PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:00 PM ON SEPTEMBER 27, 2023 AT CENTERVILLE CITY HALL, 250 NORTH MAIN STREET, CENTERVILLE, UTAH.

Centerville City Planning Commission meetings are open to the public, unless otherwise closed for reasons allowed by law. Centerville City Planning Commission meetings may be conducted via electronic means pursuant to Utah Code § 52-4-207. In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability may contact the City Recorder at (801) 295-3477, at least 24 hours in advance of the meeting. The Commission reserves the right to modify the sequence of agenda items in order to facilitate special needs or provide greater efficiency.

The full agenda packet and backup materials can be found on the Centerville City website at:
https://centervilleutah.gov/129/Agendas-Minutes

A. CALL TO ORDER

1. ROLL CALL

2. LEGISLATIVE PRAYER OR THOUGHT

3. PLEDGE OF ALLEGIANCE

B. BUSINESS ITEMS

Business action or discussion items to be considered by the Planning Commission.

1. Training - Roberts Rules of Order - A Guide to Parliamentary Procedure
2. Planning Commission By-laws, New Commissioner Orientation
3. Questions & Answers - Discussion for New Commissioners

C. COMMUNITY DEVELOPMENT DIRECTORS REPORT

1. Community Development Director's Report
   Next Planning Commission Meeting - **October 11, 2023**
   Tentative Items:

   - *PDO & Conceptual Subdivision - Jensen Family Subdivision*
   - *Conceptual Site Plan - Muncipal Water Tank Installation*

D. MINUTES

Minutes of prior meetings may be reviewed and accepted. Minutes review and approval shall comply with the Centerville City Minutes Approval Policy.

1. Minutes Review and Approval

E. ADJOURNMENT

CERTIFICATE OF POSTING

I hereby certify that this notice and agenda was posted at Centerville City Hall, published on the Utah Public Notice Website, and provided to a newspaper or media correspondent in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202.

Jennifer Robison
Centerville City Recorder

PLANNING COMMISSION

Staff Report

9/27/2023

Item No. 1.
Title: Training - Roberts Rules of Order - A Guide to Parliamentary Procedure
Initiated By: Lisa Romney, City Attorney
Staff Representative: Lisa Romney, City Attorney

SUBJECT:

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

PLANNING COMMISSION

Staff Report
9/27/2023

Item No. 2.
Title: Planning Commission By-laws, New Commissioner Orientation
Initiated By:
Staff Representative: Cory Snyder, Community Development Director

SUBJECT:

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:
1. Centerville City Planning Commission By-laws

BYLAWS
for the
CENTERVILLE CITY PLANNING COMMISSION

The following rules are intended to govern the conduct of public meetings of the Centerville City Planning Commission. Items and issues not addressed by these rules of conduct shall be determined by the Planning Commission Chair, using Robertas Rules of Order as a guide. These By-Laws are intended for internal use only and shall not be grounds for third party challenges.

A. ORDER OF BUSINESS

1. REGULAR AND SPECIAL MEETINGS. Regular meetings of the Centerville City Planning Commission shall be held on the second and fourth Wednesdays of each month at 7:00 p.m. Special meetings may be held at other times at the call of the Chair, as warranted. All regular and special meetings shall be noticed as required by City Ordinances and in accordance with the requirements of the Utah Open and Public Meetings Act and the Utah Land Use Development and Management Act.

2. PUBLIC HEARINGS. Public hearings required for certain items by City Ordinances and State law shall be noticed in compliance with those ordinances and laws.

3. QUORUM. A quorum of the Planning Commission shall consist of four (4) members. A quorum must be present before any business may be conducted.

4. ORDER OF BUSINESS. The order of business for Planning Commission meetings shall be as follows:
   a. Welcome / Call to Order.
   b. Opening Comment / Legislative Prayer.
   c. Items of Business as designated on the Agenda.
   d. Community Development Director' s Report.
   e. Approval of the Minutes of prior meetings.
   f. Adjournment

5. MEETING AGENDA. The Community Development Director shall prepare a written agenda for each meeting of the Planning Commission. The Community Development Director shall review the proposed agenda with the Planning Commission Chair. The agenda shall be distributed to the Planning Commission members prior to meeting and shall be posted at the City Offices at least 24 hours prior to the starting time of the meeting.

6. DEADLINE FOR AGENDA ITEMS. Items for consideration on the Planning Commission agenda shall be submitted to the Community Development Department at least twenty-one (21) days prior to the meeting at which the items is to be considered. Exceptions may be allowed by the Community Development Director, upon consultation with the Planning Commission Chair.
7. SPECIAL ORDERS OF BUSINESS. The Commission may at anytime, on a motion supported by a majority of the Commission members present, proceed out of order to any item of business, or may return to an item already passed.

