**PLANNING COMMISSION MINUTES OF MEETING**
**Wednesday, March 11, 2020**
**7:00 p.m.**

A quorum being present at Centerville 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**
Cheylynn Hayman, Chair
Kevin Daly, Vice Chair
Thomas Hunt
Mason Kjar (arrived at 7:06 p.m.)
Christina Wilcox
Spencer Summerhays

**MEMBER ABSENT**
Becki Wright

**STAFF PRESENT**
Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Mackenzie Wood, Assistant Planner
Coralee Carroll, Recording Secretary

**PLEDGE OF ALLEGIANCE**

**INTRODUCTION OF COMMISSIONER SUMMERHAYS**

Chair Hayman welcomed Commissioner Summerhays as the newest member of the Commission. Commissioner Summerhays expressed appreciation for the opportunity to serve.

**ADMINISTRATIVE DECISION – PUBLIC HEARING – SMALL SUBDIVISION WAIVER – 410 EAST 1000 SOUTH**

Mackenzie Wood, Assistant Planner stated the applicant, Zachary Maxfield desires to subdivide the property at 410 East 1000 South into two (2) single-family lots. The property is currently not developed, and the proposed lots are future home sites. The applicant is seeking a Small Subdivision Waiver as outlined in CMC 15.02.070. Such a waiver would eliminate the preliminary and final subdivision processes of the Subdivision Ordinance. The Planning Commission is assigned as the final land use authority for approving any qualifying small subdivision.

Ms. Wood stated a small subdivision is defined as a subdivision of not more than two (2) lots. Since the property is being subdivided into two developable lots, it can qualify for the small subdivision waiver if it meets the criteria in Section 15-2-107 of the Subdivision Ordinance.

Ms. Wood explained there are three requirements that the proposed small subdivision must meet to qualify for the Small Subdivision Waiver.

1. The small subdivision does not require dedication of land for a street or other public purpose. Ms. Wood stated that according to the Transportation Element of the City's

General Plan, the subdivision does not require the additional dedication of land for a street or other purpose.

2. The small subdivision is not traversed by the mapped lines of a proposed street or a street to be widened as shown on the master street plan. Ms. Wood stated that 400 East Street is scheduled for reconstruction over the next several years. However, staff is not aware of any additional planned widening in the future for either street adjoining the proposed subdivision. Additionally, the Transportation Element does not indicate any new connecting roads to run through any portion of the future two lots.

3. The lots are not part of a small subdivision approved less than three years earlier. Ms. Wood stated the proposed property has not been involved in any type of previous subdivision approval within the last three (3) years.

Ms. Wood stated the subdivision must meet the gross density requirements of four (4) units per gross acres. The subdivision is .43 acres. When one half (1/2) of the developed street is added to acreage total, the subdivision should meet the acreage criteria. However, a survey is required to verify gross acreage.

Commissioner Summerhays asked for clarification of the location of the proposed driveways in relation to the intersection.

Community Development Director, Cory Snyder stated the northern lot's driveway would be located on the northeast corner of the subdivision. The southern lot's driveway would be located on the southwest corner of the subdivision. Mr. Snyder stated that UDOT requires that a driveway be at least 150 feet from an intersection with a traffic light. However, the traffic light at this intersection is owned by Centerville City. Consequently, the City determines acceptable distance between the intersection and the southwest driveway. The approximate distance of the southwest driveway from the intersection would be 130 to 135 feet. The location of the southern lot's driveway must be approved by the Public Works Director and the City Engineer.

Applicant, Zachary Maxfield presented his proposal to the Commission and public. Mr. Maxfield stated the gross acreage of the proposed subdivision is .63 acres. The gross acreage includes one half (½) of the dedicated street.

Chair Hayman opened a public hearing at 7:10 p.m.

Christina Pexton – Ms. Pexton stated her home is adjacent to the proposed development. She stated there has been several previous proposals to subdivide this parcel that were denied. She asked what is different about this proposal that allows it to be considered for approval. She stated her driveway is 200 feet from the intersection and often it is difficult for her to safely enter or exit her driveway. She stated the intersection is too busy to allow a driveway (the southwest lot) that close to the intersection. Safety should be the priority.

Jamison Pexton – Mr. Pexton stated there are five (5) large utility boxes on the corner adjacent to the left turning lane onto 400 East which will likely push the proposed driveways even closer to the intersection than proposed. He stated he previously attempted to subdivide this parcel and was denied because the acreage was less than one half (½) acre. But now, with acreage from the developed road included, it qualifies. He expressed his frustration at the lack of fairness to his previous efforts to subdivide.

