

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:30 PM ON MARCH 13, 2019 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Jacob Smith, Centerville Management Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. The full packet can also be viewed on the City's website: <http://centerville.novusagenda.com/agendapublic>.

Tentative - The times shown below are tentative and are subject to change during the meeting.

Time:

- 5:30 **A. 5:30 Work Session with City Council on Main Street Overlay **Note: Regular Commission Meeting will start at 7:30pm**

Work Session

IMPORTANT: Please familiarize yourself with the Various Options (3rd Section) of Staff Memorandum in preparation for the Work Session Meeting.

- 7:30 **B. WELCOME AND ROLL CALL**

- C. PLEDGE OF ALLEGIANCE**

- D. PRAYER OR THOUGHT**

Logan Johnson, Commissioner

- E. COMMISSION BUSINESS**

- 7:40 1. Public Hearing - Conditional Use Permit - Sydnee's Pet Grooming - 663 West Marketplace Drive
ADMINISTRATIVE DECISION
The Commission will consider the proposed Conditional Use Permit for Sydnee's Pet Grooming ("Kennel Use"), to be located at 663 West Marketplace Drive.
- 8:00 2. Public Meeting - Deuel Creek Final Plat Subdivision - ~641 E 200 South
ADMINISTRATIVE DECISION
The Commission will consider the proposed Final Subdivision Plat for Deuel Creek Place, a three lot residential subdivision located at approximately 641 E 200 South.

8:20

3. Discussion - Subdivision Ordinance Updates - Chapter 5 (Concept Plan)
Continue discussion of proposed revisions and updates to City Subdivision Ordinance - CMC 15 (Subdivision).
4. Land Use Training #1 - What Hat Do You Wear?
5. Community Development Director's Report
Next PC Meeting Items:
 - Chick-Fil-A Amended Site Plan
 - Adventure Time Sales - CUP for Vehicle Sales Use
6. City Council Report
 - Hafoka Rezone to R-M - Approved
 - Legacy Lands Final Plat - Approved

F. MINUTES REVIEW and ACCEPTANCE

February
27th, 2019

February 27th, 2019

G. ADJOURNMENT

CENTERVILLE

**Staff Backup Report
3/13/2019**

Item No.

Short Title: Work Session

Initiated By:

Scheduled Time:

SUBJECT

IMPORTANT: Please familiarize yourself with the Various Options (3rd Section) of Staff Memorandum in preparation for the Work Session Meeting.

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- Staff Memo for the Work Session

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

STAFF MEMORANDUM

DATE: MARCH 8, 2019

TO: MAYOR, CITY COUNCIL, PLANNING COMMISSION

FROM: CORVIN M. SNYDER, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: JOINT WORK SESSION – SOUTH MAIN STREET CORRIDOR
PLANNING

OVERVIEW

This memorandum is divided into three (3) parts. The first part is intended to facilitate the discussion for the work session and move through to them to facilitate a potential direction to pursue. It asks probing questions for Commission and Council to respond and expectantly work out or identify a common view for Main Street. The second part contains a listing of three (3) potential options that the political bodies could decide to pursue for moving forward with land use planning process for the Main Street area. The third part lists some of the various Option's details, pros, cons, and issue for amending the General Plan and Zoning Ordinance. The work session is scheduled for two (2) hours and allotted times are provided to hopefully move the discussion along and arrive at a direction to pursue.

FYI - As all should be aware the tentative deadline for the Commission to have a "Plan & Draft Ordinance" recommended to the City Council is July 2019.

[5:30 to 6:00] QUESTIONS NEEDING TO BE ASKED AND ANSWERED

- Is Main Street “*Unique*” or the “*Heart of the City?*”
 - *If so, how?*
 - *If not, why?*
- Is Main Street “deteriorating” or in “need of restoration or revitalizing?”
 - *If deteriorating, is it significant or at an acceptable level to date?*
 - *Does it need to be “restored?” If so, back to what?*
 - *Does it need to be “revitalized?” If so, to what extent?*
- The currently adopted framework of SMSC Form-based development strategy was developed with a “*significant expectation*” for “*re-development and reinvestment*” and likely occur over a long period of time.

- *Does, it match, meet, facilitate, or fulfill the expectations/ conclusions discussed in the answers/ conclusions above?*

[6:00pm to 6:45pm] POTENTIAL PATHWAYS TO PURSUE ARE

✓ **RESTORATION OR REVITALIZATION ORIENTATION**

If the existing SMSC Plan and Ordinance alterations are to be sought, the question is:

- *Are the basic elements of the Existing Plan desirable and or feasible? If Revitalization is desired, then:*
 - OPTION 1 – redevelopment is the likely better direction for it and it is focused on a future vision for the area – also review the fundamentals in this option before deciding
- *If Restoration is desired, then:*
 - OPTION 2 - restoration is the likely direction – This would tone down the redevelopment expectation and focus more on upgrading and enhancing the existing land use pattern already in place.

✓ **A PRESERVATION OR SUBSTITUTION ORIENTATION**

Staff’s meaning for “*preservation*” is that Main Street is NOT necessarily unique or the heart of the City after all. However, Main Street can still be unique and the heart of the City and a substitute plan that recognizes the importance of street design can be used to replace the existing intensive redevelopment scenario.

- *If a preservation is preferred then,*
 - OPTION 3 - is the likely direction – This would return to the C-M view for Main Street. Some General Plan language about restoration/revitalization would be appropriate to support the return to C-M Zoning.
- *If a substitution is preferred then,*
 - OPTION 2 - is the also a likely direction – This would tone down the redevelopment expectation and focus more on upgrading and enhancing the existing land use pattern already in place.

[6:45pm to 7:30pm]

CITY COUNCIL AND PLANNING IDENTIFY A DIRECTION AND MAIN IDEAS OR THEMES TO BE ADDRESSED WITH MAIN STREET AMENDMENTS

OPTION #1 – ALTER/MODIFY THE EXISTING SMSC PLAN & SMSC ZONING

PRO'S:

- Satisfies Section 12-430-2.2 General Plan's Goal of "*Main Street commercial area is old now and somewhat deteriorating, though a few new buildings have been constructed here in recent years. Restoration or revitalization should be encouraged.*"
- The SMSC Plan and Ordinance "Vision" are a "redevelopment plan" to create and frame Main Street with future development and re-development through use of a "*Form-based Development Code*" and related "*Public Space Element.*"
- The Vision also extends beyond the area known as traditional "Main Street" and encompasses the commercial node areas of Parrish Lane and Pages Lane on each end ("*gateway or entry-node redevelopment*") to establish what is labeled the "*South Main Street Corridor District.*"
- Recognizes and continues the on-going visioning efforts of the 2008 City Council & subsequent Council alterations to date.

CON'S:

- Over the time since its adoption, the SMSC Plan has been riddled in controversy, over such things as residential density, building placement and design requirements, market push for residential densities rather than marketing for mixed use or commercial use, and lack of much change to the area to date.
- The re-introduction of residential use allowance (*i.e. Mixed-Use requirement*) was a "*key*" element to encourage re-investment in existing properties. The original allowance for residential intensity has been considerably reduced over time (*e.g. allowed units per building vs. 6 units per acre*). This reduction likely reduces incentive or interest in redevelopment.
- The expected "*Public Space*" element to partner with the "*Form-Based*" development design was significantly tempered in its culmination.
- Newer development has either not been stalwartly consistent with or has petitioned for specific amendments to better facilitate the wants and needs of a property owner. These changes have further compromised the form-based design ideals of the adopted ordinances.
- These concerns and controversies have led to elected official, appointed official, and public discord and confusion. Which in turn has left existing property owner's in an un-surety state with their investment and future plans.

POTENTIAL IMPACTS OR CONSTRAINTS FOR MAKING SMSC GENERAL PLAN AND ZONING ORDINANCE CHANGES

- The General Plan Policies rely heavily on a "City Center or Traditional Downtown," which is the focus of the policy framework. This will be difficult to retool and keep any of the original vision.
- The General Plan still has a significant expectation for a "Public Space Plan" that also includes potential significant "street infrastructure" changes (*e.g. on-street parking, lane*

striping, and corner bulb-outs) that would compete with UDOT's Roadway Design Specifications.