B. ORDER AND DECORUM

1. CONSIDERATION OF AGENDA ITEMS. The following procedure for consideration of business items on the agenda will normally be observed. However, the procedure may be modified by the Chair if necessary for the expeditious conduct of business.
   a. Chair introduces the agenda item.
   b. Staff makes presentation and recommendations.
   c. Applicant or designee makes presentation of proposal.
   d. Public comment or public hearing, if required, in accordance with City Ordinances and State law.
   e. Staff and Applicant to respond to questions raised by public comment and/or Planning Commission members.
   f. Applicant provided opportunity to make concluding remarks.
   g. Planning Commission members discuss and debate the agenda item.
   h. Planning Commission members make motion and vote upon the agenda item. The Commission may approve, disapprove, table, or approve with conditions, the agenda item before them.

c. MOTIONS

1. MAKING MOTIONS. Any Commission member, including the Chair, may make a motion. Motions should include a statement of findings supporting the motion and any relevant conditions of approval.

2. SECONDING MOTIONS. A second by a Commission member other than the maker of the motion is necessary before the motion may be discussed or a vote taken.

3. CHANGING A MOTION. The maker of a motion may change the motion at any time before the vote is taken. A second to the changed motion is necessary before the changed motion may be further discussed or voted upon.

4. WITHDRAWING A MOTION. The maker of a motion may withdraw the motion if no member of the Planning Commission objects to its withdrawal. If an objection is made to the withdrawal of the motion, the Chair may call for a vote of the Commission regarding the withdrawal of the motion.

5. AMENDING A MOTIONS. All amendments shall be offered as amendments to the main motion first made. The procedure for amendments shall be the same as for any motion. The Commission shall vote on the amendment before any action is taken on
the main motion. Only one amendment should be considered at a time by the Planning Commission.

6. NON-DEBATABLE MOTIONS. A motion to adjourn or to take a recess shall be voted upon without debate.

D. RECONSIDERATION

1. WHO MAY MOVE TO RECONSIDER. Any motion made in the course of a Planning Commission meeting may be reconsidered within a reasonable time after the meeting upon a showing of good cause and upon appropriate noticing of the reconsideration. Only a member of the Commission who voted with the majority on the motion in question may make a motion for reconsideration of the motion.

2. VOTE REQUIRED FOR RECONSIDERATION. When a motion to reconsider has been properly made, a majority of the members of the Commission present must vote in favor of reconsideration in order for the item to be reconsidered.

E. DEBATE

1. COURTESY. Planning Commission members should be courteous and respectful of other Planning Commission members' views and opinions. Planning Commission members should not interrupt other members during discussion and debate. The Chair has the authority to limit debate or to bring order, as necessary, to the meeting.

F. VOTING

1. VOTING PROCESS. A quon1m of commission members must vote on a motion. Commission members must be physically present in order to vote. All members present must vote unless the member declares an abstention or recusal due to possible or actual conflict of interest. All votes are to be cast verbally. A roll call vote shall be taken for action items requiring public comment or a public hearing and should be taken for all other matters at the discretion of the Chair. Motions

must receive a majority of the votes cast, with a minimum of three (3) favorable votes necessary in order for the motion to pass.

2. ANNOUNCEMENT OF DECISION. Voting or changing a vote after the decision is announced by the Chair will not be allowed, unless by a motion to reconsider.

3. RATIONALE FOR VOTE. Motions approved by the Commission should indicate the reasons for the decision and any conditions relevant to the motion. The reasons for voting against a motion may also be given and included in the minutes of the meeting, at the discretion of those voting against a motion.

4. TIE VOTES. Tie votes on motions shall result in the failure of the motion.

G. CONFLICTS OF INTEREST

1. ETHICS ACT. Planning Commissioners shall comply with the Utah Municipal Officers' and Employees' Ethics Act, as set forth in Utah Code Ann. 10-3-1301, et seq., as amended.

2. CONFLICT OF INTEREST FORM. Upon taking office, and annually thereafter, Planning Commission members should sign a Conflict-of-Interest Form as provided by the City Record disclosing interests as required by law.

