

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, April 8, 2020**

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

4
5 A quorum being present electronically via Zoom and live streamed on the Centerville
6 City YouTube channel due to Infectious Disease COVID-19, the meeting of the Centerville City
7 Planning Commission was called to order at 7:00 p.m.

8
9 **MEMBERS PRESENT**

10 Kevin Daly
11 Cheylynn Hayman, Chair
12 Thomas Hunt
13 Mason Kjar
14 Spencer Summerhays
15 Christina Wilcox
16 Becki Wright (arrived at 7:07 p.m.)

17
18 **STAFF PRESENT**

19 Cory Snyder, Community Development Director
20 Lisa Romney, City Attorney
21 Mackenzie Wood, Assistant Planner
22 Leah Romero, City Recorder

23
24 **PLEDGE OF ALLEGIANCE**

25
26 **OPENING COMMENT/LEGISLATIVE PRAYER** Commissioner Kjar

27
28 **PARKING MODIFICATION – PINTSIZE PICASSOS – 181 SOUTH MAIN SUITE A**

29
30 Mackenzie Wood, Assistant Planner, explained the applicant request for parking
31 modification at 181 South Main Street, Suite A for Pintsize Picassos. A parking study performed
32 in November of 2017 by the other tenant of the two-suite building, Cup Bop/Cal-Co, required
33 five stalls for Cup Bop/Cal-Co employees, leaving six parking spaces for the other suite.
34 Because of the increased intensity of the new tenant's use and the City's parking calculations,
35 the sum of the tenants' parking requirements exceeds the provided amount. Based on the
36 actual use of these tenants and the nature of their businesses, the applicant argued in the
37 application that this high calculation for parking is unnecessary for the true use of the property.
38 The applicant stated in the application that there will only be two employees, who will walk from
39 their homes to the site, and that the nature of the business is for "children, youth, and families",
40 with a majority of users carpooling or being dropped off. Classes held by Pintsize Picassos will
41 occur between the hours of 3:30 p.m. and 8:30 p.m., an overlap of only an hour and a half with
42 Cup Bop's main hours of 7:00 a.m. to 5:00 p.m.

43
44 Ms. Wood said the applicant argued in the application that Centerville City's off-street
45 parking requirements are too high in comparison with other Davis County cities, and requests
46 matching the parking stall requirements to gross square footage of the space to match
47 neighboring cities' calculation of five stalls per thousand square feet. Suite A is 1,098 square
48 feet; the whole building is just over 2,000 square feet. Ms. Wood stated Staff recommend the
49 Planning Commission require a Parking Study to determine if six stalls would be sufficient for
50 the use.
51

1 Responding to a question from Commissioner Kjar, Ms. Wood said she was not aware of
2 the possibility of shared parking with neighboring properties having been explored.
3 Commissioner Kjar commented that the property to the north has parking stalls that tend to be
4 available during the proposed operating hours. Cory Snyder, Community Development Director,
5 stated the possibility could be explored if the applicant desires.
6

7 Jim Delahunty, applicant, emphasized that in his professional civil engineering
8 experience, Centerville code regarding parking requirements exceeds common land-planning
9 practices for retail buildings without specific end users, causing a hardship for the property. Mr.
10 Delahunty said he had not explored the shared parking possibility. He said it was his
11 understanding that Cup-Bop would soon be leaving the location.
12

13 Mr. Snyder commented that Cup-Bop is the current tenant of Suite B, and the situation
14 should be treated as such until Cup-Bop vacates. The two-suite building has limited parking and
15 use of the parking should be balanced between the users.
16

17 Mr. Delahunty explained that his target age group would be 3-10 years old, with parents
18 dropping off and picking up before and after classes. Responding to a question from Chair
19 Hayman, Mr. Delahunty said he believes the dual access to the parking lot from both Main
20 Street and 200 South would provide good traffic flow.
21

