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2 **PLANNING COMMISSION MINUTES OF MEETING**

3 **Wednesday, April 27, 2016**

4 **7:00 p.m.**

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

8
9 **MEMBERS PRESENT**

10 Kevin Daly

11 Becki Wright

12 David Hirschi, Chair

13 Gina Hirst

14 Logan Johnson

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16 **MEMBERS ABSENT**

17 Cheylynn Hayman

18 Scott Kjar

19
20 **STAFF PRESENT**

21 Corvin Snyder, Community Development Director

22 Lisa Romney, City Attorney

23 Kathy Streadbeck, Recording Secretary

24
25 **VISITORS**

26 Jim & Ellen Rohletter

Ann Moore

27 Karen Buys

Tim Johanson

28 Vicky Ogden

Russell Knouse

29
30 **PLEDGE OF ALLEGIANCE**

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32 **OPENING COMMENT/LEGISLATIVE PRAYER**

Becki Wright

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34 **MINUTES REVIEW AND APPROVAL**

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36 The minutes of the Joint City Council/Planning Commission Work Session held March
37 23, 2016 were reviewed and amended. Commissioner Johnson made a **motion** to approve the
38 minutes as amended. The motion was seconded by Commissioner Wright and passed by
39 unanimous vote (5-0).

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41 The minutes of the Planning Commission meeting held April 13, 2016 were reviewed and
42 amended. Commissioner Hirst made a **motion** to approve the minutes as amended. The motion
43 was seconded by Commissioner Daly and passed by unanimous vote (5-0).
44

PUBLIC HEARING | ROHLETTER SUNRISE LOT | 560 SOUTH 400 WEST -
Consider the following proposed applications: Request #1: Zone Map Amendment from A-
L (Agricultural-Low) to R-L (Residential-Low), the east parcel only at 0.291 acres, and;
Request #2: (Pending Actual Rezone Approval) Small Subdivision Waiver/Lot split, 2-Lots.
James Rohletter, Property Owner & Applicant.

Cory Snyder, Community Development Director, reported the applicant desires to divide their property in order to create a new buildable lot east of their existing home. The existing house is setback 160 feet from the 400 West property line. The proposed lot split will create a building lot along 400 West providing 0.29 acres for the new lot and 0.96 acres for the existing home. In addition, the applicant is requesting the new lot be rezoned to Residential-Low (R-L), since it would no longer meet the 1/2 acre minimum lot size, while the existing home would remain as Agricultural-Low (A-L) in order to continue utilizing the property for agricultural uses. The proposed zones (R-L & A-L) are consistent with surrounding uses in the area. The proposed rezone and subdivision are consistent with the General Plan, meet the criteria for a small subdivision waiver, and meet applicable zoning and subdivision requirements. The applicant will be required to construct a sidewalk along 600 South as part of the subdivision improvements. The applicant has shown the appropriate easements as required and will be required to pay all fees and bonds as required. The proposed small subdivision approval is contingent on the rezone approval by the City Council. If the City Council does not approve the rezone, the small subdivision approval will be invalid.

James Rohletter, applicant, thanked staff for their help in this process. He then asked questions about the required setbacks for a corner lot.

Chair Hirschi opened the public hearing. Seeing no one wishing to comment, Chair Hirschi closed the public hearing.

Mr. Snyder reviewed the required setbacks for a corner lot explaining the setbacks can be flip flopped depending on how the applicant chooses to orient the home. Mr. Snyder also explained there is enough property for the applicant to create two (2) single-family lots in the R-L zone but the application as presented only allows for one. Mr. Snyder reviewed the surrounding uses and zones. The majority of the surrounding zones is A-L with single-family uses. He said R-M is also located within Rawlings Circle.

Commissioner Wright said although this will create an island R-L zone she believes the proposed use is compatible and harmonious with the surrounding single-family uses.

Lisa Romney, City Attorney, suggested an addition condition requiring the applicant to submit a legal description of the lot prior to City Council review and approval.

