

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, April 12, 2017**

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

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
6 Utah, the meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

7
8 **MEMBERS PRESENT**

9 Cheylynn Hayman, Vice Chair

10 Gina Hirst

11 Kevin Daly

12 Logan Johnson

13 Kathy Helgesen

14 Becki Wright

15
16 **MEMBERS ABSENT**

17 David Hirschi, Chair

18
19 **STAFF PRESENT**

20 Lisa Romney, City Attorney

21 Cory Snyder, Community Development Director

22 Cassie Younger, Assistant City Planner

23 Luanne Hudson, Recording Secretary

24
25 **VISITORS**

26 Interested citizens (see attached sign-in sheet)

27
28 **PLEDGE OF ALLEGIANCE**

29
30 **OPENING COMMENT/LEGISLATIVE PRAYER** - Commissioner Wright

31
32 **MINUTES REVIEW AND APPROVAL**

33
34 The minutes of the Planning Commission meeting held March 8, 2017 were reviewed and
35 amended. Commissioner Helgesen made a **motion** to approve the minutes as amended. The
36 motion was seconded by Commissioner Hirst and passed (5-0). Commissioner Wright abstained.

37
38 The minutes of the Planning Commission meeting held March 22, 2017 were reviewed
39 and amended. Commissioner Hirst made a **motion** to approve the minutes as amended. The
40 motion was seconded by Commissioner Daly and passed (5-0). Commissioner Wright abstained.

41
42 **PUBLIC HEARING - CONDITIONAL USE PERMIT, 1110 West 650 North,**
43 **Administrative Decision, Consider the proposed Conditional Use Permit for auto/vehicle**
44 **sales for Ronin Motors. Cory Bluemel, Applicant**

45
46 Assistant City Planner Cassie Younger reported on Ronin Motors' application for a
47 Conditional Use Permit for auto sales. The applicant is Cory Bluemel and the location is 1110
48 West 650 North, Suite B. This property is owned by Brad Vander Meyden and is the location for

three other tenants: a general contractor, one electrician, and another small auto dealership. Staff reviewed the parking conditions necessary for the CUP and reported they are in compliance. The applicant was invited to speak but had no comment.

Vice Chair Hayman opened the public hearing at 7:17 p.m. and seeing no public comment, closed the hearing at 7:17 p.m.

Commissioner Daly made a **motion** for the Planning Commission to approve the Conditional Use Permit for Ronin Motors Auto Sales at 1110 West 650 North, Suite B, with the conditions (1-5) and reasons for action (a-e) listed in the Staff Report. Vice Chair Hayman seconded the motion which passed unanimously (6-0).

CONDITIONS:

1. This Conditional Use Permit shall apply only to the user space located at 1110 W 650 North, Suite B.
2. This Conditional Use Permit approval is for vehicle sales, limited to Suite B.
3. All display vehicles shall be operable and in good condition, and the display of vehicles shall be limited to no more than two (2) vehicles and are to be located within the warehouse space for Suite B.
4. The paved portion of the parking lot must be striped as shown in the Site Plan provided by Corey Bluemel, with 7 spots per tenant, or 35 spots total before the applicant can assume operations. Conducting business at this site prior to the striping of the parking lot shall constitute a violation of this Conditional Use Permit.
5. Loading and unloading of vehicles must be done on site and not in the public-right-of way.

REASONS FOR THE ACTION (FINDINGS):

- a) The applicant has submitted a complete application for a Conditional Use Permit [CZC 12.21.100(d)(1)].
- b) The use of vehicle and equipment rental or sales is a permitted use within the Industrial-High Zone with a Conditional Use Permit [CZC 12.36 (Table of Uses)].
- c) 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].
- d) The use does not appear to have any negative impacts to the existing property and the surrounding community that have not been mitigated by the conditions of approval [CSC 12.21.100(e)(3)(A-D) and CZC 12.21.100(e)(5)(A-K)].
- e) Adequate parking is provided for all four tenants on the lot [CZC 12.32.300].