Alan Arbuckle – Mr. Arbuckle stated he also had previously attempted to develop this parcel. He also was advised it didn't meet the gross acreage requirement. He asked why it qualified for development now. He is also concerned about traffic safety issues. He said there is a narrow turning lane turning east on 400 East which already creates safety issues at that intersection. He suggested performing a traffic study prior to consideration of approval of the proposed subdivision.

Chair Hayman closed the public hearing at 7:18 p.m.

Mr. Snyder addressed the public's questions regarding the calculation of gross acreage compared to net acreage. He advised the public that in 2003 residential zoning changes were made regarding residential density. The change stated four (4) units per acre were allowed. The same calculation used whether the proposed development has dedicated streets or is raw ground. If streets are already developed, then the acreage from the street is included in the gross acreage. Mr. Snyder stated that over the past ten years City planning staff has received many questions regarding development of this parcel. Each time the answer was the same, since the parcel is .43 acres, a survey would be required to determine gross density. In the last ten years, the City has not received an actual proposal for development of the parcel.

Mr. Snyder advised the public that the City's standard is that a driveway must be at least 50 feet from an intersection. The City does not have a separate standard for driveway distances from an intersection with a traffic light. The Public Works Director and City Engineer have required the driveways to be as far from the intersection as feasible.

Mr. Snyder stated that secondary water provider discussions are currently taking place. The proposed secondary water connection configuration will need to be shown on the plan presented to City staff for review. A no parking regulation could be implemented, but it would require review and action by the City.

Commissioner Summerhays asked if the Commission can require a survey to determine gross acreage prior to consideration of approving the proposed waiver. Mr. Snyder stated that is a possible action.

Commissioner Kjar stated there can be heavy traffic at this intersection and safety issues should be addressed by City staff. He also questioned whether it would be wise to include dedicated roads in the calculation for gross acreage in a proposed subdivision with a previously developed road.

Commissioner Daly stated the Commission must decide whether the subdivision qualifies for the Small Subdivision Waiver, not whether the proposal is the best way to develop the parcel. Chair Hayman agreed it is an administrative decision and the Commission's job is to determine if the proposal complies with requirements in place.

Commissioner Summerhays suggested the Commission recommend that the City Council consider "tightening up" the residential zoning ordinance relating to density to address future redevelopment issues in established subdivisions.

Commissioner Kjar recommended that the required survey be obtained prior to consideration of approval of the waiver. He suggested that the Commission table approval of the waiver until the survey is received. Chair Hayman stated that waiver approval can be conditioned on whether the survey satisfies code requirements.

Commissioner Hunt **moved** that the Planning Commission approve the Small Subdivision Waiver for Parcel #02-070-0078, subject to the conditions in staff report and to include red paint striping or no parking signs on streets fronting the proposed subdivision. Lisa Romney, City Attorney stated parking concerns are to be determined and implemented through the Police Department. Commissioner Hunt amended his motion to remove the no parking/paint striping condition and move forward with his motion per Planning Staff recommendations and Suggested Reasons for the Action (Findings). Commissioner Daly seconded the motion. Motion passed with five (5) votes (5-1). Commissioner Kjar voted Nay.

1. The small subdivision waiver shall be for Parcel #02-070-0078 as shown on the submitted plans.
2. The following items shall be effective or addressed as part of this small subdivision waiver approved:
    a. The applicant shall prepare a final paper plat for the property, as per the City subdivision standards, to the Centerville City Recorder. After the paper plat is deemed acceptable by the City, a Final Linen Plat, for county recording, shall be prepared, signed, and submitted to the City Recorder.
    b. The prepared professional survey of the paper plat shall verify that the parcel is of sufficient size to meet the density requirement of the Residential Zones, of at least ½ gross acres and shall be deemed in compliance by the City Engineer and/or City Zoning Administrator.
    c. The applicant shall prepare any required subdivision construction drawings for the minimum needed improvements to be installed for the subdivision and shall be deemed acceptable by the City Engineer.
    d. The Plat shall show and provide all required street frontage and interior lot line public utility easements.
    e. The driveway/approach locations shall be depicted on the final linen plat.
    f. All easements and driveway/approach locations shall be deemed acceptable by the City Engineer and Public Works Director.
    g. The subdivision construction drawings and plan shall show and comply with the required 2,000 square foot buildable area for the new lot.
    h. Prior to recording the small subdivision waiver plat, applicant shall submit an updated title report for the entire property for review and approval of encumbrances and ownership by the City Attorney and City Engineer.
    i. At minimum, the following plat notes shall be set forth on the final plat, or as deemed acceptable to the City Attorney, for the small subdivision waiver:
        i. Approval of the small subdivision waiver plat by Centerville City does not constitute any representation as the adequacy of subsurface soil conditions nor the location or depth of ground water tables.
        ii. Any installation of the driveway/approach for each lot shall comply with the depicted locations shown on the subdivision plat.
3. The applicant shall provide, with the paper plat and plans, all the required utility provider sheets to the City.
4. 4. The applicant shall provide verification that the applicable secondary water service is available for the proposed lots and shall install all necessary improvements.
5. The applicant shall pay all applicable impact fees and post the related bonds for public improvements prior to recordation of the Final Linen Subdivision Plat.