22 Staff explained that the parking modification application was submitted by the Suite A
23 tenant and applies only to Suite A. Commissioner Summerhays expressed concern with
24 inconsistencies in the application. Commissioner Daly agreed with the Staff recommendation to
25 table and give time for a parking study and possibly a shared parking arrangement.
26 Commissioners Kjar and Daly both suggested it may be beneficial for the City to reevaluate
27 parking requirements. Commissioner Hunt agreed with the suggestion to table and request a
28 parking study. Commissioner Kjar said he was sympathetic to the applicant's situation and
29 agreed with the need to balance the parking between users. Commissioner Wilcox said she
30 believed the proposed use is needed in Centerville, but agreed with the need for a parking study
31 and for inconsistencies to be resolved. Chair Hayman agreed with the Staff recommendation to
32 table and require a parking study.
33

34 Commissioner Daly **moved** to table action on the proposed parking modification as
35 submitted by the applicant and direct the applicant to submit items (1) - (3). Commissioner Hunt
36 seconded the motion. Commissioner Kjar suggested adding the language "if still in effect" to
37 item (3). Commissioner Daly agreed, and added the language to the motion. The motion passed
38 by unanimous vote (7-0).
39

40 1) A Parking Study [per CZC 12.52.110(e)]

41 a. The study shall provide:

- 42 i. Planning and traffic engineering data, including estimates of parking
43 demand based on recommendations from the Institute of Parking
44 Engineers;
- 45 ii. Data collected from uses or combinations of uses that are the same or
46 comparable to the proposed project as indicated by density, scale,
47 bulk, area, type of activity, and location;
- 48 iii. The source of data used to develop the study's recommendations;
49 and
- 50 iv. The name and qualifications of the persons who prepared the study.

51 2) A revised site plan to include

- 52 a. Dimensions of parking stalls, driveways, and aisles according to CZC
53 12.52.090 and 12.52.310

- 3) Parking stall count that does not violate the 2017 CUP Approval and Parking Study Approval of Cup Bop/Cal-Co if still in effect.

PUBLIC HEARING – CONCEPTUAL SITE PLAN – LEGACY CROSSING AT PARRISH LANE LOTS 2 & 3

Mr. Snyder explained that the applicant is seeking to alter the approved conceptual site plan for Lots 2 and 3 of the Legacy Crossing at Parrish Lane. The original approved development configuration consisted of a restaurant building and a medium box retail building. The applicant now proposes to develop three retail buildings and one office building. Also, the applicant desires to reconfigure the lot lines and alter/change the detention area to accommodate the new development layout. The detention area is to handle all detention for Lots 2 and 3. Mr. Snyder commented that detention easement language in the original agreement would need to be examined further. Mr. Snyder showed preliminary building designs, and said the applicant indicated flexibility regarding building design.

Lisa Romney, City Attorney, commented that locating a building in the detention area would be problematic, and suggested that a plat amendment would likely be necessary. Responding to a question from Commissioner Kjar, Mr. Snyder stated that underground detention is not common in Centerville, but can be compliant with City code. Commissioner Summerhays emphasized the need to take the water table into account with underground detention.

Glenn Girsberger with JF Capital said the proposed conceptual site plan is meant to be flexible to accommodate a wide range of retail-types. He said he could work with the architect to adjust the site to provide required parking. Regarding detention space, Mr. Girsberger said they would like to maximize the property as much as possible. He read aloud from the Legacy Crossing development agreement that the configuration, location, and dimensions of the ponds could be changed by future development as long as storage capacity is not altered and performance is maintained. He explained that the intent with the building design is to reflect a more modern feel, and explained pedestrian walkway possibilities.

Brock Loomis with JF Capital said they have reports regarding ground water tables, which vary across the property. He said they have experience with underground detention and long-term maintenance. He said they would probably put as much detention above ground as possible.

Responding to a question from Chair Hayman, Mr. Girsberger pointed out that the proposed office building design, although predominantly glass, does incorporate elements from City design guidelines. Chair Hayman encouraged the applicant to be forward thinking as well as sensitive to City design guidelines.

Chair Hayman opened a public hearing at 8:17 p.m. and closed the public hearing at 8:19 p.m. seeing that no phone calls were received from the public. Commissioner Wright said that although there are many issues to be resolved, she likes the overall conceptual plan and believes the issues can be resolved by the applicant.