- All of the Lot Types would likely need significant form-based design changes and also substantially reduce the types.
 - Any remaining Lot Types would likely be simplified and retain very little of the original organization and layout schematics.
 - The “design standards” would need to be streamlined to meet the new expectations.
 - In short, it would be a significant overhaul to the existing form-based code format to reflect an alternate vision.
-

OPTION #2 – CREATE A SUBSTITUTE PLAN AND ORDINANCE

PRO'S:

- Can be tailored to in a manner to meet an alternative focused outcome based on the existing land use pattern rather than a “restoration or revitalization” involving wholesale re-development.
- Better acknowledges the existing land use pattern, which can facilitate and maintain the local property owner status of the corridor
- Can accommodate options greater options for re-use and adaptation of current development pattern.
- Any new vision and related regulations can include site and building design enhancements that upgrade property, using existing structures and layout, as modifications are sought (*e.g. Parrish Lane Gateway Design regulations*).
- Can distinguish Main Street as both a local and regional travel corridor or “boulevard” street rather than a “traditional downtown” or “city center.”

CON'S:

- A substitution or new direction would abandon/rescind the previous efforts and outcomes of the 2007/2008 SMSC Consultant Study, Corridor Plan and Overlay District regulations. Keep in mind the initial consultant investment was just under 30K.
- A new direction may continue to be “*exhausting*” to residents and property owners over whether the City really has a “*vision*” for the Main Street area.
- A new plan will be problematic to develop without a clear understanding of what is the expected “*land use pattern*.” Is it to:
 - ***Maintain or enhance the existing commercial uses? AND/OR***
 - ***Encourage additional commercial uses and/or revitalization? AND/OR***
 - ***Add residential uses in some manner to enhance or replace existing commercial development?***

POTENTIAL IMPACTS OR CONSTRAINTS FOR MAKING GENERAL PLAN AND ZONING ORDINANCE CHANGES

- The existing SMSC Plan (*General Plan Document*) would need to rescinded and replaced in a manner, such as:

- Create a substitute for the adopted independent SMSC Plan (*Section 12-480*) that identifies what the new goals and objectives are (*a likely more intensive effort*),
OR
- Re-write/modify the existing Generalized Section 12-430-2.2 General Plan's Goal regarding Main Street. This alternative would likely be a simpler or less intense direction to pursue.
- The SMSC Overlay Zone (*Zoning Ordinance*) would need to be rescinded and replaced in a manner, such as:
 - Create a substitute Zoning Overlay that is customized to the desire development and design outcomes, specific to Main Street,
OR
 - Eliminate the need for an Overlay Zone and write design performance regulations that are additional expectations specific for Main Street. This would be analogous to what has been done in other Zoning Districts, such as the Parrish Lane Gateway Design or the Shorelands Commerce Design regulations.
AND
 - Consider reducing the corridor to be regulated – example limit General Plan and Zoning Ordinance changes from Parrish Lane to Porter Lane.

OPTION #3 - RETURN TO PRIOR PLAN & ORDINANCES

PRO'S:

- Abandon/rescinds the previous controversial efforts and outcomes of the 2007/2008 SMSC Consultant Study, Corridor Plan and Overlay District regulations.
- Re-institutes the prior and possibly more familiar goals and objectives
- Will mitigate the “*exhausting*” perceptions residents and property owners may have regarding the Main Street area.

CON'S:

- Does not resolve the General Plan's vision of “restoring and revitalizing” Main Street.
- Returns the Zoning Ordinance regulations and uses back the Commercial – Medium list and the associated traditional development regulations
- Perceived residential and commercial use conflicts may continue to be unresolved.

POTENTIAL IMPACTS OR CONSTRAINTS FOR MAKING GENERAL PLAN AND ZONING ORDINANCE CHANGES

- The entire SMSC Plan and Zoning Ordinance needs to be rescinded.
- All Existing General Plan and Zoning Regulations are already adopted in both the General Plan and Zoning Ordinances to support a return back to C-M Zoning. Some minor language about restoring/revitalizing would need to be modified.

CENTERVILLE

**Staff Backup Report
3/13/2019**

Item No.

Short Title: Logan Johnson, Commissioner

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
3/13/2019**

Item No. 1

Short Title: Public Hearing - Conditional Use Permit - Sydnee's Pet Grooming - 663 West Marketplace Drive

Initiated By: Kimberly Srisark, Applicant

Scheduled Time: 7:40

SUBJECT

ADMINISTRATIVE DECISION

The Commission will consider the proposed Conditional Use Permit for Sydnee's Pet Grooming ("Kennel Use"), to be located at 663 West Marketplace Drive.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ▣ 03-13-2019 PC Staff Report Sydnee's Pet Grooming (Kennel CUP)
- ▣ Sydnee's Pet Grooming Submittal

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

APPLICANT: **KIMBERLY SRISACK**
 1611 MELROSE DRIVE #369
 VISTA, CA 92081
 (kimberly_n@sydneespetsgrooming.com)

AGENT: **DEERWOOD PROPERTIES UTAH, LLC**
 C/O ACP MANAGEMENT
 3720 SOUTH SUSAN ST. #100
 SANTA ANA, CA 92704
 (sgerrity@acpmanagement.com)

PROPERTY: **663 WEST MARKET PLACE DRIVE**
 CENTERVILLE, UTAH 84014

ZONING: **COMMERCIAL - VERY HIGH (C-VH)**

APPLICATIONS: **CONDITIONAL USE PERMIT FOR A KENNEL USE**
 (PROPOSED PET GROOMING SALON)

RECOMMENDATION: **CONSIDER APPROVING A CONDITIONAL USE PERMIT**

BACKGROUND

The applicant desires to open a “*pet grooming salon*” business in an available tenant space of the building located in the Market Place Project. The application indicates that the business only “*grooms*” about 4-6 dogs at a time. It is also staff’s understanding that the applicant does offer grooming services for cats. Additionally, the application indicates that the business is only for grooming service. There are no plans for daycare services, overnight lodging of animals, or outside placement of animals.

ZONING ORDINANCE REVIEW

According Chapter 12-12, Definitions of the Zoning Ordinance, the proposed grooming salon use is labeled a “*kenel*.”

*“**Kenel:** An establishment having three or more dogs for the purpose of boarding, breeding, buying, grooming, letting for hire, training for profit, or selling.”*

According to Chapter 12-36 of the Zoning Ordinance, the “*Table of Uses*” allows for a “*Kennel*,” as a Conditional Use.

CONDITIONAL USE PERMIT REVIEW (SECTION 12-12-100)

General Plan

The Centerville City General Plan indicates this area is within Neighborhood 2, Southwest Centerville [Section 12-480-3]. In relation to commercial development, the plan indicates that the “*Centerville Market Place*” Project fulfills the expectation of the remaining vacant commercial growth for this neighborhood (*see 12-480-3.2. b.5*). The proposed use that would occupy an existing tenant space is consistent with the stated commercial development expectation.

CUP Factors to be Reviewed [12-21-100(e)(5) (A-K)]

[CZC 12.21.100.e.3.(A-D)] - Evidence

From staff’s review of the proposal, the “grooming salon” aspect being proposed is suitable for the location and tenant space. The use is very akin to a “Hair Salon,” which is an allowed “permitted use” in the C-VH Zone and was previously located next door (*i.e. Dollar Cuts, which recently closed*). Additionally, in the same development, a CUP was approved in 2011 for Petsmart (*near the Home Depot*), which provides pet grooming services as an accessory use. Staff believes that the proposed use meets or satisfies the listed “***Evidence***” ***Standards***, and also as described in the factors described later in this report.

[CZC 12.21.100.e.5.] Suitability and Harmony with the Proposed Site and Adjacent Property (A-C, F)

According to the applicant’s submittal, the proposed salon use will be entirely located within the tenant space building. There will be a limited capacity to hold up to 4-6 pets at a time. The applicant plans to install sound proofing along the wall space of the adjacent tenant. Additionally, the application states that pets will not be held in the salon area overnight under any circumstances or placed in any outdoor closure.

