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2  
3 **PLANNING COMMISSION MINUTES OF MEETING**

4 **Wednesday, February 26, 2014**

5 **7:00 p.m.**  
6

7 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,  
8 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.  
9

10 **MEMBERS PRESENT**

11 David Hirschi, Chair

12 Gina Hirst

13 Brian Holman

14 Logan Johnson

15 Scott Kjar

16 Kevin Merrill, Vice Chair  
17

18 **MEMBERS ABSENT**

19 Debra Randall  
20

21 **STAFF PRESENT**

22 Corvin Snyder, Community Development Director

23 Brandon Toponce, Assistant Planner

24 Lisa Romney, City Attorney

25 Kathy Streadbeck, Recording Secretary  
26

27 **PLEDGE OF ALLEGIANCE**  
28

29 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Hirst  
30

31 **MINUTES REVIEW AND APPROVAL**  
32

33 The minutes of the Planning Commission meeting held February 12, 2014 were reviewed  
34 and amended. Commissioner Johnson made a **motion** to approve the minutes as amended. The  
35 motion was seconded by Commissioner Kjar and passed by unanimous vote (6-0).  
36 Commissioner Holman abstained as he was not present at this meeting.  
37

38 **PUBLIC HEARING | THE PASTURE BUSINESS PARK | 1275 North 1300 West**  
39 **Tabled from February 12, 2014 - Consideration of a conceptual site plan (amendment) for**  
40 **The Pasture Business/Industrial Park; which consists of changes to a rock wall,**  
41 **landscaping, and entryway features, to be located at approximately 1275 North 1300 West,**  
42 **in the Shorelands Commerce Park (SCP) Zone. Craig Salmon, Applicant.**  
43

1        Brandon Toponce, Assistant Planner, reported this application was tabled at the last  
2        Planning Commission meeting until the applicant could be present. The applicant desires to  
3        change three aspects of a previously approved conceptual site plan, i.e., bridge design, rock  
4        retaining wall, and monument sign. As required by ordinance the applicant is requesting  
5        approval for an amended conceptual site plan. Staff has reviewed the conceptual site plan and  
6        accepts the proposed changes for the bridge and the monument sign. Staff is concerned with the  
7        rock wall. The rock wall was constructed in a linear fashion with 90-degree angles. This is  
8        contrary to the originally approved conceptual site plan and the intent of the Shoreland  
9        Commerce Park Zone (SCP). The SCP calls out terracing and landscaping cohesive with its  
10       surroundings, i.e., wetlands. Staff recommends the rock wall include timbers, intermittently, in  
11       front of the wall with landscape plantings. Staff also recommends the 90-degree corners of the  
12       rock wall be adjusted to a lesser 45-degree angle, also with added plantings. Staff believes this  
13       will soften the long linear look of the rock wall and the hard corners. This will also bring the  
14       rock wall closer to the intent of the SCP.

15  
16       Cory Snyder, Community Development Director, explained the City, along with five  
17       other cities, partnered to come up with appropriate ordinances for the current look and feel of the  
18       Legacy Parkway. The SCP models those same ideas and extends that look and feel to this  
19       neighboring wetland area. The SCP is a natural upland environment with slow transitions  
20       between low spots and high spots, natural landscaping, and designated wetlands. As this is the  
21       first development within the SCP, it is important to set a precedence that reflects the true intent  
22       of the ordinance. Mr. Snyder said the already constructed rock wall does not meet the intent of  
23       the SCP ordinances. This wall should be terraced with landscaping and the right angles should be  
24       diminished. Staff is comfortable allowing the wall to remain if timbers and landscaping are  
25       included and the corner angles diminished.

26  
27       Commissioner Merrill questioned the plans for the wetlands. He asked if the entire  
28       project will have culverts or if the standing water (as shown in the pictures of the staff report)  
29       will remain with the bridge overtop.

30  
31       Mr. Snyder reported the culverts are currently being reviewed. The applicant, City  
32       Engineer, and Public Works Director are still working on the details. The site will include  
33       culverts that will handle run-off. The designated wetlands will also remain as required by the  
34       Army Corps of Engineers. He also explained the bridge will likely be widened to accommodate  
35       the new pillar design. All these details will be verified prior to construction.