3. RECUSAL. Planning Commission members should recuse themselves from any agenda item or discussion matter in which they have a personal interest that creates or has the appearance of creating a conflict of interest between the commissioner's personal interests and his or her official duties as a Planning Commission member. Planning Commissioners should state on the record their recusal and the reasons therefore at the introduction of the agenda item or discussion matter. After recusal from an agenda item or discussion matter, the recused Planning Commissioner should step down from the podium and wait in the hall or other non-interactive position during discussion and action on the agenda item or discussion matter.

H. CHAIR AND VICE CHAIR

1. CHAIR AND VICE CHAIR. In accordance with City Ordinances, the Planning Commission shall annually elect one of its members to act as Chair to oversee and conduct the proceedings of the Planning Commission and one of its members to act as Vice Chair to act in the absence of the Chair.

2. ELECTION. Elections for Chair and Vice Chair should be conducted by the Planning Commission at the first meeting in January or as soon thereafter as is feasible. Elections shall be by nomination and majority vote.

1. GENERAL

1. COMPLIANCE WITH CITY ORDINANCES. Planning Commissioners shall comply with all Centerville City codes and ordinances and Utah state statutes, including, but not limited to, the provisions of Section 12-20-050 of the City Zoning Ordinance regarding powers and duties of the Planning Commission.

2. MINUTES. Minutes of all Commission meetings shall be taken in accordance with City Ordinances and State law.

3. ANNUAL MEETING SCHEDULE. The Planning Commission should adopt an annual meeting schedule at the first meeting in January, or as soon thereafter as is feasible, setting forth the date and time of the regularly scheduled meetings of the Planning Commission for the calendar year.

PLANNING COMMISSION

Staff Report
9/27/2023

Item No. 3.
Title: Questions & Answers **-** Discussion for New Commissioners
Initiated By:
Staff Representative:

SUBJECT:

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

PLANNING COMMISSION

Staff Report
9/27/2023

Item No. 1.
Title: Community Development Director's Report
Initiated By:
Staff Representative:

SUBJECT:

Next Planning Commission Meeting - **October 11, 2023**
Tentative Items:

- *PDO & Conceptual Subdivision - Jensen Family Subdivision*
- *Conceptual Site Plan - Muncipal Water Tank Installation*

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

250 North Main Street Centerville, Utah 84014 801.295.3477

PLANNING COMMISSION

Staff Report

9/27/2023

Item No. 1.
Title: Minutes Review and Approval
Initiated By:
Staff Representative:

SUBJECT:

RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

1. 9-13-23 PC Minutes

PLANNING COMMISSION MINUTES OF MEETING
Wednesday, September 13, 2023
7:00 p.m.

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

MEMBERS PRESENT
Shawn Hoth
Matt Larsen, Vice Chair
Tyler Moss
LaRae Patterson
Heidi Shegrud, Chair

MEMBER ABSENT
Mason Kjar

STAFF PRESENT
Cory Snyder, Community Development Director (via Zoom)
Lisa Romney, City Attorney
Whittney Black, Assistant Planner

VISITOR
Chad Randal
Eric Wood (via Zoom)
Jan Hagen

LEGISLATIVE THOUGHT/PRAYER Commissioner Hoth

PLEDGE OF ALLEGIANCE

OPEN AND PUBLIC MEETINGS ACT TRAINING

Training was postponed to a future meeting.

PUBLIC HEARING – CONDITIONAL USE PERMIT FOR 8-12 UNITS PER ACRE – PHEASANTBROOK PUD SUBDIVISION LOCATED AT APPROXIMATELY 265 PHEASANTBROOK DRIVE

Assistant Planner Whittney Black explained the applicant applied for a Conditional Use Permit seeking approval for an increase in the current density of the Pheasantbrook Subdivision Development (proposed 8.8 units per gross acre). The applicant recently received Conceptual Site Plan approval for the addition of 12 new units in the southwest corner of the existing subdivision (3 buildings, 4 units per building) with the understanding that a Conditional Use Permit was required. Ms. Black said staff believed the proposed project met the intent of the General Plan for the neighborhood. In response to concern expressed at the previous public hearing regarding garbage, Ms. Black said the applicant agreed to upgrade the existing two dumpsters in that corner of the subdivision to a larger size. Staff recommended approval of the request with suggested conditions.

Eric Wood, applicant, clarified that the two dumpsters in question were the only two dumpsters for the entire Pheasantbrook community. He said the HOA was looking at possible locations for additional dumpsters.

Chair Shegrud opened a public hearing at 7:16 p.m.

Jan Hagen, Centerville resident in the Pheasantbrook subdivision, said she was desperately wanting the Conditional Use Permit to pass.