[CZC 12.21.100.e.5.] Impact on the Community and Safeguards to Minimize this Impact (D-E, G, I-K)

From staff’s review, it appears the salon operation, which is entirely enclosed within the store, is the primary focus of the proposed kennel use. Thus, it does not appear to create problems for the site or adjacent properties.

[CZC 12.21.100.e.5.] Adequate Access, Parking, Lighting, Fire Protection and Vehicular Circulation (H)

The proposed use and tenant space are located in the existing Market Place Development, which previously developed the needed access, parking, lighting, fire protection and circulation as a “planned center.” Parking for a “kennel” is less than it is for retail and office space. Thus, there is adequate parking available within the project. If there are changes needed specific for fire

protection to the tenant space, it will be reviewed as part of the building for the tenant finish and addressed at that time.

PLANNING STAFF RECOMMENDATION

Suggested motion for an approval of a conditional use permit for an accessory kennel use for PetSmart, located at 663 West Market Place Drive.

PROPOSED ACTION: *“I hereby make a motion for the Planning Commission to approve the conditional use permit for an accessory kennel use for Sydnee’s Pet Grooming located at 663 West Market Place Drive, with the following conditions:*

- 1. The CUP approval consists of allowing a kennel use, in a limited manner for the purpose of a “pet grooming salon”*
- 2. The Kennel (i.e. pet grooming) use shall be limited to the temporary care and services associated with the grooming of pets. The daycare, overnight and outside kenneling of dogs or other animals is expressly prohibited, unless otherwise approved by the City.*
- 3. All grooming operations and accessory type activities shall be conducted entirely inside the store.*
- 4. The applicant shall install sound proofing along the wall space of the adjacent tenant, as indicated in the application for this Conditional Use.*

SUGGESTED REASONS FOR THE ACTION:

- (a) The grooming or salon care of three (3) or more dogs constitute a “kennel,” which is a “conditional use” in the C-VH Zone.*
- (b) The application meets the required established evidence for an approval of a conditional use permit [12-21-100(e)(3) (A-D)].*
- (c) The request for a conditional use permit meets the factors to be reviewed and considered for an approval [12-21-100(e)(5) (A-K)].*
- (d) The proposed limited kennel use does not appear to be detrimental to the surrounding community and there are adequate facilities and services for the proposed use [12-21-100(e)(5) (D-E, G, I-K)].”*



CENTERVILLE CITY

CONDITIONAL USE PERMIT APPLICATION

655 North 1250 West • Centerville, Utah 84014
Phone 801-292-8232 Fax 801-292-8251

NAME OF PROJECT	<u>Sydney's Pet Grooming</u>		
PROJECT ADDRESS	<u>663 West Market Place Drive Centerville UT 84014</u>		
ZONING	PARCEL #(S)	ACREAGE	
<u>C-VH</u>	<u>022161-0209</u>	<u>1300 square foot</u>	
PROPOSED USE OF PROPERTY	<u>Pet grooming</u>		

APPLICANT / AGENT INFORMATION

NAME Kimberly Scisark COMPANY NAME Sydney's pet grooming
 MAILING ADDRESS 1611 S. Melrose Dr #269 CITY/ST/ZIP Vista CA 92081
 PHONE 760 685 3122 FAX N/A EMAIL Kimberly-n@sydenespetsgrooming.com
 SIGNATURE OF APPLICANT/AGENT Kim Scisark See Note 1 DATE 2/15/19

PROPERTY OWNER INFORMATION (1) / Lease Owner

NAME Kimberly Scisark COMPANY NAME Sydney's pet grooming
 MAILING ADDRESS 663 West Market place Dr CITY/ST/ZIP Centerville UT 84014
 PHONE 760 685 3122 FAX N/A EMAIL Kimberly-n@sydenespetsgrooming.com
 SIGNATURE OF PROPERTY OWNER Kim Scisark See Note 1 DATE FEB 20 2019 2/15/19

PROPERTY OWNER INFORMATION (2)

CENTERVILLE CITY CORP

NAME Deerwood Properties Utah, LLC COMPANY NAME c/o ACP MANAGEMENT
 MAILING ADDRESS 3720 S. Susan St #100 CITY/ST/ZIP Santa Ana, CA 92704
 PHONE 714 668 8888 FAX 714 668 8889 EMAIL sgerrity@acpmanagement.com
 SIGNATURE OF PROPERTY OWNER [Signature] See Note 1 DATE 2/18/19

FEE AND DEPOSIT MUST ACCOMPANY THIS APPLICATION - SEE ATTACHED FEE SCHEDULE

Date Rec'd	2-20-19	Rec'd / Initials	Dm	Assigned Project Name	Sydney's Pet Grooming corp
Fee/Deposit Attached	(Y) or N	Amount Fee Paid	\$ 300.00	Amount of Deposit Paid	NOT APPLICABLE Check #: 260

Note 1: Deposits will be applied toward the cost of required engineering and/or legal services invoiced to the City. Developer/Applicant will be refunded or billed any difference without markup. Hourly rates for these services will be provided upon request. Also any errors or corrections needed for submitted plans are the responsibility of the developer/applicant. Initial here for acknowledgement of deposits

Re: Conditional Use Permit

Kimberly N <kimberly_n@sydneespetsgrooming.com>

Sat 3/2/2019 5:15 PM

To: Cassie Younger <cyounger@centervilleut.com>

Hi Cassie,

Our grooming salons are strictly pet grooming only. We do not do any daycare or overnight services. We have the clients bring their dogs in, we groom them, and they go home. We are an up scale pet salon that we treat as a hair salon for pets :) We will usually groom about 4-6 dogs at a time, so that is about how many will be at the salon at one time. We are very clean and use only high quality natural products, no chemicals or anything like that. We do not need any outside area for the dogs as far as fencing. We don't let them run around anywhere. We also do soundproofing on the wall that is against our neighbor although we don't have a lot of noise since we do not keep the dogs in the salon for a long period of time. We do not have any special sewer or water requirements.

We do not need to make any modifications to the building or parking other than the regular re-model inside for our store design.

We are very excited to have our salon in Centerville and think it would be a great addition to the community. We also work a lot with rescues and shelters to offer free grooming services for their pets so they have a better chance of getting adopted.

If there is anything else you would like me to add let me know. I will see you on Monday!

Kim Srisark

On Thu, Feb 28, 2019 at 9:06 AM Cassie Younger <cyounger@centervilleut.com> wrote:

Hi Kimberly,

Thanks for submitting your Conditional Use permit application for Centerville. Are you still aiming to make the Planning Commission meeting on the 13th? I was wondering if you were in Utah yet and had time to come in and meet with us this upcoming Monday, March 4th, at 9:30am. If you can't make it, Staff will review your application without you and send you feedback via email.

A Conditional Use Permit looks at certain factors and considerations for approval. You can read about them here: <https://centervilleut.net/file/2019/01/Conditional-Use-Permit-Considerations-.pdf>

It would be helpful if you follow up to this email explaining bit more about your business (how many dogs will you have at one time, any overnight kennel services, etc) , and any impact you believe it would have on the surrounding area, referring to the PDF I've provided.

That would very helpful to us as a Staff. Also, please let me know if you can make it on Monday.

Thanks!

Cassie Younger

Assistant City Planner

Centerville, Utah

801.292.8232

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With Gratitude,

Kimberly Srisark

Sydnee's Pet Grooming & Sydnee's Pet Grooming Academy

"Bringing Together Creativity, Compassion, and The Love Of Dogs. Whats Your Style?"

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
3/13/2019**

Item No. 2.

