

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, May 22, 2024

7:00 pm

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 pm.

MEMBERS PRESENT

Shawn Hoth
Layne Jenkins
Mason Kjar, Chair
Matt Larsen
LaRae Patterson, Vice Chair

MEMBERS ABSENT

Amanda Jorgensen
Tyler Moss

STAFF PRESENT

Mike Eggett, Community Development Director
Lisa Romney, City Attorney
Whittney Black, Assistant Planner
Steve Hunt, Water Supervisor
Kevin Campbell, City Engineer

VISITORS

Interested citizens

LEGISLATIVE THOUGHT/PRAYER Commissioner Kjar

PLEDGE OF ALLEGIANCE

Chair Kjar explained that Item 2 on the agenda would be taken before Item 1.

**PUBLIC HEARING – ZONING CODE AMENDMENT – CZC 12.41.060(b)(5-6)
PLANNED DEVELOPMENT OVERLAY ZONE, USES ALLOWED IN COMMERCIAL PLANNED
DEVELOPMENTS**

Chair Kjar explained the petitioner contacted the City and asked that the matter be tabled. He said the noticed public hearing would take place, followed by a motion from the Planning Commission. Chair Kjar opened a public hearing at 7:04 pm.

Bruce Madsen, Centerville resident, shared a personal health history, and said when 400 West was connected to be a through street the residents were assured it would remain a residential street with no big trucks allowed. Mr. Madsen said traffic had become horrendous over time, and suggested those who did not live in the immediate area could not imagine how much worse it would get if the change to R-H were allowed.

Chair Kjar clarified with Mr. Madsen that his comments were intended for the O'Toole rezone issue, which would be taken next. Seeing no one else come forward, Chair Kjar closed the public hearing.

Commissioner Patterson **moved** to table the matter as requested by the applicant. Commissioner Jenkins seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ZONING MAP AMENDMENT – REZONE 522 W PORTER LANE, PARCEL 030010209 FROM THE R-M ZONE TO THE R-H ZONE

Assistant Planner Whittney Black explained the applicant, Shane O'Toole, requested a Zone Map Amendment for property located at 522 West Porter Lane from the Residential-Medium (R-M) Zone to the Residential-High (R-H) Zone. She emphasized the Planning Commission was to consider the potential land uses that could go on the property with a Zone Map Amendment, not a specific development plan. The R-M Zone allowed a maximum of six units per acre, and the applicant was seeking a higher density to be able to construct eight units per acres, with potential for a conditional use permit with a maximum of 12 units per acre.

Ms. Black reviewed approval standards with the Planning Commission. She said the General Plan for the Southwest Centerville Neighborhood specifically called out low or medium density residential as the best use, with no mention of the area being used for high density residential. She said staff did not believe the proposed amendment was consistent with the General Plan. Based on what was submitted by the applicant, staff determined that if the rezone was approved, the applicant would likely pursue a conditional use permit for the maximum allowed density of 12 units per gross acre. This would be 4.38 units per gross acre higher than the highest existing density in the area. Changing the zoning from R-M to R-H could create an island of higher density (spot zoning) that would not be harmonious with surrounding existing developments.

Ms. Black said changing the zoning from R-M to R-H would potentially double the density, which could potentially double the traffic and increase noise. She said it was unknown to what level the effects would adversely affect adjacent properties, but suggested consideration should be given to the church house directly to the east of the subject property. Regarding the fourth approval standard, Ms. Black said adequate facilities and services were generally available in the area due to existing residential development. She said staff recommended the Planning Commission recommend denial of the application based on the analysis.

Chair Kjar disclosed that he lived in the subject neighborhood and attended the church that abutted the property. He said a number of his friends were in the audience to give comment, but said he did not believe his decision-making process would be affected, and added that he felt inclined to vote in favor of the proposed rezone at that time. Commissioner Larsen disclosed that he attended the same church building and knew people in the neighborhood, but said he was confident in his ability to be objective.

Ms. Black answered questions from the Planning Commission regarding the history of density in the area. Chair Kjar referred to the four neighborhood plans in the Centerville General Plan, and expressed concern that the policies were in tension with themselves, with R-H essentially eliminated when all four neighborhood policies were considered together. Ms. Black pointed out the City was currently conducting an update of the General Plan, and commented that the application could be tabled until a clearer direction was provided.

Chair Kjar read aloud from Section 12.04.20, "medium or high-density residential development that is allowed in appropriate locations in the City should provide usable open space, landscaping, and other associated amenities that would ensure consistency with residential quality," and, "it is the desire of Centerville City to provide a variety of housing options within the community, including variable densities." Chair Kjar asked if "harmonious" had to be homogenous, and whether it was inharmonious to have something different. He said he agreed transitional areas and buffer zones were important. Community Development Director Mike Eggett commented that a comprehensive General Plan update had not occurred for 33 years. He said the update process just beginning was expected to be completed next year.