Commissioner Larsen **moved** to approve the Conditional Use Permit for the Pheasantbrook Townhomes Project, with the following conditions and for the following reasons for action. Commissioner Hoth seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. This Conditional Use Permit is limited and subject to the further development of the Pheasantbrook Part VI PUD Subdivision, parcel number 02-034-0093, as per the plans submitted to the City on August 22, 2023 and September 9, 2023.
2. The density use of the entire development shall not exceed 156 total units and no more than 8.8 units per gross acre.
3. The developer shall provide a minimum of two garbage receptacles (aka dumpsters) in this area of the development and upgrade them to a larger size to mitigate the additional waste created by the residents of the 12 newly proposed units. The developer shall work with the HOA for placement of the garbage receptacles.
4. This Conditional Use Permit is contingent on the approval of a corresponding Final Site Plan application.

Reasons for action:

a. A complete application for a conditional use permit (CUP) has been submitted per CZC 12.21.110(d)(1).
b. The proposed use, dwelling, multiple-family is a conditional use in the Residential-High Zone under CZC 12.36.020.
c. Per CZC 12.32.300, a gross use density of 8-12 units per acre may be established through an approved CUP.
d. The application meets the requirement of established evidence for an approval of a CUP per CZC 12.21.100(e)(3).
e. The request for a CUP meets the factors to be reviewed and considered for an approval under CZC 12.21.100(e)(5) (A-J).
f. Therefore, the Planning Commission finds that the approval of this CUP is warranted.

PUBLIC HEARING – FINAL SITE PLAN, PHEASANTBROOK TOWNHOME EXPANSION PROJECT, APPXOIMATELY 265 PHEASANTBROOK DRIVE

Ms. Black said staff found the proposed Final Site Plan for the Pheasantbrook Townhome Expansion Project to meet all Residential-High Zone development standards, with the exception of being approximately 3 feet short on the landscaping buffer depth. She said staff were comfortable moving the project forward and checking that the landscaping buffer depth was met at the building permit stage. Ms. Black explained recommended conditions of approval. The Final Site Plan would allow the Applicant to obtain a building permit and move forward with construction. The Applicant would need to go through the subdivision process to be able to sell the units for individual ownership.

Eric Wood, Applicant, said subdividing and selling the units was the intention. Responding to a question from Chair Shegrud, Mr. Wood said he believed the project would be able to accommodate the required landscaping buffer depth, and said he would get confirmation from the engineer. He said he believed the HOA would be interested in increasing the fence height around the dumpsters to 10 feet if possible. Community Development Director Cory

Snyder said he would be concerned with the structural integrity of a 10-foot vinyl fence, and suggested selecting a different option.

Commissioner Patterson expressed concern that placing the dumpsters on the west property line would put the garbage odor and dumpster noise too close to the neighbors directly to the west. Mr. Wood said the HOA would take the feedback into consideration. He clarified that front porch lights and lights on the garage space were the only lighting planned. No free-standing lights would be added with the project. Mr. Wood answered questions about the planned storm drain detention facility and planned fencing.

The Planning Commission discussed allowing a fence height of up to ten feet around the dumpsters. Commissioner Patterson suggested recommending "option 2" for the dumpster location. Mr. Wood said he agreed with Mr. Snyder that a 10-foot vinyl fence would not work in the situation because of potential high winds, and said he believed 8 feet would be plenty.

Chair Shegrud made a **motion** for the Planning Commission to approve the Final Site Plan for the proposed Pheasantbrook Part VI PUD Expansion Project, parcel number 02-034-0093, with the following conditions of approval and for the following reasons for action. Commissioner Larsen seconded the motion, which passed by unanimous vote (5-0).

<u>Conditions</u>:

1. This Final Site Plan approval is limited to the section of Pheasantbrook Part VI PUD within parcel number 02-034-0093.
2. The Final Site Plan Approval consists of the following exhibits:
    a. Landscaping Plan – Received 8/10/2023
    b. Dumpster Specifications Sheet – Received 8/10/2023
    c. Topographic Survey – Received 8/10/2023
    d. Elevations Sheets A005 and A006 – Received 8/10/2023
    e. Civil Drawing Sheets, except Sheet C400 – Received 8/22/2023
    f. Civic Drawing Sheet C400 – Received 9/6/2023
3. The entire Pheasantbrook development shall have an average of 2 parking spaces per dwelling unit.
4. The entire Pheasantbrook development shall have at least 30.5% landscaping.
5. The Final Site Plan shall be corrected to include a 25-foot landscaping buffer along the west property boundary. The Zoning Administrator shall verify this setback with the issuance of a building permit.
6. The Final Site Plan approval shall include an 8-foot white vinyl dumpster enclosure. The location of the dumpsters will be verified with the issuance of a building permit.
7. The Final Construction Drawings shall be submitted for final review and acceptance by the City Engineer.
8. This Final Site Plan is contingent upon the approval of a corresponding Conditional Use Permit.
9. A Planned Unit Development (PUD) Subdivision Plat must go through the Centerville City Subdivision Process prior to the listing or selling of any individual dwelling units.
10. The Planning Commission recommends for the developer to go with Option 2 in the Staff Report for dumpster location.