Short Title: Public Meeting - Deuel Creek Final Plat Subdivision - ~641 E 200 South

Initiated By: Tony Thompson, Applicant

Scheduled Time: 8:00

SUBJECT

ADMINISTRATIVE DECISION

The Commission will consider the proposed Final Subdivision Plat for Deuel Creek Place, a three lot residential subdivision located at approximately 641 E 200 South.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ▣ PC Staff Report 3-13-19 Deuel Creek Final
- ▣ 3-13-19 CORRECTED PC Staff Report Deuel Creek Final
- ▣ 3-13-19 Deuel Creek Place Final Plat
- ▣ 3-13-19 Deuel Creek Development Plan

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

**PROPERTY OWNER/
APPLICANT:** **DAVIS COUNTY
61 SOUTH MAIN STREET
PO BOX 618
FARMINGTON UT 84025**

PROPERTY LOCATION: **641 EAST 200 SOUTH**
PARCEL NUMBER: **02-104-0109**

PARCEL SIZE: **0.9783 ACRES**

ZONING DISTRICT: **RESIDENTIAL LOW**

APPLICATION: **FINAL SUBDIVISION**

STAFF RECOMMENDATION: **RECOMMEND APPROVAL TO CITY COUNCIL
WITH CONDITIONS**

BACKGROUND

After negotiations with the City regarding an exchange of property, the County property now wishes to subdivide their land into three single family lots. The old detention center to the north of this subdivision will remain open space, and the City property to the east of the lots will stay a trail that connects to 200 South. The .9 acres of property under the County will develop into three single family properties along 200 south.

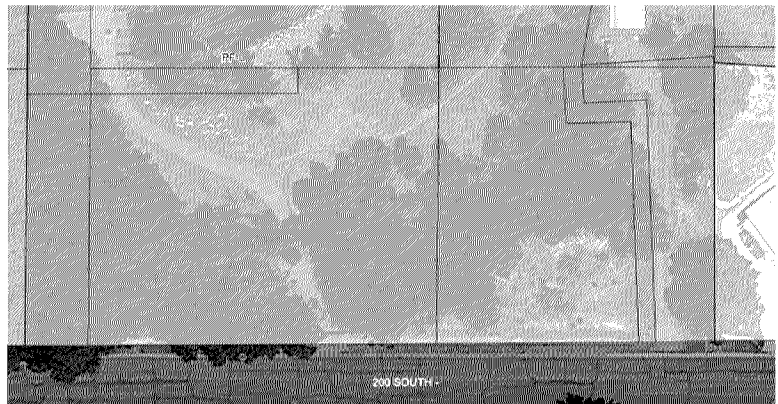


Figure 1 Area of Discussion - see Plat for Actual Subdivision Layout

On April 11, 2018, the Planning Commission accepted the Conceptual Plan for the Deuel Creek Place Subdivision. The Preliminary Plat was approved November 14th, 2018.

PREVIOUS CONDITIONS FROM PRELIMINARY

- *A Final Subdivision Application and Plat shall be submitted in accordance of CMC 15.04 of the Subdivision Ordinance. COMPLETE*
- *The Final Subdivision Submittal shall also provide the applicable subdivision infrastructure construction plans for the subdivision in accordance with CMC 15.04.104. Development Plans submitted – Still to be approved by City Engineer*
- *A plate note shall be prepared addressing the excavation for footings and foundation for “occupied/living space” to be free of groundwater or at least 1-foot above in elevation from the established groundwater level, as deemed acceptable to the City Engineer Complete – Note #1*
- *An easement and plat note shall be prepared and prepared addressing any grading changes desired by the lot owners to maintain the grades necessary to keep any flooding from expanding outside the current flood plain channel, as deemed acceptable by the City Engineer. Complete – Note #2*
- *The Final Subdivision Submittal shall address the compliance with the standards for the “buildable area” and “buildable area ratio” for the R-L Zone. Not noted on Plat but is more than compliant with our standards*
- *Any remaining “utility provider” sheets shall be submitted with the Final Subdivision Application. Deuel Creek Water and South Davis Sewer submitted*

PLANNING STAFF RECOMMENDATION

I hereby make a motion for the Planning Commission to Recommend Approval to the City Council of the Final Subdivision Plat for the Deuel Creek Place Subdivision, with the following conditions:

1. *The Final Recordable Subdivision shall reflect the lot layout and engineering dated March 2019, as submitted Feb 29, 2019.*
2. *An updated current Title report shall be submitted with the submission of mylar*
 - a. *Legal description of property to be confirmed with updated Title Report*
3. *The subdivision construction plans shall be deemed acceptable to the City Engineer prior to recordation of the subdivision plat with Davis County*
 - a. *The applicant shall remove contours and existing features on the plat*
 - b. *Width of 200 South and sidewalks to the end of the property shall be shown on the Plat*
4. *The required improvement bond and associated fees shall be prepared, reviewed, and paid prior to the recordation of the subdivision plat with Davis County*
5. *The subdivision construction plans shall be deemed acceptable to the City Engineer prior to recordation of the subdivision plat with Davis County*
6. *The subdivision construction plans shall be deemed acceptable to the City Engineer prior to recordation of the subdivision plat with Davis County*

7. *The Final Plat shall be recorded at the County no later than six months after final approval from the City Council*
8. *Any remaining “utility provider” sheets shall be submitted*

Suggested Reasons for the Action:

- a) *The Planning Commission finds that Final Subdivision Plans are substantially consistent with the previous Conceptual and Preliminary Plat Acceptance.*
- b) *The Planning Commission finds that the Final Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the Subdivision Ordinance.*
- c) *The Planning Commission finds that the Final Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the City’s Zoning Ordinance, regarding lot development within the R-L Zone.*

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

**PROPERTY OWNER/
APPLICANT:** **DAVIS COUNTY
61 SOUTH MAIN STREET
PO BOX 618
FARMINGTON UT 84025**

PROPERTY LOCATION: **641 EAST 200 SOUTH**
PARCEL NUMBER: **02-104-0109**

PARCEL SIZE: **0.9783 ACRES**

ZONING DISTRICT: **RESIDENTIAL LOW**

APPLICATION: **FINAL SUBDIVISION**

STAFF RECOMMENDATION: **RECOMMEND APPROVAL TO CITY COUNCIL
WITH CONDITIONS**

BACKGROUND

After negotiations with the City regarding an exchange of property, the County property now wishes to subdivide their land into three single family lots. The old detention center to the north of this subdivision will remain open space, and the City property to the east of the lots will stay a trail that connects to 200 South.

The .9 acres of property under the County will develop into three single family properties along 200 south.

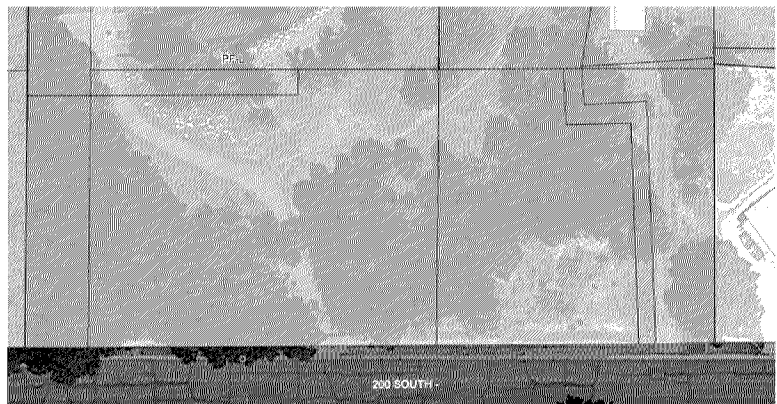


Figure 1 Area of Discussion - see Plat for Actual Subdivision Layout

On April 11, 2018, the Planning Commission accepted the Conceptual Plan for the Deuel Creek Place Subdivision. The Preliminary Plat was approved November 14th, 2018.

