at the January 25, 2023 Planning
8 Commission Meeting. The concept plan for consideration included a six-lot (previously nine-lot),
9 single-family subdivision with a cul-de-sac off Chase Lane. Ms. Black said the applicant had
10 addressed all concerns expressed by the Planning Commission in January, and staff
11 recommended the Planning Commission accept the conceptual subdivision. Community
12 Development Director Cory Snyder commented that double-frontage was not approved on
13 Chase Lane, so the Lot 5 double frontage would need to be resolved. The Planning
14 Commission and staff discussed the conceptual retention plan.
15

16 Paul Feser, applicant, said the owner wanted to make sure the existing creek on the
17 property (Barnard Creek) was cared for with the development. Mr. Feser answered questions
18 about the proposed retention, and said he was willing to work with the City on the double-
19 frontage issue.
20

21 Chair Shegrud opened a public hearing at 7:40 p.m., and closed the public hearing
22 seeing no one come forward. Commissioner Kjar said he was ready to vote in favor. Chair
23 Shegrud said she liked the six-lot concept plan better than the nine-lot concept.
24

25 Commissioner Kjar made a **motion** for the Planning Commission to accept the
26 conceptual subdivision plan for the Chase Creek Subdivision located at approximately 224 West
27 Chase Lane, with the following conditions and directives, and with the following reasons for
28 action. Chair Shegrud seconded the motion, which passed by unanimous vote (4-0).
29

- 30 1. The applicant shall apply for a Preliminary Subdivision Plat that conforms to the
31 requirements of CMC 15.03.030.
32 2. The potential violation of the double frontage shall be addressed at the next stage.
33

34 **Reasons for action:**
35

- 36 a. The conceptual subdivision plan appears to be consistent with the applicable
37 Neighborhood Plan as described in CMC 12.480.5.
38 b. The proposed subdivision plan appears to likely be able to satisfy the Development
39 Standards provided in CZC 12.32.300.
40 c. The applicable review standards of CMC 15.02 have been reviewed and directives
41 established to allow the proposal to proceed to a preliminary subdivision plan
42 submittal.
43

44 **FINAL SUBDIVISION PLAT, CENTERVILLE INDUSTRIAL FLEX PUD, 50 SOUTH**
45 **1250 WEST**
46

47 Mr. Snyder explained the applicant desired to develop a significant underutilized portion
48 of property at approximately 50 South 1250 West (16.85 acres) as an industrial flex-use project
49 consisting of multiple buildings and related improvements. A portion of the project would be
50 located within West Bountiful boundaries. Mr. Snyder said the City had not received a
51 Preliminary Title Report, but said he believed the Preliminary Title Report could be resolved as
52 the process moved forward. Mr. Snyder recommended moving the Final Subdivision Plan on to
53 the City Council.
54

Sam Nelson with Stokes Stevenson, said he believed West Bountiful had approved the Interlocal Agreement and forwarded the document to Centerville. He said he would provide an updated Title Report.

Commissioner Patterson made a **motion** for the Planning Commission to recommend approval of the Final Subdivision Plan for the Centerville Industrial Flex Development, located at approximately 50 South 1250 West, subject to the following conditions and with the following reasons for action. Commissioner Hoth seconded the motion, which passed by unanimous vote (4-0).

Conditions:

- 1) The Final Subdivision Plat shall be reviewed and approved by the City Engineer in accordance with the City's Subdivision Plat Format.
- 2) The Final Subdivision Plat shall be reviewed by applicable staff for compliance with following:
 - a. Provision of the required utility easements, as required by ordinance.
 - b. Note the required "open space" easement for the common areas.
 - c. Any needed language changes regarding the term "public roads" to reflect the needed cross-access needs of the subdivision.
- 3) Provide an updated Preliminary Title Report for review by applicable City staff.
- 4) Final Subdivision Construction Plans may consist of the Construction Drawings for the related Final Site Plan Approval, as deemed acceptable by the City Engineer.

Reasons for action:

- a) The Planning Commission finds that a Final Subdivision Plan, with the conditions imposed, is consistent with the City Approved Final Site Plan approved in May of 2023 and Preliminary Subdivision Approval, of June 14, 2023.
- b) The Planning Commission finds that the Planned Unit Development (PUD) implements the related Final Site Plan Approval granted by the City in May of 2023.
- c) Therefore, the Planning Commission finds that, with the conditions imposed, the Final Subdivision Plan meets the requirements of CMC 15.06.010 Planned Unit Development and CMC 15.04.050 Final Subdivision.

PUBLIC HEARING – CONCEPTUAL SUBDIVISION, PARRISH CREEK PUD SUBDIVISION, 1160 NORTH 950 WEST

The applicant received Final Site Plan Approval from the Planning Commission on September 14, 2022 for Lots 1, 3, and 4 of the Parrish Creek Business Park with a condition that the three lots would be combined into a single parcel. Mr. Snyder explained the applicant desired to amend and re-subdivide the property and convert the original lots into a single planned unit development (PUD) to allow future independent ownership of the proposed two buildings (one existing/one to be constructed), and transform the approved parking, landscaping, and storage area into common areas for use of the future building owners. Mr. Snyder said the applicant only submitted hard copies of the documents. City Attorney Lisa Romney commented that by ordinance the City required submission of three hard copies and one electronic copy.

Chair Shegrud opened a public hearing at 7:55 p.m., and closed the public hearing seeing no one come forward. Commissioner Kjar said he found the scanned version of the hard copy difficult to read, and would only be inclined to approve the conceptual plan because the Planning Commission had reviewed the project previously. Chair Shegrud said she agreed with

Commissioner Kjar and would be nervous if the Commission had not reviewed the project so many times.

Commissioner Kjar **moved** to accept the Conceptual Subdivision Plan for the Parrish Creek Business Park, subject to the following directives and with the following reasons for action. Commissioner Hoth seconded the motion, which passed by unanimous vote (4-0).

Directives:

- 1) The applicant shall prepare and submit a Preliminary Subdivision Plan that conforms to the requirements of CMC 15.03.030.
- 2) The preliminary subdivision plans shall depict the required easements for overall parcel, as deemed applicable by the City Engineer.
- 3) The applicant shall prepare and submit draft versions of the required documents to establish an Owners Association and related CC&Rs meeting the expectations of CMC 15.06.010.
- 4) The preliminary subdivision plans and subdivision layout shall be subject to consistency with the applicable Final Site Plan Approval for the proposed development.

Reasons for action:

- a) The Planning Commission finds that a Conceptual Subdivision Plan is a planned development request and is dependent upon approval of the related Final Site Plan, thereby guaranteeing that any subsequent owner of the lots would not be in possession of a non-conforming situation or dependent upon another lot owner for compliance with the Zoning Ordinance.
- b) The Planning Commission finds that, with the applied directives, the proposed Conceptual Subdivision Plan would likely meet the requirements of CMC 15.06.010 Planned Unit Development.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Planning Commission was scheduled to meet next on August 9, 2023.

MINUTES REVIEW AND APPROVAL

Minutes of the July 12, 2023 Planning Commission Meeting were reviewed. Chair Shegrud **moved** to approve the minutes, and Commissioner Patterson seconded the motion. The motion passed by unanimous vote (4-0).

ADJOURNMENT

At 8:07 p.m., Chair Shegrud **moved** to adjourn the meeting. Commissioner Hoth seconded the motion, which passed by unanimous vote (4-0).


Jennifer Robison, City Recorder

8-9-2023
Date Approved