<u>Reasons for action</u>:

a. The Planning Commission finds that after considering the goals and objectives of the Northwest-Neighborhood 4 Plan as also reviewed in the related staff reports, the Final Site Plan can be deemed consistent with the City's General Plan.
b. The Planning Commission finds after considering the applicable development standards of the R-H Zone, the proposed Final Site Plan with the conditions imposed

does comply with the expected Zoning and applicable municipal code standards, as reviewed in the applicable Staff Report dated September 13, 2023.

c. Therefore, the Planning Commission finds that the approval of the Final Site Plan, wit the conditions imposed for the proposed development, is warranted.

d. The Planning Commission recommends Option 2 for dumpster location to keep the dumpster away from access points, entrances to new buildings, and the neighboring single-family residential to mitigate nuisances that come with dumpsters.

PUBLIC HEARING – CONCEPTUAL SITE PLAN, HUFFAKER MIXED USE, 134 SOUTH MAIN STREET

Community Development Director Cory Snyder suggested some of the proposed Conceptual Site Plan design parameters needed to be reconsidered, and suggested tabling the matter. Chair Shegrud said she agreed with Mr. Snyder's assessment.

Chair Shegrud **moved** to table the Conceptual Site Plan for Huffaker Mixed Use, and associated public hearing, with directives listed in the Staff Report. Commissioner Hoth seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – PRELIMINARY SUBDIVISION, PARRISH CREEK PARK, LOTS 1, 2, 4 – 1160 NORTH 950 WEST

Mr. Snyder said the applicant desired to amend and re-subdivide Parrish Creek Business Park Lots 1, 3, and 4, to 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. He recommended approval of the Preliminary Subdivision with recommended conditions.

Chad Randal with Tom Stewart Construction said CC&Rs were sent to staff the previous day. Chair Shegrud opened a public hearing, and closed the public hearing seeing no one come forward. Commissioners Hoth and Larsen said they were comfortable with the staff recommendation.

Commissioner Patterson **moved** to approve the Preliminary Subdivision Plan for the Parrish Creek Business Park, subject to the following directives and for the following reasons for action. Commissioner Hoth seconded the motion, which passed by unanimous vote (5-0).

Directives:

1) The subdivider shall submit a Final Subdivision Plat that conforms to the requirements of CMC 15.04.030.
2) The Final Subdivision Plat shall be prepared in accordance with the City's Subdivision Plat Format, as deemed acceptable by the City Engineer.
3) The Final Subdivision Plat shall depict the subdivision layout that conforms to the City approved Final Site Plan in September of 2022.
4) 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.
5) The Final Subdivision Plat shall address the following:
    a. Provide the required utility easements, as required by ordinance.
    b. Note the required "open space" easement for the common areas.
6) Final Construction Plans may consist of the Construction Drawings for the related Final Site Plan Approval, provided the plans are deemed acceptable by the City

Engineer. If not, the applicant shall prepare any needed amendments that are deemed necessary.

Reasons for action:

a) The Planning Commission finds that a Preliminary Subdivision Plan is consistent with the City Approved Final Site Plan in September of 2022.
b) The Planning Commission finds that the Planned Unit Development (PUD) implements the existing Final Site Plan Approval granted by the City in September of 2022.
c) Therefore, the Planning Commission finds that, with the conditions imposed, the Preliminary Subdivision Plan meets the requirements of CMC 15.06.010 & 020 Planned Unit Development and Non-residential Subdivisions.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Planning Commission was scheduled to meet next on September 27, 2023.

MINUTES REVIEW AND APPROVAL

Minutes of the August 23, 2023 Planning Commission Meeting were reviewed. Commissioner Larsen **moved** to approve the minutes. Commissioner Patterson seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 8:01 p.m., Chair Shegrud **moved** to adjourn the meeting. Commissioner Patterson seconded the motion, which passed by unanimous vote (5-0).

______________________________ ______________________
Jennifer Robison, City Recorder Date Approved