PREVIOUS CONDITIONS FROM PRELIMINARY

- *A Final Subdivision Application and Plat shall be submitted in accordance of CMC 15.04 of the Subdivision Ordinance. COMPLETE*
- *The Final Subdivision Submittal shall also provide the applicable subdivision infrastructure construction plans for the subdivision in accordance with CMC 15.04.104. Development Plans submitted – Still to be approved by City Engineer*
- *A plate note shall be prepared addressing the excavation for footings and foundation for “occupied/living space” to be free of groundwater or at least 1-foot above in elevation from the established groundwater level, as deemed acceptable to the City Engineer Complete – Note #1*
- *An easement and plat note shall be prepared and prepared addressing any grading changes desired by the lot owners to maintain the grades necessary to keep any flooding from expanding outside the current flood plain channel, as deemed acceptable by the City Engineer. Complete – Note #2*
- *The Final Subdivision Submittal shall address the compliance with the standards for the “buildable area” and “buildable area ratio” for the R-L Zone. Not noted on Plat but is more than compliant with our standards*
- *Any remaining “utility provider” sheets shall be submitted with the Final Subdivision Application. Deuel Creek Water and South Davis Sewer submitted*

PLANNING STAFF RECOMMENDATION

I hereby make a motion for the Planning Commission to Recommend Approval to the City Council of the Final Subdivision Plat for the Deuel Creek Place Subdivision, with the following conditions:

1. *The Final Recordable Subdivision shall reflect the lot layout and engineering dated March 2019, as submitted Feb 29, 2019.*
2. *An updated current Title report shall be submitted with the submission of mylar*
 - a. *Legal description of property to be confirmed with updated Title Report*
3. *The subdivision plat and construction plans shall be deemed acceptable to the City Engineer prior to recordation of the subdivision plat with Davis County*
4. *The applicant shall remove contours and existing features on the plat*
5. *Width of 200 South and sidewalks to the end of the property shall be shown on the Plat*
6. *The required improvement bond and associated fees shall be prepared, reviewed, and paid prior to the recordation of the subdivision plat with Davis County*
7. *The Final Plat shall be recorded at the County no later than six months after final approval from the City Council*
8. *Any remaining “utility provider” sheets shall be submitted*

Suggested Reasons for the Action:

- a) The Planning Commission finds that Final Subdivision Plans are substantially consistent with the previous Conceptual and Preliminary Plat Acceptance.*
- b) The Planning Commission finds that the Final Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the Subdivision Ordinance.*
- c) The Planning Commission finds that the Final Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the City's Zoning Ordinance, regarding lot development within the R-L Zone.*

A PART OF BLOCK 15 IN PLAT "A", CENTERVILLE TOWNSITE SURVEY AND PART OF PLATTED ROAD WEST OF BLOCK 15, ALSO LOCATED IN THE SOUTHWEST QUARTER OF SECTION 08, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY CENTERVILLE CITY, DAVIS COUNTY, UTAH



PREPARED BY:
NATH. D'SOUZA/STW
MAX B. ELLIOTT
DAVIS COUNTY SURVEYOR
61 SOUTH MAIN STREET, SUITE 107
FARMINGTON, UTAH 84405

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
3/13/2019**

Item No. 3.

Short Title: Discussion - Subdivision Ordinance Updates - Chapter 5 (Concept Plan)

Initiated By:

Scheduled Time: 8:20

SUBJECT

Continue discussion of proposed revisions and updates to City Subdivision Ordinance - CMC 15 (Subdivision).

RECOMMENDATION

BACKGROUND

As part of the process to update and revise the City Subdivision Ordinance, a copy of the latest Chapter 5 (Concept Plan) is attached for Planning Commission Review. Chapter 5 addresses application and procedural requirements for subdivision concept plan review. Of particular note in this new Chapter is the proposal to have the concept plan approved by the Zoning Administrator rather than the Planning Commission and to move the public hearing to preliminary plat review.

ATTACHMENTS:

Description

- ▢ Subdivision Ordinance - Chapter 5 (Concept Plan)

TITLE 15 SUBDIVISIONS

CHAPTER 15.05. CONCEPT PLAN.

- 15.05.010. Purpose.**
- 15.05.020. Authority.**
- 15.05.030. Initiation.**
- 15.05.040. Procedure.**
- 15.05.050. Application.**
- 15.05.060. Submittal Requirements.**
- 15.05.070. Determination of Completeness.**
- 15.05.080. Distribution.**
- 15.05.090. Review by Department Heads.**
- 15.05.100. Review by Development Review Committee.**
- 15.05.110. Decision by Zoning Administrator.**
- 15.05.120. Notice of Decision.**
- 15.05.130. Approval Requirements**
- 15.05.140. Approval Standards.**
- 15.05.150. Appeal.**
- 15.05.160. Effect of Approval.**
- 15.05.170. Amendment.**
- 15.05.180. Revocation.**
- 15.05.190. Expiration.**

15.05.010. Purpose.

A concept plan is required for any subdivision of land. The purpose of a concept plan is to provide the subdivider an opportunity to consult with the City regarding regulations and design requirements applicable to the proposed subdivision of property and to provide the City with the opportunity to review existing conditions, availability of facilities, and other concept plan submittal requirements.

15.05.020. Authority.

The Zoning Administrator is authorized to review and approve concept plans as set forth in this Chapter.

15.05.030. Initiation.

An application for approval of a concept plan may be submitted by the owner of property proposed to be subdivided, or the owner's agent, as provided in this Chapter. An agent of a property owner shall provide an affidavit of authorization in accordance with CMC 15.03.160.

15.05.040. Procedure.

Except as otherwise specifically provided in this Title, the subdivision process for dividing land into lots is a three-step process requiring concept plan, preliminary plat, and final plat approval by the City. A preliminary plat application is not required for certain subdivisions as more particularly provided in CMC 15.08 (Small Subdivision), CMC 15.10 (Property Line Adjustments), CMC 15.11 (Plat Amendments), and CMC 15.13 (Condominiums). Additional steps may be required for the vacation of streets or public utility easements as more particularly set forth in this Title.

15.05.050. Application.

The subdivider, or the subdivider's agent, shall submit an application for concept plan approval to the Community Development Department in accordance with the provisions of this Chapter, together with the application fees and deposits set forth in the City Fee Schedule. An application for approval of a concept plan shall be considered as provided in this Chapter.

15.05.060. Submittal Requirements.

The concept plan application shall be submitted in writing on forms provided by the City and shall include three hard copies and one electronic copy of the following:

- (a) An existing conditions inventory as required in CMC 15.04 (Existing Conditions Inventory);
- (b) A vicinity plan showing:
 - (1) Significant natural and manmade features on the subject property and within 500 feet of any portion of it;
 - (2) The property boundaries of the proposed subdivision and adjacent properties;
 - (3) The names of adjacent property owners as shown on Davis County property records;
 - (4) The parcel identification numbers for all parcels within the proposed subdivision;
 - (5) Topographic contours at no greater interval than five feet; and
 - (6) North arrow;
- (c) A subdivision plan which shows the proposed subdivision name, existing easements, and lot and street layout;
- (d) A description of the type of culinary and irrigation water system(s) proposed and documentation of water rights and secondary water shares;
- (e) A description of the size and location of sanitary sewer and storm water drain lines and subsurface drainage;
- (f) A description of those portions of the property, if any, shown on the most recent flood insurance rate maps prepared by Federal Emergency Management Agency;
- (g) A legal description of the property, including the acreage total;
- (h) A title report for the property; and
- (i) Proposed changes, if any, to existing zoning district boundaries, classifications, and regulations.

15.05.070. Determination of Completeness.

The Zoning Administrator shall determine whether the concept plan application is complete as provided in CMC 15.03.050.

15.05.080. Distribution.

Once the Zoning Administrator has determined that the concept plan application is complete, the Zoning Administrator shall distribute copies of the completed application and concept plan to City department heads and any government departments or agencies deemed appropriate.

15.05.090. Review by Department Heads.

Upon receipt of a completed concept plan application, each department head shall review the application for conceptual compliance with applicable approval requirements which are administered by the department and submit any comments and recommendations to the Zoning Administrator and Development Review Committee.

15.05.100. Review by Development Review Committee.

(a) Review by Development Review Committee. The Development Review Committee shall review the completed concept plan application and comments received from City department heads and any other departments or agencies.

(b) Meeting. The Development Review Committee may meet with the Zoning Administrator and the applicant or applicant's agents to discuss and review the proposed application.

(c) Comments. The Development Review Committee may provide the Zoning Administrator with information and advice regarding compliance of the proposed application with approval requirements set forth in CMC 15.05.130 and may identify modifications needed to bring the proposed conceptual plat application into compliance with such requirements.