1 Chair Kjar said it was his understanding that the Moderate Income Housing Plan was to
2 be consulted in addition to the approval standards when making land use ordinance amendment
3 decisions. Staff advised that the Planning Commission could consult the Moderate Income
4 Housing Plan when making the decision.

5
6 Staff answered questions about parking and landscaping buffer requirements.
7 Commissioner Hoth commented that nearby property in Bountiful City was zoned for up to 13
8 residential units per acre. Ms. Black said she did not know if basements would be allowed on the
9 subject property. She said staff had not evaluated the conceptual plan included with the
10 application for feasibility.

11
12 Shane O'Toole, applicant, said he was under contract to purchase the property. He spoke
13 of wanting to provide quality homes for families who could not afford other options. Mr. O'Toole
14 said the plan was to build and rent the units. He said he would ideally like to construct 10-12 units
15 on the property. Ms. Romney reminded the Planning Commission to focus on the designated
16 approval standards. Mr. O'Toole said his vision of the development was similar to the existing
17 development on the neighboring property.

18
19 Chair Kjar opened a public hearing at 7:49 pm.
20

21 Cami Layton, Centerville resident, said she lived in the subject quadrant. Ms. Layton said
22 the question was density, and said it was discouraging to remember the many General Plan
23 changes that had happened over the years with a hope that density would not come up again.
24 Ms. Layton said residents had already said they would tolerate eight units per acre, but twelve
25 was too many. She said she had saved papers from many years, and could cause a lot of
26 problems in the City if the door was opened with the proposed rezone. Ms. Layton said she did
27 not think it was right to overburden one section of the City.

28
29 Julie Cahoon, Centerville resident, said she was the HOA President in the Porter Walton
30 Townhomes development neighboring the subject property. She said Porter Walton Townhomes
31 had an issue with parking, and expressed concern with parking in an even more dense
32 development. Ms. Cahoon expressed the opinion that parking was mis-designed in the Porter
33 Walton Townhomes development. She said the Porter Walton development had experienced
34 issues with renters, and said renters tended to be residents who did not care for the property.

35
36 Rosalie Macmillan, Centerville resident, said she lived in the original Hafoka home in the
37 subject area, and said what had happened on the property was already a tragedy. She said the
38 neighborhood was already too crowded, and spoke of parking issues and issues with services on
39 the narrow private street.

40
41 Dave Doty, Centerville resident, said he agreed more affordable housing was needed in
42 every community. He suggested the General Plan needed to be revisited, and said he agreed
43 that density should not be limited to one area. Mr. Doty suggested every quadrant in the City
44 should be on the table for potential high-density residential, and suggested that townhomes were
45 not affordable housing, whether purchased or rented. Mr. Doty said the subject property was small
46 and would not support the type of density suggested. He pointed out that Shaela Park and Porter
47 Walton Townhomes developments both had ample open space, which he suggested would not
48 be possible on such a small property.

49
50 Libby Dibb, Centerville resident, said the Planning Commission represented the residents'
51 voice, and expressed the opinion that what the residents said mattered more than high density
52 quotas. She said the Porter Walton Townhomes development was a tragedy, the green space
53 was not well planned, and said if the proposed development duplicated the Porter Walton
54 development, the same conditions and problems would occur. She commented that residents

1 stayed long-term in the Shaela Park development (six units per acre). Ms. Dibb expressed the
2 opinion that Centerville was different and did not need to be like Bountiful two blocks away with a
3 lot of units. She expressed the opinion that Centerville residents' kids did not need to be able to
4 live in Centerville.

5
6 Steven Nelson, Centerville resident, said he loved Centerville. He said the Zoning Map
7 had changed over the last 40 years, and said the City had failed the Southwest Quadrant. Mr.
8 Nelson stated something needed to change, and expressed the opinion that high-density housing
9 would have to go somewhere else.

10
11 Andrea Richmond, Centerville resident, said the best thing residents could do for each
12 other was listen and talk to their neighbors and not make judgements on maps. She said those in
13 attendance were the Planning Commission's neighbors, and said she hoped they listened
14 because the proposed rezone would truly affect their lives.

15
16 Heather Strasser, Centerville resident, said she lived in the Shaela Park development. Ms.
17 Strasser said she had learned conditional use permits were a developer tool, not a citizen tool.
18 She expressed the opinion that six units per acre was appropriate for Centerville, including small
19 parcels. Ms. Strasser said the subject parcel was surrounded by medium and low-density zones,
20 and said the R-M Zone was in line with the General Plan for the area. She read aloud from the
21 General Plan, and said there was a big difference between a public street and a private street.
22 She expressed the opinion that putting 12 units on one acre of land did not allow adequate space
23 for green space, on-street parking, or a City-owned street. Ms. Strasser asked the Planning
24 Commission to consider the residents who lived in that part of town, and not recommend approval
25 of the proposed zoning change.