Suggested Reasons for the Action (findings):

1. The Planning Commission finds that the subdivision qualifies for the small subdivision waiver, in accordance with the criteria found in CMC 15.2.107 of the Subdivision Ordinance.

2. The Planning Commission finds that two lots are consistent with the applicable Zoning Standards for the Residential Low Zone.
3. The Planning Commission finds that with the conditions imposed, the general requirements for all subdivisions have been addressed and/or fulfilled.

Commissioner Daly **moved** to direct City staff to consider no parking/red striping on the streets adjacent to the City owned traffic signal and similarly situated intersections. Motion was seconded by Commissioner Hunt. Motion passed with four (4) votes (4-2). Chair Hayman and Commissioner Daly voted against.

**ADMINISTRATIVE DECISION – PUBLIC HEARING – SMALL SUBDIVISION WAIVER – 490 EAST 400 SOUTH**

Ms. Wood stated that the applicant, Bradley Trump desires to subdivide the property at 490 East 400 South into two (2) single-family lots. The applicant desires to construct a single-family home in the area where an accessory building is located. In 1979, the area of the accessory building was divided by ownership from the established home site. This division was performed after the adoption of a City subdivision ordinance and without obtaining City approval. Both properties have remained in family ownership. A development right for a second home site is required from the City to allow for the desired home.

Ms. Wood stated that since the property is being subdivided into two developable lots, it can qualify for the Small Subdivision Waiver if it meets the criteria in Section 15-2-107 of the Subdivision Ordinance. The gross acreage of the two lots is approximately .9 acres which satisfies code. However, the buildable area for the second lot needs to be verified by a survey.

Ms. Wood stated that the side lot lines toward the rear yard areas jog and are not at a right angle, as preferred by ordinance. Due to the historical built layout of the site, the general configuration of the subdivision is fixed. To accommodate situations such as this, the subdivision ordinance allows lot line variations upon recommendation from the Planning Commission.

Ms. Wood explained there are three requirements that the proposed small subdivision must meet to qualify for the small subdivision waiver.

1. The small subdivision does not require dedication of land for a street or other public purpose. Ms. Wood stated that according to the Transportation Element of the City's General Plan, the subdivision does not require the additional dedication of land for a street or other purpose.

2. The small subdivision is not traversed by the mapped lines of a proposed street or a street to be widened as shown on the master street plan. Ms. Wood stated according to the Transportation Element, 400 South is labeled a collector street. According to the Public Works Director, there are no plans to widen the street at this location.

3. The lots are not part of a small subdivision approved less than three years earlier. Ms. Wood stated the proposed property has not been involved in any type of previous subdivision approval within the last three (3) years.

Applicant, Bradley Trump presented his proposed development to the Commission and public.

Chair Hayman opened a public hearing at 7:54 p.m. and closed the public hearing seeing that no one wished to comment.

Commissioner Kjar recommended the Commission table consideration of approval until the required survey is completed.

Commissioner Daly **moved** that the Planning Commission approve the small subdivision waiver/lot split for property located at approximately 424 East and 470 East 400 South Street, Parcels #02-068-0141 and #02-068-0081, subject to Planning Staff Recommendations and Suggested Reasons for the Action (Findings). Chair Hayman seconded the motion. The motion passed with five (5) votes (5-1). Commissioner Kjar voted against the motion.