15.05.110. Review and Action by the Zoning Administrator.

(a) Review and Action by Zoning Administrator. The Zoning Administrator shall review the completed concept plan application for compliance with the approval requirements set forth in CMC 15.05.130 and shall review and consider the comments received from the department heads, other departments and agencies, and the Development Review Committee.

(b) Notice. No notice or hearing is required for consideration of concept plan approval.

(c) Additional Information. Before approval or disapproval of the concept plan, the Zoning Administrator may reasonably require the subdivider to provide additional information, data, or studies as may be needed to determine compliance with approval requirements set forth in CMC 15.05.130.

(d) Approval. The Zoning Administrator shall approve, approve with conditions, or disapprove the proposed concept plan based on written findings and recommendations regarding compliance with approval requirements set forth in CMC 15.05.130.

15.05.120. Notice of Decision.

The Zoning Administrator shall provide written notice of decision regarding concept plan application to the applicant in accordance with CMC 15.03.070 and to applicable department heads.

15.05.130. Approval Requirements.

All concept plan applications shall be reviewed for compliance with the following ("Approval Requirements"):

- (a) Concept plan submittal requirements set forth in CMC 15.05.060;
- (b) Applicable provisions of CMC 15 (Subdivision Ordinance);
- (c) Applicable provisions of CMC 12 (Zoning Code);
- (d) Applicable provisions of the Centerville Municipal Code; and
- (e) Applicable provisions of the City Standards and Specifications.

15.05.140. Approval Standards.

Approval, conditional approval, or disapproval of a concept plan is an administrative decision which shall be based upon compliance with approval requirements and applicable decision-making standards for an administrative decision as set forth in CMC 15.03.090.

15.05.150. Appeal.

Any person adversely affected by a final decision of the Zoning Administrator regarding a concept plan may appeal that decision to the Board of Adjustment as provided in CMC 15.03.160.

15.05.160. Effect of Approval.

(a) Purpose. Approval of a concept plan is intended to give the subdivider general guidance as to the requirements and constraints for the proposed subdivision. Concept plan approval shall not be deemed approval of a preliminary plat or any other procedure or permit required by this Title, the Centerville Zoning Code, or the Centerville Municipal Code. Any such additional approvals shall be obtained in accordance with applicable ordinance provisions.

(b) Authorization to Submit Preliminary Plat. Subject to the expiration provisions of CMC 15.05.190, concept plan approval shall authorize the subdivider to submit an application for approval of a preliminary plat.

(c) Vesting of Applicable Code Requirements. A concept plan application shall be reviewed and considered under the land use ordinances in effect at the time a completed application for concept plan approval has been submitted. Certain exceptions apply to this general vesting rule, such as pending ordinance, compelling, countervailing public interest, and proceeding with reasonable diligence concepts provided under Utah law.

15.05.170. Amendment.

The procedure for amending an approved concept plan shall be the same as for considering an original concept plan as set forth in this Chapter.

15.05.180. Revocation.

Approval of a concept plan may be revoked as provided in CMC 15.17.070.

15.05.190. Expiration.

(a) Failure to Submit Preliminary Plan. A concept plan shall be deemed withdrawn, and shall expire and have no further force or effect, if an application for preliminary plat approval is not submitted within 12 months after approval of the concept plan.

(b) Extension of Time Limit. Notwithstanding Subsection (a), the subdivider may request an extension of time to submit an application for preliminary plat approval as provided in CMC 15.03.050.

(c) Phasing. Phasing of subdivisions is not permitted and each subdivision development must provide sufficient and complete public improvements and utilities in accordance with applicable City ordinances and the City Standards and Specifications.

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
3/13/2019**

Item No. 4.

Short Title: Land Use Training #1 - What Hat Do You Wear?

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

The Planning Commission has identified land use training as one of its goals for 2019. As part of that commitment, the Planning Commission has agreed to work through the informative and entertaining videos created by the Land Use Academy of Utah (LUAU). The first video selected for this training is entitled "What Hat Do You Wear?" and is intended to explain the different types of land use decisions that are made, including legislative and administrative decisions. This video is about 6 minutes long. We will watch this video as a group at the meeting and then discuss any questions or comments.

What Hat Do You Wear? Understanding Legislative and Administrative Decisions:

<https://www.youtube.com/watch?v=LMeFQiAJ56k&feature=youtu.be>

From the LUAU Website: *LUAU was created by a grant from the Utah State Legislature in 2014. Spearheaded by the Utah League of Cities and Towns, LUAU is made up of a consortium of Utah interest groups who support training and education in land use for our local elected and appointed officials. Our goal is to create the first statewide uniform and comprehensive online land use website resource to train, inform and educate elected and appointed officials and the general public in statutory land issues and best planning practices. The site is housed and managed by the Utah League of Cities and Towns working with a review board for content and oversight direction.*

CENTERVILLE

Staff Backup Report 3/13/2019

Item No. 5.

Short Title: Community Development Director's Report

Initiated By:

Scheduled Time:

SUBJECT

Next PC Meeting Items:

- Chick-Fil-A Amended Site Plan
- Adventure Time Sales - CUP for Vehicle Sales Use

RECOMMENDATION

BACKGROUND

CENTERVILLE

Staff Backup Report 3/13/2019

Item No. 6.

Short Title: City Council Report

Initiated By:

Scheduled Time:

SUBJECT

- Hafoka Rezone to R-M - Approved
- Legacy Lands Final Plat - Approved

RECOMMENDATION

BACKGROUND

CENTERVILLE

Staff Backup Report 3/13/2019

Item No.

Short Title: February 27th, 2019

Initiated By:

Scheduled Time: February 27th, 2019

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- PC Preliminary Minutes 2-27-19

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, February 27, 2019**

3 **7:00 p.m.**

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah, the
6 meeting of the Centerville City Planning Commission was called to order at 7:01 p.m.

7
8 **MEMBERS PRESENT**

9 Cheylynn Hayman, Chair

10 Kevin Daly, Vice Chair

11 Kai Hintze

12 Gina Hirst

13 Thomas Hunt

14 Becki Wright

15
16 **MEMBERS ABSENT**

17 Logan Johnson

18
19 **STAFF PRESENT**

20 Cory Snyder, Community Development Director

21 Lisa Romney, City Attorney

22 Cassie Younger, Assistant Planner

23 Jamie Brooks, Recording Secretary

24
25 **VISITORS**

26 Interested citizens

27
28 **PLEDGE OF ALLEGIANCE**

29
30 As Thomas Hunt had recently been appointed to serve on the Planning Commission, Chair Hayman asked
31 him to introduce himself. Commissioner Hunt explained that he was a Civil Engineer, grew up in West
32 Bountiful and had lived in Centerville for the past six years. He hoped to contribute to the community in
33 which he and his wife had chosen to raise their children.

34
35 **OPENING COMMENT/LEGISLATIVE PRAYER** Kai Hintze

36
37 **PUBLIC MEETING – LEGACY LANDS FINAL SUBDIVISION PLAT – 1243 N 1300 W**

38
39 Cory Snyder explained that the applicant wished to subdivide his industrial property. One unique
40 aspect of the corner parcel was that it was zoned as I-H. The property to the south and west of that piece
41 was the area that the applicant hoped to subdivide. It was believed that the I-H zoning classification was
42 an error and that it could be rectified by submitting an affidavit of correction to the City Recorder who
43 could verify that the ordinance changing the zoning of the surrounding property had been signed and
44 supported the intended rezone of the corner piece to Shorelands Commerce Park Zone.

45
46 There were several things that had yet to be completed. For example, the wetlands had not been
47 mitigated so it was important that their location be spelled out clearly on the subdivision plat.
48 Additionally, the access easement must not encumber the wetlands. A title report has not been submitted
49 to the City Attorney because the applicant is waiting until the aforementioned corner parcel has been

1 purchased. The City Engineer was still in the process of reviewing the construction plans. Despite these
2 shortcomings, Staff recommended approval as highlighted in the staff report.

3
4 Commissioner Hintze asked for Mr. Snyder to clarify the situation regarding the wetlands. Mr.
5 Snyder explained that there had been a soil study in the past which showed a delineation of wetlands. Part
6 of the subdivision process was to identify the existence of any wetlands so that future property owners
7 would understand that the area was restricted for future development. The boundary of the wetlands will
8 need to be shown on the plat.