PUBLIC HEARING - CONDITIONAL USE PERMIT, 1343 West 75 North, Administrative Decision, Consider the proposed Conditional Use Permit for a Reception Center in an Industrial Zone for Arcoiris Reception Center. Jaden Malan and Luz Estrada, Applicants

Community Development Director Snyder reported on the Arcoiris Reception Center application for a Conditional Use Permit. He said that in December 2016 the City Council approved the applicant's request for a zoning text amendment to allow reception centers in the Industrial-High (I-H) Zone. Currently the building is vacant and was purchased by the applicant

1 for use as a reception center. He said the applicant is not planning to make changes to the
2 building that would require site plan approval. The applicant is planning to remodel the interior
3 to create a large assembly area. He said the surrounding businesses are primarily
4 office/warehouse and light manufacturing uses.

5
6 Mr. Snyder said Staff evaluated parking, based on the fixed seat or general assembly
7 area, and determined that 44 parking stalls are required and the site meets that requirement. Staff
8 believes the parking is sufficient because the primary hours of use are in the evening and will not
9 generally conflict with the daytime use of surrounding businesses. Mr. Snyder noted there is
10 additional parking available on the street and the City has no restrictions on street parking in this
11 area. Mr. Snyder said the applicant has hired an architect to verify the facility's occupancy and
12 the required number of parking stalls.

13
14 Commissioner Daly asked for clarification about use of alcohol on the site. Mr. Snyder
15 said service of alcohol may be a sensitive issue, but it is not considered under the CUP. He
16 explained that sales, use and service of alcohol are subject to a separate permit process required
17 by state and local entities.

18
19 Applicant Eric Estrada addressed questions regarding alcohol service. He said the
20 reception center does not provide alcohol and their rental contract stipulates that if customers
21 want to bring their own alcohol, the reception center provides the bartender. The bartender is
22 responsible for seeing that no one under the age of 21 is served alcohol and once they run out of
23 alcohol, they cannot bring in more. He said the use of alcohol has not been an issue at their other
24 location.

25
26 Commissioner Hayman opened the public hearing at 7:29 p.m. and seeing no comment,
27 closed it at 7:29 p.m.

28
29 Several Commissioners engaged in a discussion about potential parking problems
30 because the overflow parking lot is obstructed by walls. The Commissioners added Conditions 7
31 and 8 to mitigate these concerns. Applicant Luz Estrada agreed that adding parking signage is a
32 good idea. Jared Malan, a broker for Newmark Grubb Acres, said he talked with surrounding
33 businesses and they have no parking concerns associated with the reception center. He said the
34 neighboring businesses primarily use the space in the daytime.

35
36 Vice Chair Hayman made a **motion** for the Planning Commission to approve the
37 Conditional Use Permit for *Arcoiris Reception Center*, as amended, subject to the conditions (1-
38 6) from the Staff Report and additional considerations (7-8) and reasons for action (a-f) from the
39 Staff Report. Commissioner Wright seconded the motion and it passed unanimously (6-0).

40
41 **CONDITIONS:**

- 42 1. This Conditional Use Permit shall only apply to the building and site (*Parcel 06-144-*
43 *0008*) located at 1343 West 75 North.
44 2. The reception center events shall be conducted between the hours of 6:00 p.m. and 1:00
45 a.m.

3. The reception center use, deliveries, and other related activities and uses shall be subject to the City Noise Ordinance, as described in Municipal Code Chapter 7.09 (*Noise Control*).
4. The applicant shall obtain approval of the City's Building Official and the South Davis Fire Marshall and address or fulfill any circumstances deemed necessary to comply with the applicable Building and Fire Codes for the interior reception center use and activities.
5. All alcohol sales or use is subject to issuance of local and state regulations and permits. A separate permit and approval will be required to determine if any alcohol use may be provided or served at an event.
6. All desired business signs shall obtain a sign permit approval from the City.
7. Parking in the back (on both sides of the building) is required to be available for parking during events and for business use.
8. Applicant is further required to add signage to indicate "Reception Center Parking" or similar language for the parking areas on both sides of the building.