1. The small subdivision waiver shall be for Parcel #02-068-0141 and #02-068-0081, located at approximately 424 East and 470 East 400 South Street.
2. The following items shall be effective or addressed as part of this small subdivision waiver approved:
    a. The applicant shall prepare a final paper plat for the properties, as per the City subdivision standards, to the Centerville City Recorder. After the paper plat is deemed acceptable by the City, a Final Linen Plat, for county recording, shall be prepared, signed, and submitted to the City Recorder.
    b. The prepared professional survey of the paper plat shall verify that the parcel is of sufficient size to meet the density requirement of the Residential Zones, of at least ½ gross acres and shall be deemed in compliance by the City Engineer and/or City Zoning Administrator.
    c. The applicant shall prepare any required subdivision construction drawings for the minimum needed improvements to be installed for the subdivision and shall be deemed acceptable by the City Engineer.
    d. The Plat shall show and provide all required street frontage and interior lot line public utility easements, which shall also be deemed acceptable by the City Engineer and Public Works Director.
    e. The subdivision construction drawings and plat shall show and comply with the required 2000 square foot buildable area for the new lot.
    f. Prior to recording the small subdivision waiver plat, applicant shall submit an updated title report for the entire property for review and approval of encumbrances and ownership by the City Attorney and City Engineer.
    g. At minimum, the following plat notes shall be set forth on the final plat, or as deemed acceptable to the City Attorney, for the small subdivision waiver:
        i. Approval of the small subdivision waiver plat by Centerville City does not constitute any representation as the adequacy of subsurface soil conditions nor the location or depth of ground water tables.
3. The applicant shall provide, with the paper plat and plans, all the required utility provider sheets to the City.
4. The applicant shall provide verification that the applicable secondary water service is available for the proposed lots and shall install all necessary improvements.
5. The applicant shall pay all applicable impact fees and post the related bonds for public improvements prior to recordation of the Final Linen Subdivision Plat.

Suggested Reasons for the Action (findings):

1. The Planning Commission finds that the subdivision qualifies for the small subdivision waiver, in accordance with the criteria found in CMC 15.2.107 of the Subdivision Ordinance.
2. The Planning Commission finds that two lots are consistent with the applicable Zoning Standards for the Residential Low Zone.
3. The Planning Commission finds that with the conditions imposed, the general requirements for all subdivisions have been addressed and/or fulfilled.

**LEGISLATIVE DECISION – PUBLIC HEARING – SOUTH MAIN STREET CORRIDOR PLAN – GENERAL PLAN AMENDMENT**

Cory Snyder presented to the public a history of the South Main Street Corridor and presented the South Main Street Corridor Plan – Preliminary Draft Summary. The Plan's vision is expressed using five different elements or goals.

1. Corridor Wide Viewpoints
2. Land Use Expectations
3. Built Environment Design Expectations
4. Corridor's Street Space Expectations
5. Residential Re-introduction Opportunities (Optional Component)

Mr. Snyder stated there are unresolved questions as to whether residential should be a part of the South Main Street Corridor.

Chair Hayman thanked the public for their attendance. She advised the public that the Commission has spent the past year preparing a revised element for development of the South Main Street Corridor. She stated that the purpose of the public hearing would be for the Commission to receive the public's input and feedback regarding the proposed draft.

Chair Hayman opened the public hearing at 8:20 p.m.

Mat Pierce – Mr. Pierce expressed approval of the proposed Preliminary Draft.

Jennifer Turnbloom -- Ms.Turnbloom stated that she likes scenery murals (like the mural on Cutlers). But she doesn't like murals on light poles. She has watched multiple commercial uses come and go on Main Street. Commercial uses seem to struggle to survive, so she would like residential to be allowed. She doesn't like monument signs because they can make it difficult (too bright) to see oncoming traffic.

Jay Mercy – Mr. Mercy stated that one of the code requirements for new residential construction is that the proposed unit must have a commercial look to match commercial structures around it. These code requirements limit the residential design. Setback requirements are also a problem for residential development. He wanted to build a barn at the back of his property. But he couldn't afford the cost to comply with the commercial look requirement (stucco/rock).

Patti Randall – Ms. Randall stated that her home on Main Street was vacant for over 15 years because it was so difficult to comply with the code requirements for residential buildings. She owns Main Street Garage. If the Commission wants to protect the historical character of Main Street, this garage has been there since the 20's.

Maureen Huffaker – Ms. Huffaker expressed appreciation for the Commission's efforts. She supports mixed residential/commercial use. She asked if existing signage would need to be changed, if this plan is approved.

Margaret Murphy – Ms. Murphy stated that since the new Main Street Corridor area is smaller than it used to be, her home is no longer included in this area. She lives south of Parrish Lane. She likes scenery murals but doesn't want light pole murals. She also supports residential/commercial mixed use.

Alan Arbuckle – Mr. Arbuckle is in support of mixed use, but he would suggest broadening commercial uses. Retail would be more conducive for Main Street, but retail might struggle. More varied uses would attract more people to shop on Main Street.