36  
37       Troy Salmon, applicant, explained this project has been difficult because of the new SCP  
38       Zone. He said the zoning ordinance is a bit abstract on what is required and what is not. He said  
39       there have also been disagreements between City staff members when interpreting the

ordinances. This has created some challenges. He said they are trying to appease all parties, i.e., Planning and Zoning department, City Engineer, and the Army Corps of Engineers. He said the Army Corps of Engineers has been especially difficult in that the wetlands are not to be touched or disturbed in any way. He claimed terracing would encroach onto the wetlands. He said they are accepting of staff's recommendations, including timbers and landscaping, and diminished angles on the corner. They also plan to install culverts on the site and widen the roadway as needed. He explained the wall was constructed in such a way to retain the fill dirt. The wall was built quickly in order to meet an Army Corps of Engineer deadline. Now that this has been accomplished the timbers and landscaping can be added.

Commissioner Holman asked if any additional fill dirt will be added at this point or if the site is already at its highest. Commissioner Hirst said she has walked this site and the wall is very long and straight and unnatural to its surroundings. She questioned if the wall could be broken up by replacing some of the rocks with timbers and landscaping. She would prefer the timbers be added to the wall rather than standing in front of the wall.

Mr. Salmon said no additional fill will be added to the site, but there is some grading that still has to take place which may change the elevations slightly. He said they do not want to compromise the soundness of the wall, but it may be possible to remove some rocks from the wall in order to place timbers and landscaping, but not at all locations. Some areas will require timbers to be placed in front of the rock wall. He said they will integrate the timbers and landscaping throughout the entire length of the wall. He also said they will diminish the angle and terrace the rocks on the corners.

Chair Hirschi opened the public hearing. There was not comment. He closed the public hearing.

Commissioner Hirst made a **motion** for the Planning Commission to accept the amended conceptual site plan for the proposed amendments concerning The Pasture Business/Industrial Park development located at 1275 North 1300 West, with the following conditions:

***Conditions:***

1. The applicant shall submit an amended final site plan, meeting the standards found in Section 12-21-110(e) of the Zoning Ordinance.
2. The applicant shall integrate the timber concept and indicate location and height over the rock wall and plantings appropriate to the Shorelands Commerce Park Design.
3. The timbers and landscaping shall be placed as to appear random and natural, rather than formalized.

4. The applicant shall address the corners of the rock wall with a 45 degree angle of wall, where possible, and breaking up the mass of the wall to allow for more variety of vegetation/plantings. These areas shall have appropriate Shorelands Commerce Park vegetation.
5. The applicant shall indicate all driveways being wide enough to accommodate the 25-foot drive-isle width, plus additional space for the wall rock cage feature.
6. The applicant shall continue to work with the City Engineer in regard to culverts, drainage issues and other related engineering issues.

***Reasons for Action (findings):***

- a. An amended conceptual site plan requires the applicant to go through the same procedural requirements as the original approval [Section 12-21-110(i)(2)].
- b. The applicant has clearly shown how the property may be developed [Section 12-21-110(d)(2)].
- c. With the above conditions addressed, the proposal will likely meet the requirements found in the Zoning Ordinance, in regard to development and design standards of the Shorelands Commerce Park (SCP) Zone [Chapters 12-47 & 12-68].

The motion was seconded by Commissioner Merrill and passed by unanimous vote (6-0).

**PUBLIC HEARING | SONIC RESTAURANT | 250 WEST PARRISH LANE**

**Consideration of a conditional use permit for operating a fast-food restaurant with drive-through and final site plan for Sonic Restaurant, to be located at the Ray's Muffler site, 250 West Parrish Lane, in the C-VH Zone. Charles (Chip) Ashley, Applicant.**

Cory Snyder, Community Development Director, reported the applicant is seeking three (3) approvals in order to move forward with development of the Sonic Restaurant, including final site plan, conditional use permit, and parking modification approval. Staff has reviewed the directives of the previously accepted conceptual site plan and it appears the applicant has addressed the majority of issues. Staff is concerned the use of decorative lighting has not been adequately implemented and suggests additional decorative lighting be required. Staff's review concludes that the final site plan submittal generally complies with the regulations, with the exception of the applicant's request to reduce the parking stalls from 23 to 20. In addition, a few follow through items will need to be addressed, including the recording of a new 7-foot utility easement along the east property line, bonding, fees, etc.