REASONS FOR THE ACTION (FINDINGS):

- a) The Planning Commission finds that the proposed reception center use in the I-H Zone requires issuance of a Conditional Use Permit [12.36 Table of Uses]
- b) The Planning Commission finds that the use is consistent with the General Plan of Centerville City, as reviewed in the Planning Staff Report.
- c) The Planning Commission finds that according to Section 12.22.080, non-conforming development that is consistent with the originally approved plan shall be deemed compliant with the current zoning ordinance.
- d) The Planning Commission finds that in its review of the related site layout submittal, required as part of the CUP application, the Arcoiris Reception Center is not proposing any changes to the site that triggers correcting any site plan related non-conformities.
- e) The Planning Commission has reviewed the approval standards for issuance of a CUP, as listed in Section 12.21.100 of the Zoning Ordinance.
- f) Therefore, the Planning Commission finds that approving the CUP with the conditions listed will not create additional issues that need to be mitigated and sufficient evidence has been shown to meet the review criteria for issuance of a Conditional Use Permit.

PUBLIC HEARING – CONCEPTUAL SITE PLAN – 111 SOUTH FRONTAGE ROAD, Administrative Decision, Consider the proposed Conceptual Site Plan for SDC Investments for a three-story office building at 111 South Frontage Road. Robert Miller, Applicant

Assistant City Planner Younger reported on SDC Investments' Conceptual Site Plan for a three-story office/retail building. She said this is the site of the former Ruby River restaurant that has been vacant for some time. She said Staff is in the process of verifying that this lot was legally subdivided from the adjacent Land Rover lot. She said that SDC's Conceptual Site Plan includes increased landscaping, a pedestrian entrance and reducing parking that is a benefit because previously the site was overparked. It also includes new outdoor storage. She said the architecture shows a good design concept with balconies and a patio.

Applicant Robert Miller said SDC Investment is the investment arm of Symphony Homes. He explained that the first floor of the office building will not house traditional retail but will serve as a design center where homeowners can select items like cabinets, colors and carpet.

He said the outdoor storage will consist of garages with rolling doors and the contents will not be visible by the public.

Vice Chair Hayman opened the public hearing at 7:52 p.m. and seeing no comment, closed the public hearing at 7:52 p.m.

Commissioner Johnson made a **motion** for the Planning Commission to approve the Conceptual Site Plan for the SDC Investments Commercial Office at 111 South Frontage Road with the conditions (1-9) and reasons for action (a-c) from the Staff Report. The motion was seconded by Commissioner Helgesen and passed unanimously (6-0).

CONDITIONS:

1. Legality of the subdivision of the property between 111 S Frontage Road and 155 S Frontage Road should be determined before accepting Final Site Plan.
2. If legally subdivided, the applicant shall provide a cross-access agreement to establish a legal shared access between this site and the Land Rover site at 155 S Frontage Road.
3. If not legally subdivided, the applicant shall also submit a Lot Split/Small Subdivision application along with the Final Site Plan, in accordance with CMC 15.02.070.
4. A Final Site Plan application shall be submitted following the criteria found in CZC 12.21.110(e)(2).
5. A complete landscape plan shall be prepared by a licensed landscape architect and follow the criteria found in CZC 12.51 (Landscaping and Screening). This plan shall be submitted with the final site plan and indicate the following: Type and location of all vegetation, total calculations and percentages of landscaping vegetation, and irrigation plan. Preference is given to designs and plans with xeriscaping and drought tolerant species.
6. A fence surrounding the outdoor storage shall be included in the Final Site Plan.
7. If the applicant shall have a tenant that follows under "Retail, general", a Conditional Use Permit shall be required. The CUP will need to comply with the objectives found in CZC 12.21.100.
8. Applicant shall submit with Final Site Plan application a title report or other documentation evidencing all easements of record recorded against the subject property. Applicant shall address any issues regarding the swale area and/or easements restricting improvements in this area of the property along Frontage Road.
9. Applicant shall dedicate public utility easements in accordance with applicable City Ordinances if not currently existing on the property.

REASONS FOR THE ACTION (FINDINGS):

- a) The conceptual site plan submittal has adequately shown how the property may be developed [CZC 12.21.110(d)(2)].
- b) The development appears to be consistent with the goals and objectives found within the Centerville City General Plan 12-480-2(2)(c)
- c) "Office" and "Retail, specialty" are permitted uses in a Commercial-Very High Zone, as found in the Table of Uses, CZC 12.36.040. If the applicant's retail use falls under the "retail, general" category, they will need a Conditional Use Permit.