9
10 Commissioner Wright pointed out that indicating the wetlands on the final plat did not appear on
11 the list of conditions, although it was included elsewhere in the staff report. Mr. Snyder stated that was an
12 oversight and would need to be an additional condition.

13
14 Chair Hayman invited the applicant to step forward and speak on the item. Jeff Cook of Cook
15 Builders introduced himself as well as property owner Gary Smith. Mr. Cook stated he was unaware of
16 the zoning difference but agreed it should be consistent with that of the surrounding property.

17
18 Lisa Romney asked if the corner parcel had been purchased. Mr. Cook responded that the sale
19 would close within the next several days. Ms. Romney asked that he could notify the City when the
20 purchase was completed and he agreed that he would. He stated he was notified earlier in the day that the
21 title search had been completed.

22
23 Mr. Cook stated that the wetlands would be noted on the plat as required. Additionally, there was
24 an easement at the rear of the property which was approximately 50' and was for petroleum lines. The
25 wetlands were roughly 46' so there was no room for a structure of any kind anyway.

26
27 Chair Hayman opened the public hearing at 7:18 p.m. There was no one who wished to address
28 the Commission so Chair Hayman closed the public hearing.

29
30 The Planning Commission and Staff discussed the verbiage for proposed condition #8.

31
32 Commissioner Hirst made a **motion** to recommend approval for the Final Subdivision Plat and
33 Plans for the Legacy Lands Subdivision, subject to conditions 1-8, with #8 being that the wetlands
34 boundary shall be depicted on the final plat matching the construction drawings, with suggested reasons
35 for action a and b as noted. Commissioner Daly seconded the motion.

36
37 Conditions

38 1. The Final Recordable Subdivision Plat shall reflect the lot layout and engineering as submitted
39 and also compliance with these conditions of approval, or as may be amended by the City in
40 preparation of its recording

41
42 2. The subdivision construction plans shall be deemed acceptable to the City Engineer prior to
43 recordation of the subdivision plat.

44
45 3. A Final Paper Plat shall be submitted to the City Recorder's office to be reviewed by the City
46 staff to ensure plat compliance with City's approved format, approval of final layout, survey
47 standards, and owner dedications. Such paper plat shall be deemed acceptable by the City
48 Attorney and City Engineer prior to preparation and submittal of the final recordable lien plat to
49 the City.

50
51 4. A current Title Report (i.e. within 30days of recording) for all properties shall be submitted to
52 the City with the Final Paper Plat Submittal to the City Recorder.

53

5. The required improvement bond and associated fees shall be prepared, reviewed, and paid prior to the recordation of the subdivision plat.

6. The “Affidavit of Correction “requesting that the Zoning Map be adjusted to meet the 2009 SCP Map Revision Exhibits shall be accepted by the City Recorder, prior to recording the plat.

7. After the plat recording, a preconstruction meeting shall be held with the City that includes all parties that are installing the public and utility service infrastructure.

8. The wetlands boundary shall be depicted on the final plat, matching the construction drawings.

Suggested Reasons for the Action:

a) The Planning Commission finds that Final Plat and Plans are consistent with the previous Conceptual Plan Acceptance directives and Preliminary Subdivision Plan Approval.

b) The Planning Commission finds that the final subdivision complies with the applicable Regulations of the subdivision, non-residential subdivision, and SCP Zone lot regulations and requirements.

The motion passed unanimously (6-0).

The applicant expressed his appreciation to Staff.

DISCUSSION – SUBDIVISION ORDINANCE UPDATES – CHAPTER 4 (EXISTING CONDITIONS INVENTORY)

Ms. Romney introduced the next Subdivision Ordinance chapter for review by the Planning Commission. Chapter 4 involves the requirement for an existing conditions inventory to be submitted with every new subdivision application. Ms. Romney explained that the City’s Zoning Code contains a chapter requiring an existing conditions inventory (“ECI”). Chapter 4 of the Subdivision Ordinance is intended to provide similar provisions. She indicated that it might be worth having the Commission revisit Chapter 50 of the Zoning Code to add some of the improvements or additional provisions provided in Chapter 4 of the Subdivision Ordinance.

Commissioner Daly wished to clarify whether the Zoning Code would continue to contain information about ECI or if that language would be moved from the Zoning Code to the Subdivision Ordinance. Ms. Romney explained that since the Zoning Code was separate from the Subdivision Ordinance in the municipal code, the ECI language and information is intended to be provided in both places. Ms. Romney noted that the ECI should be required at the initial stage of subdivision development to specifically identify existing conditions on the property. It might require more work of the developer up front, but this process will ensure that any complex or challenging issues are identified sooner rather than later.

Commissioner Daly inquired if a hand-drawn conceptual plan would be acceptable. Mr. Snyder explained that there were applicants who were reasonably experienced in the development process who would conduct their own environmental assessments initially but that there were also those individuals who might still come in with a very rudimentary, hand-drawn sketch. He indicated that Staff was fairly flexible and moved things forward whenever possible.

Ms. Romney indicated that her recommendation was to require the ECI document with the submittal of all initial applications, regardless of type. She pointed out that CMC 15.04.030 addressed what was to be included in the ECI. The General section specified that the information was to be submitted on 24” x 36” sheets so that it could be easily viewed and understood by City Staff. It also was

1 to be overlaid on the subject property. There were to be three hard copies and one electronic copy
2 submitted.

3
4 Chair Hayman mentioned that ECI was defined in CMC 15.04.010 and then again in CMC
5 15.04.020. She felt once was sufficient. Also, she suggested that the heading of 15.04.030 could simply
6 be *ECI Requirements*. Ms. Romney thought perhaps spelling it out would provide for an easier hit on an
7 electronic search of the document. Chair Hayman did not have a strong opinion on the matter.

8
9 Regarding steep slopes, any property with a grade beyond 30% grade was considered
10 undevelopable in Centerville. Ms. Romney stated the verbiage in CMC 15.04.030(d) was simplified, and
11 that while it did not require that a soil study take place, it stated that if a study *had* been conducted, the
12 results were to be provided to the City. Mr. Snyder thought perhaps Davis County had some older soil
13 data available but Commissioner Hunt indicated it was quite general and vague. Commissioner Hirst
14 suggested that there might be data available from the Natural Resources Conservation Service. Ms.
15 Romney said she would add the language “*including but not limited to...*” in order to give the applicant at
16 least a suggestion of where to begin a search for the pertinent information.

17
18 Councilmember Wright asked about requiring a geotechnical report for hillside property. Ms.
19 Romney indicated that was addressed in CMC 15.04.040.

20
21 Regarding special protection areas such as wetlands, the ordinance said they “*shall be shown by a*
22 *line denoting the boundaries.*” Commissioner Hunt cautioned against confusing an approximate boundary
23 with an exact one. Ms. Romney felt that was a helpful suggestion and agreed that the actual boundary
24 should be required at preliminary plat rather than concept plan. Ms. Romney then requested Mr. Snyder’s
25 input regarding wetlands assessments. He responded that they were quite costly and would involve hiring
26 a professional to identify what was present, test the water, etc.

27
28 Commissioner Daly hesitated to leave it up to the applicant to determine whether or not wetlands
29 were present, as they might be inclined to claim they were outside their property line when in fact they
30 were not. Commissioner Wright stated that the ECI was not intended to take the place of other
31 requirements that would indicate the presence of wetlands later in the development process. Mr. Snyder
32 agreed.

33
34 Ms. Romney then addressed CMC 15.04.030(f) regarding shrubs and trees and asked Mr. Snyder
35 for his input regarding the draft language in the ordinance. He pointed out that current City ordinances do
36 not include a strong landscape preservation goal regarding trees on privately owned land. Ms. Romney
37 indicated that although no ordinances *required* the retention of trees during development, there were
38 several ordinance provisions that encourage such preservation. The Planning Commission and Staff
39 discussed potential verbiage for that section of the ordinance and debated whether the tree assessment
40 should be required as part of the ECI, and if so, if it should include trees and shrubs or just trees. Chair
41 Hayman advocated for removing reference to shrubs but retaining the reference to “mature” trees.
42 Commissioner Hunt agreed that trees were important, adding value to property but that the same was not
43 necessarily true of shrubbery, particularly in an industrial area. Commissioner Wright stated she would
44 like to see trees and shrubs included in the assessment. Mr. Snyder indicated the matter was subjective,
45 particularly depending on the type of property involved.