Mr. Snyder reviewed the application for the conditional use permit. The property is suitable for the fast-food use as requested. The property is surrounded by other commercial uses and there are similar fast-food uses within the area. The proposed use will upgrade the aesthetic

1 appearance of the property. It does not appear the use will negatively impact surrounding uses or  
2 properties. The applicant has sufficiently addressed the median strip along the east property line  
3 providing a shared access. The property has adequate facilities and services to the site for the  
4 proposed use. The applicant performed a traffic study, which concludes that adequate traffic  
5 capacity exists on the site once the access is widened (requires UDOT approval). The applicant  
6 has also sufficiently mitigated noise, trash, and light splay concerns.

7  
8 Mr. Snyder reviewed the proposed parking modification. The applicant proposes to  
9 reduce the required parking from 23 stalls to 20 stalls. The applicant performed a parking study,  
10 which concluded that the request for a reduction will not create a problem with the development  
11 of the Sonic Restaurant. The conclusion is based on such factors as, national average peak  
12 demand rates, use of interior seating, the specific business model for Sonic facilities, and the  
13 drive-thru provides double the required stacking of vehicles in the queuing lane. Staff and the  
14 City Engineer see no reason to disagree with the findings and conclusions of the submitted  
15 parking study.

16  
17 Commission members expressed concern with trash. The car-hop aspect of this use could  
18 possibly circulate more trash on site than other fast food uses. Mr. Snyder said current  
19 ordinances include a litter control program. The Commission can decide if the car-hop service  
20 needs additional mitigation controls.

21  
22 Commissioner Merrill said some Sonic restaurants have two canopies. He asked for  
23 verification that only one canopy is planned for this site. He also raised concern with noise and  
24 the decibel level of the music that is played under the canopy. He said it seems Parrish Lane will  
25 be louder than any music that will be played. Chair Hirschi questioned if the shared access  
26 agreement is in place. Mr. Snyder explained the Noise Ordinance is lenient during the day and  
27 rather stringent after 10 p.m., existing ordinances should sufficiently control noise.

28  
29 Chip Ashley, applicant, said the proposed Sonic will have only one canopy on the south  
30 side of the property. There are existing public utility easements that prevent a canopy on the  
31 north side of the property. He said the shared access agreement is in place and recorded on the  
32 plat. They will also record the 7-foot public utility easement as required. He explained the sound  
33 system is state of the art and can fluctuate the decibel level depending on ambient noise. The  
34 system can also be manually adjusted if necessary. He said the decibel level under the canopy  
35 next to the vehicles is set at 85, similar to the noise of a passing diesel truck. That sound will  
36 dissipate as you move farther away from the canopy. The decibel level at the sidewalk will be  
37 about 54, similar to someone talking. These levels are calculated as if there was a straight shot  
38 from the canopy to the sidewalk. At this proposed location that distance is buffered with a berm  
39 and 3-foot wall, which will further dissipate the sound. In addition, the speakers directly face the

1 vehicles parked under the canopy. They do not face the sidewalk or other surrounding properties.  
2 There will be no speakers mounted on the building itself. He said they are willing to comply with  
3 staff's recommendations in regard to decorative lighting.  
4

5 Chair Hirschi opened the public hearing.  
6

7 William H. Foyer said he is strongly opposed to additional fast food uses in Centerville.  
8 There are already too many. He would like to see a larger sit down establishment come to the  
9 city. He would hope elected officials would provide opportunity for larger establishments. He  
10 said he is concerned with traffic. He said the traditional colors used by Sonic are too bright and  
11 will not blend with the scheme of Centerville. He said the traditional Sonic building architecture  
12 includes large canopies that make the reuse of the site difficult if Sonic went out of business. He  
13 said Sonic has a reputation of going out of business. It would be unfortunate to have a vacant  
14 bright colored building and canopy. He suggested requiring the removal of the canopy if this  
15 happens.  
16