PUBLIC HEARING –ZONING TEXT AMENDMENT, LEGISLATIVE DECISION,
Consider the proposed Zoning Text Amendment to permit churches and places of worship
in Industrial-High (I-H) Zones. Loren Pankratz, Applicant

Commissioner Johnson asked to be excused from the meeting.

Director Snyder reported on the petition from Bridge Community Church to make a text amendment to the Industrial-High (I-H) Zone usage to allow a church or places of worship. He said although this use is customarily associated with residential neighborhoods, it is not uncommon for this use to be located in commercial or industrial locations.

Loren Pankratz, the pastor of Bridge Community Church, said he has operated a non-denomination Christian church in Centerville since 2011. Due to anticipated changes at their Pages Lane location, they are looking for a new site west of the freeway. He said they have a relatively small congregation of about 150 people and they are not a megachurch. He asked for clarification on the reference in the Staff Report to "worship facilities above or below the 10,000 square foot measurement" because he is considering the old Bountiful Glass building that is 10,500 square feet. Mr. Snyder said 10,000 square feet is not a cap, but because this is a request for a text amendment to a zoning ordinance, the Commission must consider other intensity of use and potential uses in order to mitigate impacts like traffic, parking, and noise. He described a hierarchy of standards from low, medium, high and very high.

The Commissioners had a discussion about churches and places of worship in Industrial-High (I-H) Zones and whether such use should be a permitted use or a conditional use. City Attorney Lisa Romney clarified that in all other zones (A-L, R-L, R-M, R-H, C-M, C-H, and C-VH) churches require a Conditional Use Permit because of traffic implications. Several Commissioners believed, for purposes of consistency, it was also best to require a CUP for churches or places of worship in an I-H Zone.

Vice Chair Hayman opened the public hearing at 8:10 p.m. and seeing no comment, closed it at 8:10 p.m.

Commissioner Wright made a **motion** for the Planning Commission to recommend to the City Council, subject to the reasons for action (a-k) as listed in the Staff Report, the following amendment to the Centerville City Zoning Ordinance:

***Section 12.36 (Table of Uses Allowed), shall be amended to allow
"Church or place of worship" within the Industrial High (I-H) Zone to be
allowed upon approval of a Conditional Use Permit.***

The motion was seconded by Commissioner Helgesen and passed unanimously (5-0).

REASONS FOR THE ACTION (FINDINGS):

- a) The Planning Commission finds that the "decision to amend the...zoning ordinance is a matter within the legislative discretion of the City Council as described in CZC 12.21.060(a)(1)(B).

- b) The Planning Commission finds that the Land Use Hierarchy Standards in the General Plan only gives clarity on the classification of a church use intensity, and not what zone is appropriate.
- c) The Planning Commission further finds that the intensity policy states that such church uses with facilities less than 10,000 square feet are appropriate at "all levels of intensity."
- d) The Planning Commission finds that Section 12-480-6 (West Centerville Neighborhood) lists a goal to "Enhance the Business Park District," which is predominately comprised of the I-H Zoning District.
- e) The Planning Commission further finds that Objective I.H of the same goal states a desire to limit land uses to light manufacturing, office, professional service, and specialty retail type uses.
- f) The Planning Commission also finds other listed allowable uses of the I-H Zone, which include vocational schools and other personal instruction uses. Therefore, a church use is compatible due to its primary focus in providing a place of worship for personal instruction and edification.
- g) The Planning Commission finds that although the General Plan uses a "level of intensity" measurement, it appears that the Zoning Ordinance does not make a distinction between worship facilities above or below the 10,000 square feet measurement.
- h) The Planning Commission finds that a church or place of worship is predominately currently listed as a Conditional Use within the A-L, R-L, R-M, R-H, C-M, C-H and C-VH Zones.
- i) The Planning Commission finds that the Zoning Ordinance chooses to use the Conditional Use Permit process to allow a level of scrutiny to mitigate any potential conflicts or excess burdens on a case-by-case basis.
- j) The Planning Commission further finds that the maximum size building for the I-H Zone is 50,000 square feet. Therefore, a worship facility at this size may have need of mitigating some impacts such as traffic, parking, or other such matters.
- k) Therefore, the Planning Commission finds favor in recommending a text change. However, the recommendation is to modify the petition in support of using the Conditional Use Permit approval process.