Commissioner Wright **moved** to accept the Conceptual Site Plan Submittal, provided that the applicant addresses the matters as described in the Staff Report of April 03, 2020, with the following reason for the action. Commissioner Summerhays seconded the motion, which passed by unanimous vote (7-0).

Reason for the Action:

- a. The Planning Commission finds that a Conceptual Site Plan review is not intended to permit actual development of property pursuant to such plan but shall be prepared and reviewed merely to represent how the property could be developed.

PUBLIC HEARING – CONCEPTUAL SITE PLAN – PARRISH CREEK BUSINESS PARK, BUILDING B

Ms. Wood explained that the applicant proposes to develop one building on Lots 3 and 4 of the Parrish Creek Business Park instead of the three buildings approved for the project, and to merge Lots 3 and 4. She explained that landscaping, easement, and pedestrian pathway expectations are not resolved with the proposal, and said Staff recommend requiring a parking study. Mr. Snyder explained that parking requirements were originally calculated based on the anticipation of predominantly flex warehouse use. The actual uses in the two existing buildings require more parking than anticipated.

Lolo Tenifa with Tom Stuart Construction, applicant, said the intention was to also apply for a conditional use permit for Building B. Nick Brady, architect, confirmed they can meet the PDO requirements.

Chair Hayman opened a public hearing at 8:41 p.m., and closed the public hearing at 8:44 p.m. seeing that no phone calls were received from the public. A majority of the Commissioners expressed a desire for additional information.

Chair Hayman **moved** to table the application with the following directives and finding. Commissioner Kjar seconded the motion, which passed by unanimous vote (7-0).

Directives:

1. Provide description of new required easements and proof of vacated easements
2. Provide approval of utility providers for new easements
3. Provide locations of fire hydrants
4. Provide building elevations for Building B to meet the enhanced appearance requirements for the view from Legacy Parkway
5. Provide additional landscaping to meet the required 17.3% of the Parrish Creek Business Park approval
6. Provide parking counts for uses that match current and under-review tenants in Buildings A & E (particularly vehicle and equipment rental and sale parking calculations)
7. Provide proposed upgrades to replace the bridge and pedestrian walkway throughout the project, first mentioned in the PDO application documents dated February 3, 2017

Finding:

There is not sufficient evidence that the application meets the Conditions of PDO Approval dated March 21, 2017.

PUBLIC HEARING – CONDITIONAL USE PERMIT – INLAND MARINE – 1040 NORTH 950 WEST

Ms. Wood explained that the applicant has applied for a Conditional Use Permit for a Vehicle and Equipment Rental or Sale use in the Parrish Creek Business Park, Building E. The

applicant is working on behalf of Inland Marine, a sales operation that sells boat time shares. Mr. Brady, on behalf of the applicant, said boats would be stored inside, with no outdoor boat storage. Loading and unloading would occur at the rear of the facility. Mr. Brady suggested that five additional parking stalls could be added at the rear of the building.

Chair Hayman opened a public hearing at 8:58 p.m. and closed the public hearing at 9:00 p.m. seeing that no phone calls were received from the public. Ms. Wood explained that the five proposed parking stalls at the rear of the building have not been reviewed by Staff, and may not meet code because of proximity to the loading area. The Council and Staff discussed overall parking for the facility. Mr. Snyder stated that, if the proposed use is approved, only four or five parking stalls would remain to allocate to the one remaining vacant suite.

Responding to a question from Commissioner Kjar, Mr. Brady said he did not anticipate that a condition prohibiting storage or display of boats in existing parking stalls would be problematic. Commissioner Kjar said he believed adverse impacts of both the parking concerns and the pedestrian interaction concerns could be mitigated. He recommended approval on condition that no storage/display could occur in the parking lot, and loading/unloading from large commercial trucks must occur off-site, with transport to the subject location occurring by smaller means.

Commissioner Daly **moved** to approve the Conditional Use Permit request for Inland Marine at 1040 North 950 West, Suite 500 subject to the following conditions and findings. Commissioner Hunt seconded the motion.