17 Chair Hirschi closed the public hearing.  
18

19 Sean Robertson, Sonic operator, said they have waited 10 years to open a Sonic in  
20 Centerville. He said there are many residents that fully support this use and are excited to have a  
21 Sonic in Centerville. He said Sonic will create jobs and will support local educators. He  
22 explained the proposed building is a new style which is a better design and business model. He  
23 said this Sonic will operate at the highest level. He said trash is part of any fast food use. He  
24 explained their car hop service model requires regular trash sweeps. In addition, there is a car-  
25 hop in the parking lot about every nine (9) minutes serving patrons. These employees are  
26 constantly sweeping the lot for trash. He said the color scheme for this location is muted. The  
27 traditional bright colors will not be used.  
28

29 Mr. Ashley said the architecture for this building is modern and includes increased  
30 pedestrian elements. There is a fireplace, attractive landscaping, and interior seating. He agreed  
31 the old Sonic buildings were bright colored and struggled to stay open. This is not the model that  
32 will be built in Centerville. Business longevity is anticipated at this location.  
33

34 Commissioner Merrill said the muted color scheme was required. He said he too would  
35 like to see a larger sit down establishment come to Centerville, but they have not shown an  
36 interest. As of yet, fast food uses are the types of business that are applying.  
37

38 Mr. Snyder confirmed the muted colors were required per the Parrish Lane Design  
39 Guidelines. He said many concerns were discussed with regard to the canopy and the 3-foot wall,

1 berm, and landscaping was required to mitigate these concerns. He also explained the canopy is  
2 easily removable. He said business longevity is always a concern, but he does not recommend  
3 requiring the removal of the canopy if the site were to go dark. He also said the proposed  
4 development is a better use than what is currently in place.

5  
6 Commissioner Kjar said the Commission discussed many of these issues during the  
7 conceptual site plan approval. He said Sonic has complied with current ordinances and has a  
8 right to do business in Centerville. The City cannot pick and choose which uses come to the city.  
9 He said a larger establishment would be great, but Centerville's demographics hinder larger  
10 companies from locating here. He said he is pleased to see additional jobs come to the city.

11  
12 Commissioner Holman said the conditional use permit runs with the land. If Sonic went  
13 out of business another fast food use could easily reuse the site. Mr. Snyder confirmed that the  
14 conditional use permit runs with the land, but said the parking modification does not. Any  
15 subsequent use would be required to address the parking through additional approval processes.

16  
17 ***Final Site Plan and Parking Modification***  
18

19 Commissioner Kjar made a **motion** for the Planning Commission to approve the final site  
20 plan for Sonic Restaurant to be located at 250 West Parrish Lane, with the following conditions:

21  
22 ***Conditions:***

- 23 1. The development of the property shall be subject to the layout and design as  
24 submitted and reviewed by the Commission on February 26, 2014, subject to any  
25 future allowed amendments as defined in City Ordinances.
- 26 2. A Parking Modification is approved, thereby reducing the parking stalls from 23 to  
27 20, subject to the specific use of a Sonic Restaurant.
- 28 3. The final site plan submittal shall be revised to re-address the use of decorative style  
29 lighting fixtures for the building elevations that can be viewed from Parrish Lane and  
30 any parking lot lighting fixtures used in the area between the building and the street.  
31 City staff may approve the lighting style design. However, any disagreement shall  
32 return to the Planning Commission for resolution.
- 33 4. The new 7-foot utility easement along the east property line shall be reviewed and  
34 accepted by the City.
- 35 5. All wall-based or ground equipment shall also be screened from view of the public  
36 street, either through man-made elements or by plant materials as part of the  
37 landscape design.
- 38 6. All required utility provider sheets be completed and deemed acceptable by the City  
39 staff by the time any construction permits are issued by the City.

- 1           7. The final site plan approval shall be subject to the payment of applicable bonding,  
2           fees, and other related development costs, as defined in the City's Fee Schedule.

3  
4           ***Reasons for Action (findings):***

- 5           a. The Planning Commission finds the final site plan submittal, with the above  
6           conditions being addressed, the proposed development has satisfied the applicable  
7           General Development Standards [Chapters 12-43, 12-51, 12-52] and the Parrish Lane  
8           Design Guidelines [Chapter 12-63].  
9           b. The Planning Commission finds that the Parking Modification is based on such  
10          factors as, national average peak demand rates, use of interior seating capacities, and  
11          the specific business model operation of Sonic facilities. Additionally, that the drive-  
12          through is providing just over double the required stacking of 5 vehicles in the  
13          queuing lane (see Parking Study provided with the final site plan submittal).