26
27 Patrice Twitchell, Centerville resident, said she had lived in Shaela Park since it was first
28 developed. She said she concurred with everything residents had said, and expressed the opinion
29 that the subject property was not the right place for high density. Ms. Twitchell asked the Planning
30 Commission to decide in favor of the neighborhood.

31
32 Chair Kjar closed the public hearing at 8:13 pm. Chair Kjar said it was common idea that
33 it was a forgone conclusion that adding people would make things worse. He said he had learned
34 that resistance pushed the quality of a potential product further and further down. Chair Kjar
35 expressed the opinion that all the resistance Centerville had waged against having additional
36 people come into the community had ended with inferior products. He stated there was no set of
37 circumstances in which Centerville could avoid growth. He said he was of the opinion that the
38 subject property should be rezoned, partially because the other projects mentioned should have
39 been done better. Chair Kjar expressed the opinion that the City could have had high-quality
40 products had latitude been given to provide high-quality products.

41
42 Commissioner Patterson said the Planning Commission heard the residents. She said she
43 agreed parking was a problem in the Porter Walton Townhome development. Commissioner
44 Patterson said she had visited the area, read the information, and was concerned. She expressed
45 the opinion that the subject property should not be high density, and said she did not see how
46 high density would serve any of the local residents well. Commissioner Patterson said she knew
47 it was quite often true that renters did not care for property well because they did not own it.

48
49 Commissioner Jenkins said he had never heard anyone in Centerville be happy about
50 growth in the area. He said he liked growth and liked the idea of low-income housing and helping
51 people, but expressed the opinion that the one-acre subject property was not the solution. Chair
52 Kjar said he agreed nobody wanted the density, but cautioned that nobody wanted the effect of
53 resisting it. He said the job of the Planning Commission was sometimes to make unpopular

1 decisions. Commissioner Larsen said he had doubts that doubling the density on the one acre
2 could be done in a way that would be appealing and effective.

3
4 Commissioner Hoth said he had several friends who had been able to stay in Centerville
5 because of high-density housing available when they could not afford anything else. He said he
6 did not think six additional homes on the subject property would necessarily ruin the
7 neighborhood, and said there were a few islands of high density throughout the City that seemed
8 to work. Commissioner Hoth acknowledged that parking was tricky in some of the high-density
9 developments, and acknowledged that one acre may not be enough space to provide adequate
10 green space.

11
12 Chair Kjar said it was a close call for him. He expressed the opinion that the subject
13 property was one of the more superior spots for high density in the City, being within walking
14 distance of many amenities, wedged between two very highly transited corridors, and abutting
15 one of the best buffer zones in the neighboring church. Chair Kjar said he disagreed with the idea
16 that something had to be homogenous to be harmonious. However, he said it was difficult for him
17 looking at the parcel to see how the developer would fit six units, let alone 12. Chair Kjar said he
18 would like to give a developer the latitude to be creative enough to make something work instead
19 of putting shackles on them.

20
21 Staff answered questions from the Commission about conditional use permits. Chair Kjar
22 pointed out that no buffering would be required for a R-M development. He noted that the Planning
23 Commission received three separate emailed comments that shared some of the same concerns
24 expressed in the public hearing.

25
26 Commissioner Patterson made a **motion** for the Planning Commission to recommend to
27 the City Council DENIAL of the Zoning Map Amendment of the property known as parcel number
28 03-001-0209 located at approximately 522 West Porter Lane from the Residential-Medium (R-M)
29 Zone to the Residential-High (R-H) Zone, with the following reasons for action. Commissioner
30 Jenkins seconded the motion.

31
32 Reasons for action:

- 33
34 a. The Planning Commission finds that the Zoning Map Amendment request does
35 not comply with the approval standards listed in CZC 12.21.080(e).
36 b. The Planning Commission finds that the Zoning Map Amendment request is
37 inconsistent with the goals, objectives, and policies of the General Plan.
38 c. The language of the General Plan regarding Neighborhood 2, Southwest Centerville
39 indicates the area of the subject property would be best used for low or medium density
40 residential.
41 d. The Planning Commission finds that the Zoning Map Amendment request is not
42 harmonious with the overall character of existing development in the vicinity of
43 the subject property.
44 e. The subject property is surrounded by Agricultural-Low (A-L), Residential-Low (R-L),
45 and Residential-Medium (R-M) and is not contiguous to any other Residential-High (R-
46 H) zoning.
47 f. The residential projects in the area, including The Lane, Porter Walton Townhomes
48 PUD, and Sheila Park PUD have a maximum density of 7.62 units per gross acre.
49 g. The Planning Commission finds that the Zoning Map Amendment request may
50 adversely affect the adjacent property.
51 h. Therefore, the Planning Commission recommends that the City Council deny this
52 Zoning Map Amendment request.