**PUBLIC HEARING –PRELIMINARY SUBDIVISION, 1150 SOUTH 240 East,
Administrative Decision, Consider the proposed Preliminary Subdivision for Chitose
Johnson Subdivision. Ronn Marshall, Applicant**

City Planner Younger reported on the Chitose Johnson Subdivision and said the Planning Commission approved the rezone of the property to Residential-Low (R-L) in February. She said it is a nine lot single-family subdivision near Pages Lane. She said there are minor adjustments to the side setbacks, some of the building pads need adjustment, and some of the public utility easements will be adjusted on the final plat. The applicant has submitted a geotechnical investigation and soils report for review by the City Engineer.

Applicant Ronn Marshall made a brief statement saying he has gone over the plans thoroughly and it will be a nice subdivision.

Vice Chair Hayman opened the public hearing at 8:17 p.m.

1 Parishioner William Ray from the Episcopal Church of the Resurrection said he regrets
2 the development of the vacant field, but he understands the growth of the community and expects
3 to have great neighbors. He said when the Episcopal Church was built, the City required an
4 easement for the driveway on the south that covers the storm drain, sewer, and water lines. His
5 concern is that the driveway will become a thoroughfare to the subdivision. He said he noticed
6 workers doing soil testing for the water table and asked if the houses will have basements. He
7 asked if there was anything else he should be concerned about that might impact the Episcopal
8 Church.

9 Applicant Ronn Marshall responded that he had no use for the driveway. He said he will
10 work with his title company to vacate the easement to the Episcopal Church. Director Snyder
11 said the entrance into the subdivision is from 1200 South and will not connect with the driveway
12 at the church. Applicant Marshall said the new houses will have basements and the purpose of
13 the water testing is to require builders to construct at the correct depth.

14
15 Mr. Hal Blankenship, another parishioner from the Episcopal Church, asked that the
16 grassy area at the end of the driveway be restored if it is dug up or disturbed during construction.
17 Mr. Marshall said it would be restored if disturbed.

18
19 Seeing no one else wishing to speak, Vice Chair Hayman closed the public hearing at
20 8:23 p.m.

21
22 Commissioner Hirst made a **motion** for the Planning Commission to approve the
23 Preliminary Subdivision Plat for the Chitose Johnson Subdivision, located at 1150 South 240
24 East, subject to the conditions (1-12) and reasons for action (a-d) listed in the Staff Report. The
25 motion was seconded by Commissioner Daly and passed unanimously (5-0).

26
27 **CONDITIONS:**

- 28 1. Final Subdivision Plat and Construction Plans shall be submitted in accordance with
29 Municipal Code Chapter 15.4 of the Subdivision Ordinance.
- 30 2. Unless otherwise agreed to by the City, the temporary turn-around and access easement
31 should be shown and labeled on the Final Plat, but can be vacated or released by the City
32 upon developer's completion of the public improvements for the subdivision.
- 33 3. Prior to or concurrent with Final Plat review, developer shall obtain required approvals
34 for the proposed vacation of a portion of the 35' wide perpetual right-of-way and public
35 utility easement currently recorded against the property.
- 36 4. The Final Plat shall provide a plat note indicating that no permanent structures are to be
37 built inside of the Public Utility Easements.
- 38 5. Proper legal descriptions of the current, proposed abandoned, and new Public Utility
39 Easements shall be addressed with the Final Plat or related documents.
- 40 6. Building pads for each lot shall be redrawn to show the correct setbacks: 25' front, 20'
41 rear, and 8' and 10' for the sides.
- 42 7. Street, Utility, and Drainage improvements must be submitted with the construction
43 drawings and approved by the City Engineer prior to recording the Final Plat. The lowest
44 elevation of all storm drains and subdrains needs to be verified for drainage issues.
- 45 8. Developer shall provide the lowest floor elevation information with Final Plat submittal
46 and the Final Plat shall provide a plat note regarding lowest floor elevation requirements
47 and limitations.

9. Flood plain classification and survey shall be submitted as part of Final Plat submittal.
10. Lots should be numbered and labeled to include the lot located at 1188 S 240 East, which shall be labeled as either Lot 1 or Lot 9.
11. Existing deferral agreement for public improvements associated with the previous subdivision of property shall be addressed by the developer and confirmed with the City Attorney prior to final plat approval.
12. All easements of record shall be shown on the Final Plat with reference to entry number, book and page, as applicable.