46
47 Commissioner Daly saw no reason the ordinance could not include both shrubs and trees and
48 Commissioner Hintze agreed. Ms. Romney indicated that for now, the verbiage would simply read, “*The*
49 *ECI shall show shrub and tree stands as indicated by recent aerial photos*”. She said the Commission can
50 debate this further when the entire Subdivision Ordinance is brought back to them for approval and
51 recommendation.

Chair Hayman expressed concern that the currently proposed language was more stringent than what was being verbally described in the meeting. She was hearing things like “approximate” and “preliminary” and “do your best” when none of that language was contained in the ordinance.

Commissioner Hirst agreed with Chair Hayman. She pointed out that the ECI mentioned a wetlands assessment requirement although it wasn’t actually required until the preliminary plat stage of development.

Ms. Romney indicated she was comfortable moving paragraph (3) of CMC 15.040.030(e) to the preliminary plat phase. Commissioner Hirst felt the language should be very specific so that applicants had a clear understanding of what was required of them.

Regarding paragraph (g) pertaining to Utility Lines, Ms. Romney pointed out that this information was often not submitted to the City as required and she wondered how readily available the information was to obtain. Mr. Snyder responded that while City lines were plotted on the GIS system, the sewer district’s information was not. Still, he felt it was a reasonable requirement. The Commission and Staff agreed that if there was an available reference for members of the public to use in order to obtain the required information, it would be helpful to reference it in the ordinance and require it as part of the ECI.

Returning to paragraph (c) which pertained to Steep Slopes, Chair Hayman and Ms. Romney discussed the fact that there was some overlap in slope percentages. Ms. Romney said she would amend the language to provide mutually exclusive categories to read,

- (1) *Less than 10%;*
- (2) *More than 10% to 20%;*
- (3) *More than 20% to 30%;*
- (4) *Over 30%.*

Ms. Romney moved to paragraph (i) which pertained to Special Protection Areas and stated that it was meant to encourage the applicant to begin considering restrictions or special regulations applicable to the subject property regarding things like the Hillside Overlay Zone, wellhead protection sites, etc.

As far as CMC 15.04.040 (Geotechnical Assessment) was concerned, it had been added by the Design Review Committee, but Ms. Romney now wondered if it should be moved to the preliminary plat development phase given the feedback from the Commission. Ms. Romney noted that somewhere in the new Subdivision Ordinance, the City should retain the language provided in subsection (b) in order to make it clear that if at any point the City wanted to require a geotechnical report, it could do so. She had no preference between leaving the language where it was or moving it to the General Subdivision Provisions. The Commission agreed it should be moved to the preliminary plat phase. Ms. Romney would adjust the verbiage in subsection (a) so that it read, *“When a subdivision is proposed, the ECI shall include relevant reports and maps published by the Utah Geological Survey affecting the subject property. ~~along with a geotechnical assessment written by a Utah licensed professional engineering geologist or a Utah licensed professional engineer who is trained and experienced the practice of geotechnical engineering...~~”*

Ms. Romney stated that she would revise Chapter 4 with the suggestions provided by the Commission. In summary, she noted the intent of this Chapter is to identify any red-flag issues associated with the property, to help the developer understand some key points regarding development of the property, and to provide Staff with more information earlier in the process.

DISCUSSION – FINISH DISCUSSION ON 2019 GOALS

Cassie Younger reminded everyone that there would be a joint work session with the City Council on March 13 at 5:30 p.m. Dinner would be provided and the regular meeting would not start until 7:30 p.m.

Ms. Younger wished to confirm that her understanding of the Commission's 2019 priorities as presented in the staff report was accurate. Chair Hayman indicated it was, and agreed that the highest priority was completing the Main Street Overlay Zone updates. Councilmember Daly agreed and felt the Commission should make every effort to stick to the *Main Street General Plan & Zoning Ordinance Amendments Timeline* as presented in the report. Mr. Snyder explained that by scheduling a couple of joint work sessions, he was attempting to ensure that the City Council remained apprised of the Planning Commission's activities instead of being surprised as they apparently had been at the Commission's recent attempt to overhaul the Table of Uses. Chair Hayman wished to express to the councilmembers that they were welcome to attend any Commission meeting and provide feedback. Commissioners Hayman and Wright indicated that they would not be available to attend the meeting on April 24.

Ms. Romney reminded the Commissioners they had expressed interest in land use training for themselves as well as for the City Council. In response to their request, she reached out to the Utah League of Cities and Towns and learned that the Land Use 101 training calendar was already in place for the year and that it would not be possible to add Centerville as a training location. However, she indicated that training sessions would be presented in Kaysville on both May 18 and June 8. She suggested the City target these dates for mandatory attendance by members of the City Council, Planning Commission and Board of Adjustment. The Commission agreed. Commissioner Hintze said he recently attended the Land Use 101 training and thought it was very informative. He stated there were four speakers at the session he attended and he was very impressed by each of them, finding the training to be very worthwhile. Ms. Romney pointed out that the ULCT recommended each body receive annual land use training and the City's insurance company required it. Several of the Commissioners spoke in favor of attending one session or the other. Chair Hayman hoped that the City Council members and Planning Commissioners could attend together. Ms. Romney mentioned that she could provide training on specific pertinent topics and that the ULCT had several very good, short training videos available as well. It was agreed that the Commission would plan to view videos when agendas were light so they could take advantage of the helpful and concise information available in them. Additionally, Ms. Romney would ask all members of both bodies as well as the Board of Adjustment to attend either the May 18th or the June 8th session of Land Use 101.

Chair Hayman asked that after the Planning Commission finished addressing the Main Street Overlay, they return to the list of other 2019 goals.

Commissioners Wright and Hintze both expressed concern about delaying the West Centerville Update for long. Mr. Snyder would provide the Commissioners with a copy of the last proposed West Centerville General Plan amendment that they could study in the meantime.

CITY COUNCIL REPORT

Mr. Snyder explained that the City Council did not pass any of the edits to the Table of Uses as recommended by the Planning Commission. The Councilmembers indicated they were not ready to take action on the proposed amendments until they knew in which direction they wished to proceed on the Main Street Overlay. Mr. Snyder said that he can appreciate the Council's position, he said it would be very difficult to draft any specific regulations for the Main Street Overlay without understanding the permitted uses.

Commissioner Daly disagreed with that perspective. He felt there were plenty of buildings on Main Street that could be repurposed for a new use without changing the design of the building.

COMMUNITY DEVELOPMENT DIRECTOR REPORT

The Cottage on the Corner final subdivision plat received final Council approval. At the next Planning Commission meeting, there will be an agenda item pertaining to a conditional use permit for Sydnee's Pet Grooming. The Deuel Creek final plat will also be addressed and possibly one other agenda item.

MINUTES REVIEW AND ACCEPTANCE

Ms. Romney pointed out that the February 13, 2019 Work Session minutes that were originally posted did not include some suggested Staff edits. She thanked Jamie Brooks for highlighting this issue. Ms. Romney noted that the corrected minutes have been reposted on Novus. The Planning Commission then discussed additional edits to the Work Session as well as the regular meeting minutes of February 13, 2019.

Commissioner Wright **moved** to approve the minutes of the February 13, 2019 Planning Commission meeting as amended. The motion was seconded by Chair Hayman which passed unanimously (6-0).

Commissioner Daly **moved** to approve the minutes of the February 13, 2009 Planning Commission Work Session as amended. Commissioner Hintze seconded the motion which passed unanimously (6-0).

ADJOURNMENT

Chair Hayman moved to adjourn. Commissioner Wright seconded the motion. The motion passed unanimously (6-0) and the meeting adjourned at 8:53 p.m.

Cheyllynn Hayman, Chair

Date Approved

Jamie Brooks, Recording Secretary