14  
15          The motion was seconded by Chair Hirschi and passed by unanimous roll-call vote (6-0).

16  
17          ***Conditional Use Permit (CUP)***

18  
19          Commissioner Kjar made a **motion** for the Planning Commission to approve a  
20          Conditional Use Permit (CUP) for Sonic Restaurant to be located at 250 West Parrish Lane, with  
21          the following conditions:

22  
23          ***Conditions:***

- 24          1. The development of the property shall be subject to the approved final site plan as  
25          submitted and reviewed by the Commission on February 26, 2014, subject to any  
26          future allowed amendments as defined in City ordinances.  
27          2. The design layout of the Sonic Restaurant use shall maintain a common circulation  
28          route for the western parking area located on adjacent property (i.e. tire store – these  
29          two properties share a common access drive).  
30          3. All required utility provider sheets be completed and deemed acceptable by the City  
31          staff by the time any construction permits are issued by the City.

32  
33          ***Reasons for Action (findings):***

- 34          a. After reviewing the CUP approval criteria as listed in Section 12-21-100 of the  
35          Zoning Ordinance, the Planning Commission finds the following:  
36                  i. The property is suitable for the development of a fast-food restaurant.  
37                  ii. With the condition regarding maintaining common access route, there are no other  
38                  issues needing mitigating or preventive measures for safeguarding the immediate  
39                  surroundings (e.g. site is located in a commercial intensive area).

iii. After reviewing the Traffic Study, there is sufficient traffic capacity for the proposed fast-food use.

iv. Subject to the submittal of all required service utilities and any conditions indicated, there are adequate services available to the site.

The motion was seconded by Commissioner Merrill and passed by unanimous roll-call vote (6-0).

At 8:30 p.m., Chair Hirschi was excused. Vice Chair Merrill took control of the meeting.

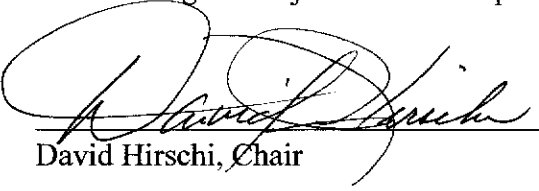
### **DISCUSSION | TRAINING FOR COMMISSIONERS**

Lisa Romney, City Attorney, provided training regarding conflicts of interest and the Municipal Ethics Act. Ms. Romney discussed ethical standards for Planning Commissioners under the Municipal Ethics Act, including prohibited conduct and interests that require disclosure. Ms. Romney provided further information and training regarding ethical considerations when performing public duties and avoiding even the appearance of conflict between one's personal interests and public duties.

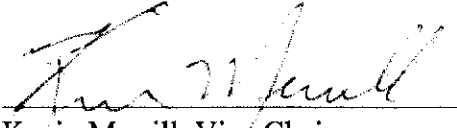
### **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

1. The next Planning Commission meeting will be Wednesday, March 12, 2014.
2. Upcoming Agenda Items
  - Community Park Expansion, Final Site Plan
  - Code Text Amendment, Corner Lot Setbacks, R-M Zone

The meeting was adjourned at 9:20 p.m.

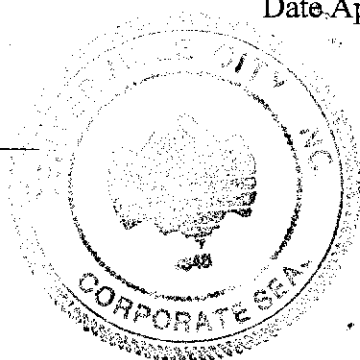
  
David Hirschi, Chair

3-12-14  
Date Approved

  
Kevin Merrill, Vice Chair

3-12-14  
Date Approved

  
Kathleen Streadbeck, Recording Secretary



# CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, February 26 2014  
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS\*\*

Shamrock  
Bill Foyler  
Joe Morin  
Julie Thompson

149 W 1500 NO.  
400 W. Parrish

\*\* Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the Planning Commission meeting.