Chair Kjar **moved to amend** the motion to strike reason for action (f), as he found it to be problematic. Commissioner Patterson expressed support for the motion to amend, which passed by unanimous vote (5-0).

The **amended motion** to recommend denial with the following reasons for action passed by majority vote (3-2), with Commissioners Larsen, Jenkins, and Patterson voting in favor, and Commissioners Kjar and Hoth dissenting.

Reasons for action:

- a. The Planning Commission finds that the Zoning Map Amendment request does not comply with the approval standards listed in CZC 12.21.080(e).
- b. The Planning Commission finds that the Zoning Map Amendment request is inconsistent with the goals, objectives, and policies of the General Plan.
- c. The language of the General Plan regarding Neighborhood 2, Southwest Centerville indicates the area of the subject property would be best used for low or medium density residential.
- d. The Planning Commission finds that the Zoning Map Amendment request is not harmonious with the overall character of existing development in the vicinity of the subject property.
- e. The subject property is surrounded by Agricultural-Low (A-L), Residential-Low (R-L), and Residential-Medium (R-M) and is not contiguous to any other Residential-High (R-H) zoning.
- f. The Planning Commission finds that the Zoning Map Amendment request may adversely affect the adjacent property.
- g. Therefore, the Planning Commission recommends that the City Council deny this Zoning Map Amendment request.

PUBLIC HEARING – ZONING MAP AMENDMENT – REZONE PARCEL 020070003 FROM THE R-L ZONE TO THE PF-H ZONE

Assistant Planner Whitney Black said staff were requesting the Planning Commission recommend to the City Council the rezone of a piece of City-owned property directly northeast of Oakridge Drive. The piece was approximately 3.27 acres and was currently zoned R-L. Staff requested the zoning be changed to Public Facility-High (PF-H) to be used for a new culinary water storage tank facility. Ms. Romney answered questions about public facility zones.

City Engineer Kevin Campbell said the City purchased the property several years ago, and added the property was important for the elevation. The City received a grant to construct the water tank. Mr. Campbell said the tank would be covered with soil and the ground over the tank would be revegetated. The roof of the valve building would be visible and there would be a security fence around the top of the tank. Commissioner Hoth asked if home owners just below the tank would be affected in terms of insurance. Mr. Campbell said a berm with a drainage ditch would be constructed along the east end of the private road. He said the tank would be more secure and water-tight than the current steel tank. He said the existing green steel tank would eventually be removed.

Chair Kjar opened a public hearing at 8:56 pm, and closed the public hearing seeing no one come forward. Water Supervisor Steve Hunt said it would be an exciting project, with updates provided on the City website. Commissioner Hoth **moved** for the Planning Commission to recommend to the City Council approval of the Zone Map Amendment of the property known as parcel number 02-007-0003 from R-L Zone to PF-H Zone, with the following reasons for action. Chair Kjar seconded the motion, which passed by unanimous vote (5-0).

Reasons for action:

- a. The Planning Commission finds that the Zone Map Amendment is consistent with the goals, objectives, and policies of the General Plan, specifically Section 12-470-3.
- b. The Planning Commission finds that the Zone Map Amendment is consistent with the approval standards listed in CZC 12.21.080(e), as described in the staff report.
- c. Therefore, the Planning Commission recommends that the City Council grant approval of this Zone Map Amendment request.

TRAINING – ONLINE ZONING CODE/MAP AND MUNICIPAL CODE

Ms. Black provided training regarding online access to the Centerville Municipal Code, Zoning Code, and Zoning Map. Ms. Black announced that she had accepted a position with a different City, and said that evening would be her last Planning Commission meeting. The Planning Commission expressed appreciation for her time with Centerville.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Mr. Eggett reported on a recent APA Training Conference and provided updates on the General Plan update process and the UDOT I-15 Parrish Lane Interchange Project. The Planning Commission was scheduled to meet next on June 12, 2024.

MINUTES REVIEW AND APPROVAL

Minutes of the April 24, 2024 Planning Commission Meeting were reviewed. Commissioner Patterson **moved** to accept the minutes without amendment. Commissioner Larsen seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 9:15 pm, Commissioner Jenkins **moved** to adjourn the meeting. The motion passed by unanimous vote (5-0).

Jennifer Robison
Jennifer Robison, City Recorder

8/21/2024 | 4:57 PM MDT

Date Approved