Jim Higby – Mr. Higby is in support of mixed residential/commercial. He said the park strip on the south side of Main Street has varying treatments and some are not kept looking nice, including some very old trees. He asked the Commission if the corridor plan will include a desired "look" for the park strip on the south side of Main Street.

Carrie Marsh – Ms. Marsh's property is located outside of the proposed Main Street Plan area; south of Porter Lane and zoned agricultural. She sees an opportunity to use her property as a transitional zone between residential further south and commercial further north. She desires to create more affordable residential housing on her property which would require a zoning change.

Chair Hayman thanked the public for their input. She also requested the public to relay any other ideas or suggestions to City staff.

Chair Hayman closed the public hearing at 8:37 p.m.

Chair Hayman advised the public that the proposed changes would be implemented over many years. The proposed changes are intended to help revitalize Main Street.

Mr. Snyder stated that existing signs are "grandfathered" and will not need to be changed.

Chair Hayman advised the public that Commission and staff are reviewing possible park strip recommendations.

Mr. Snyder stated the foundation of the old Main Street Garage still exists, but the building is gone. Consequently, the non-conforming right was lost. Mr. Snyder said that the new building requirements are more flexible, so development of the parcel would have less restrictions in the future.

Mr. Snyder responded to Ms. Marsh's question regarding possible extension of the corridor farther south to include her property. He stated this will be discussed further.

Mr. Snyder addressed the possibility of more allowed commercial uses. If more residential is allowed with the commercial, it does limit the type of commercial that is viable in a mixed residential use. In the past, there was negative feedback regarding high density residential. Consequently, residential use in this area is currently just an optional concept.

Commissioner Daly advised the public that this is the preliminary phase of the revitalization of Main Street. There will be three phases implemented over an extended period. Phase one is the general plan revision, the second phase is zoning code revisions, and the final phase is determining the table of permitted uses.

Mr. Snyder advised the public to review upcoming Commission agendas to determine when further discussions regarding the Main Street Corridor will be held by the Commission or City Council.

**ADMINSTRATIVE DECISION – PUBLIC MEETING ITEM ONLY – FINAL SITE PLAN – DECANT STATION**

Mr. Snyder summarized the Centerville City Public Works Department proposal to construct a decant station on a portion of the existing site. The facility will be located in the northwest area of the Public Works Facility. This area is underdeveloped and often used for miscellaneous storage.

Commissioner Daly made a **motion** for the Planning Commission to approve the Final Site Plan for the Public Works Decant Station provided that the applicant address items in conjunction with the Building Permit submittal. Commissioner Kjar seconded the motion. The motion passed with unanimous vote (6-0).

1. The proposed development and use shall comply with the submitted plans for Final Site Plan or as amended by the City.
2. The installation of the city logo sign requires a permit.
3. All outdoor lighting fixtures need to have the expected fixture shield.

Suggested Reason for Action:

1. The Planning Commission finds that with the conditions imposed, the proposed accessory use and building complies with the applicable development standards of the PF-VH Zone as discussed in the applicable conceptual and final site plan staff reports.

**DISCUSSION – SUBDIVISION ORDINANCE UPDATES – CHAPTER 19 (COMMENCEMENT OF DEVELOPMENT ACTIVITY)**

Lisa Romney, City Attorney summarized the Ordinance Updates for Chapter 19, addressing when and how development activity can commence after final plat approval, including issuance of building permits.

**COMMUNITY DEVELOPMENT DIRECTOR'S REPORT & CITY COUNCIL REPORT**

Mr. Snyder advised the Commission that Legacy Crossing has submitted a Conceptual Site Plan for Lots 2 and 3. Proposed approval of the site plan will be on the March 26th agenda.

Chair Hayman asked if any of the Commission were planning on attending the Land Use Academy of Utah Training scheduled for March 21, 2020. No Commissioner planned on attending. Chair Hayman expressed appreciation to Ms. Wood for providing valuable updates on available training opportunities.

**2020 COMMISSION GOALS**

The Commission reviewed the 2020 Commission Goals.

**MINUTES REVIEW AND ACCEPTANCE**

The minutes of the February 12, 2020 Planning Commission meeting were reviewed and amended. Commissioner Hunt **moved** to accept the minutes as amended. Commissioner Kjar seconded the motion which passed by unanimous vote (6-0).

**ADJOURNMENT**

At 9:04 p.m., Chair Hayman made a **motion** to adjourn the meeting. Commissioner Daly seconded the motion which passed by unanimous vote (6-0).

Leah Romero, City Recorder

April 8, 2020
Date Approved

Coralee Carroll, Recording Secretary

CENTERVILLE CITY, INC.
1848
CORPORATE SEAL

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