Conditions:

1. This Conditional Use Permit shall apply only to the user space located at 1040 North 950 West, Suite 500.
2. This Conditional Use Permit approval is for a Vehicle and Equipment Rental and Sale use.
3. Display vehicle parking shall not be less than three spots, as required by the State of Utah.
4. All display vehicles shall be operable and in good condition, and shall be kept parked inside the garage/building and shall NOT encumber the use of any required parking stalls and shall be located in an area that does NOT conflict with needed parking and vehicle circulation lanes (*e.g. in the auto repair use facility, an approved storage area, or other similar place*).
5. The loading and unloading of vehicles for sale from a commercial transport truck is prohibited.

Findings:

- a) The Planning Commission finds that the land use of vehicle and equipment rental or sales is a conditional use within the Industrial-High Zone [CZC 12.36 (*Table of Uses*)].
- b) The use is consistent with the expectation of the City's General Plan [Section 12-430-1 & *Future Land Use, Goal 1, 12-480-6*].
- c) The Planning Commission finds that with the implemented conditions of approval, the criteria for issuance of the CUP have been satisfied, as described in the applicable staff report.

Chair Hayman pointed out that the motion does not include a requirement that all loading and unloading must occur in the rear of the building. Commissioner Wright expressed concern

that approval would violate code regarding parking, and expressed concern with potential child safety, considering the neighboring indoor playground use.

Commissioner Kjar **moved to amend** the motion to add Condition #6 that loading and unloading may occur only in the rear of the building, and that it be clearly signed and striped as appropriate, subject to staff oversight and discretion. Commissioner Daly seconded the motion to amend, which passed by unanimous vote (7-0). Commissioner Summerhays commented that the applicant had not supplied an inventory of uses and parking for the whole facility. Ms. Romney commented that a PDO can alter parking requirements for a project. After further discussion, Ms. Romney noted that if the original PDO approval did not alter parking requirements then the parking requirements for the project will need to meet current code requirements. The amended motion to approve failed unanimously (0-7).

Commissioner Daly **moved** to table the Conditional Use Permit request for Inland Marine at approximately 1040 North 950 West, Suite 500 and direct the applicant to provide or address the following:

1. Provide location of vehicles for sale.
2. Propose information on loading and unloading of vehicles.
3. Provide safeguards to mitigate detrimental impacts mentioned in CZC 12.21.100(3)(5)(G-I).
4. Provide and address the parking needs for all suites of the development site.
5. A comparison shall be provided to describe the status of the total available on-site parking versus the total ordinance required parking for each tenant use.
6. If needed, the display vehicle area may be located elsewhere or substitute parking must be provided to meet the minimum parking counts for each use.

Commissioner Summerhays seconded the motion, which passed by unanimous vote (7-0).

COMMUNITY DEVELOPMENT DIRECTOR REPORT

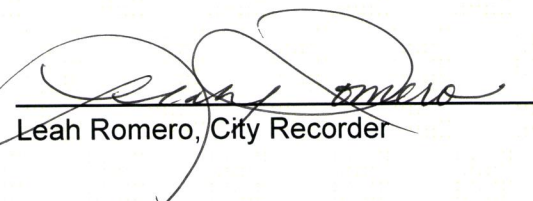
- Mayor Wilkinson thanked the Planning Commission for all they do.
- Mr. Snyder informed the Planning Commission of upcoming agenda items, and discussed with the Commission possible formats for future public hearings and receiving public comment.

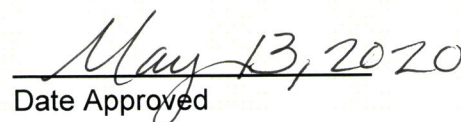
MINUTES REVIEW AND ACCEPTANCE

The minutes of the March 11, 2020 Planning Commission meeting were reviewed. Ms. Romney suggested an amendment regarding the subdivision ordinance amendments. Chair Hayman **moved** to accept the minutes as amended. Commissioner Summerhays seconded the motion, which passed by unanimous vote (7-0).

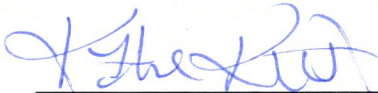
ADJOURNMENT

At 10:01 p.m., Chair Hayman **moved** to adjourn the meeting. Commissioner Daly seconded the motion, which passed by unanimous vote (7-0).


Leah Romero, City Recorder


Date Approved

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Katie Rust, Recording Secretary