REASONS FOR THE ACTION (FINDINGS):

- a) The Preliminary subdivision appears to be consistent with the General Plan.
- b) The Preliminary subdivision complies with applicable provisions of the Centerville Municipal Code, Title 15 (Subdivisions).
- c) With minor changes, it is likely to meet all the Development Standards laid out for an R-L Zone in CZC 12.32.300.
- d) The applicable review standards of the Subdivision Ordinance pertaining to a Preliminary Subdivision, Title 15.3 have been reviewed and directives established to allow the proposal to proceed to Final Subdivision Plat submittal.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Upcoming Agendas:

- Text Amendments to A-L setbacks and heights
- Cottage on the Corner Final Site Plan
- Bleak Final Site Plan
- Pages Lane Work Session/Open House with Public Comment from City

Director Snyder reported on the City Council's denial of the Brighton Homes General Plan Amendment for the Pages Lane area. He said it was a difficult decision for the Council because the Brighton Homes application was a "bird-in-hand" project and yet the Council had no feel for public opinion. The City Council directed Staff to work with the Planning Commission to gather public input on the Pages Lane southeast development. He said the Council also wants to gather input from area businesses and property owners like Deseret Industries, Steak and Shake, and Village on Main.

Mr. Snyder suggested the Planning Commission add a 5:30 p.m. work session to the next meeting on Wednesday, April 26th to conduct a public forum. He said the goal is to answer big picture questions about the likes and dislikes for development (commercial or residential, park, community garden or cemetery). He said the forum will also include a presentation from Brighton Homes as an option. Assistant City Planner Younger suggested providing a survey and suggestion boxes. Staff will compile input from the public forum and present it at a later meeting.

The Commissioners engaged in a discussion about how to get the word out to the public using social media, the City's website and a press release to the Davis County Clipper. Several Commissioners also suggested sending flyers to business owners, nearby schools and churches. A concern was aired about letting Brighton Homes dominate the discussion at the public forum. Mr. Snyder said he would take the Commissioners input on the proposed public forum to the

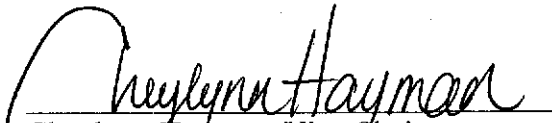
1 City Manager and report back. Also, the Commissioners debated the proposed public forum
2 dates and Assistant City Planner Younger offered to send out a "Doodle" meeting scheduling e-
3 mail to all the Commissioners to help with securing a date for the public forum meeting.
4

5 **CITY COUNCIL ACTIONS REPORT**

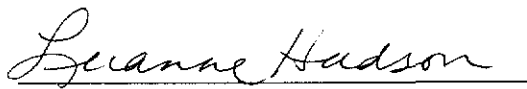
6 Brighton Homes General Plan Amendment Denied Request
7

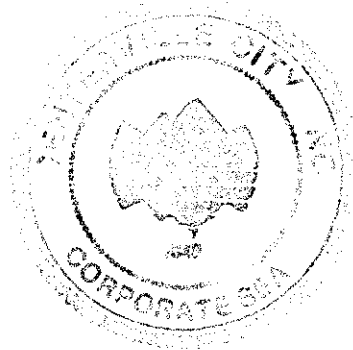
8 **ADJOURNMENT**

9 Vice Chair Hayman made a **motion** to adjourn. Commissioner Daly seconded the motion,
10 which passed unanimously (5-0). The meeting adjourned at 8:59 p.m.
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13 
14 Cheylynn Hayman, Vice Chair
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16

5-10-2017
Date Approved

17
18 
19 Luanne Hudson, Recording Secretary
20



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, April 12, 2017
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Cory Bremer

Heather Bremer

Scott Janke

Liz Estrella

Kelly Nielson

Lynn Pankratz

Rob Miller

Wim Ray-Resurrection

Joan Reid Resurrection

Hall Blankenship

SLC UT 84116

SYRACUSE

NSL

BH
Bntf1

Episcopal Church of the Resurrection
Woods Cross

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