Chair Hirschi made a **motion** for the Planning Commission to approve the Small Subdivision Waiver/Lot Split for the Rohletter Sunrise Lot Subdivision, located at 560 South 400 West, with the following conditions:

Conditions:

1. Approval of this Small Subdivision Waiver/Lot Split shall be contingent on approval of the rezone for the "East Lot" by the City Council. If the rezone is not approved by the City Council, the applicant will be required to come back before the Commission and indicate a plan that meets the requirements for the A-L Zone.
2. The Small Subdivision Waiver/Lot Split shall be for the property located at 560 South 400 West.
3. A bond shall be posted by the applicant for all public improvements prior to the plat being recorded.
4. The applicant shall record the lot split at the Davis County Recorder's Office prior to obtaining a building permit.
5. A 4-foot sidewalk shall be constructed along Rawlins Circle (600 South), meeting the required Centerville City Engineering Standards.
6. All public utility easements shall be accepted by the Centerville City Council.
7. A building permit shall be issued prior to any construction on the property.

Reasons for the Action (findings):

- a. The applicant has submitted a complete application for a Small Subdivision Waiver/Lot Split [Section 15-2-107].
- b. The subdivision qualifies for the small subdivision waiver, in accordance with the criteria found in Section 15-2-107 of the Subdivision Ordinance.
- c. Two residential lots for single-family development is consistent with the goals of the Centerville City General Plan concerning development within Neighborhood 2, Southwest Centerville [Section 12-480-3(a)].
- d. The proposed subdivision meets the required development standards for the R-L Zone. [Chapter 12-32] and the A-L Zone [Chapter 12-31].
- e. With the above conditions being met, the general requirements for all subdivisions have been addressed and fulfilled [Chapter 15-5].

The motion was seconded by Commissioner Daly and passed by unanimous roll-call vote (5-0).

Commissioner Hirschi made a **motion** for the Planning Commission to accept the Zone Map Amendment for the "East Lot" of the Rohletter Sunrise Subdivision, located at 560 South 400 West, from Agricultural-Low (A-L) to Residential-Low (R-L), and to recommend approval to the City Council, with the following condition:

1. Rezone to become effective upon recording and approval of the subdivision plat with all lots meeting the requirements of the underlying zoning.
2. The applicant shall provide the City with a legal description of the area proposed for rezone prior to the application going to the City Council.

Reasons for the Action (Findings):

1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
2. The proposed Zone Map Amendment meets the goals and objectives of the General Plan concerning Neighborhood 2 [Section 12-480-3(a)].
3. Adequate facilities are located within the subject property along 400 West and Rawlins Circle (600 South) [Section 12-21-080(e)(5)].

The motion was seconded by Commissioner Wright and passed by unanimous roll-call vote (5-0).

PUBLIC HEARING | THE COVE @ DEUEL CREEK | 362 SOUTH 400 EAST - Consider the proposed Small Subdivision Waiver/Lot Split on property located at 362 South 400 East, for the purpose of creating 3 residential building lots; which consists of 2 flag lots and 1 street frontage lot. Jacob Williams, Applicant.

Cory Snyder, Community Development Director, reported the applicant desires to develop a subdivision creating one (1) street frontage lot and two (2) flag lots. The proposal would require some minor lot line adjustments to secure the needed frontage and would resolve the overlapping buildings in the northwest corner of the proposed subdivision. The proposed subdivision is located within the "Old Townsite" as well as the Deuel Creek Historic District. The proposed subdivision meets the standards for a small subdivision waiver. In staff's opinion, the proposed subdivision is the only likely scenario for development as the property cannot accommodate a dedicated road width as required for a conventional subdivision. It is also likely that a lot this size, if left undeveloped, may become an un-kept nuisance to the area. Mr. Snyder reviewed the development standards for the flag lots; some adjustments will need to be made and several items addressed. The stem/pole driveway is proposed to be 25 feet wide. The South Davis Metro Fire District will need to address and approve access, a possible turn around and fire hydrant requirements. The applicant will also be required to work with Davis County and the City Engineer on a number of items. Staff suggests the small subdivision waiver be approved, but the actual subdivision approval be tabled until the applicant has addressed the remaining issues including drainage/water retention and the Deuel Creek channel requirements.

Jacob Williams, applicant, said there are a number of items that still need attention but he wanted to get preliminary feedback from the public on the project before the major engineering was completed. He said all items will be completed as required. He said the drainage plan is currently underway and it appears there will be adequate water retention on the site. He said the

1 Fire Marshal has approved the driveway stem without a turn around because it is less than 150
2 feet long.

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4 Chair Hirschi opened the public hearing.
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6 Karen Buys said she lives across the Deuel Creek channel to the west. She is concerned
7 with run-off. She said this is a downhill property. She said this property must be able to handle
8 not only its own run-off but the run-off from properties uphill. She said the surrounding
9 properties, including hers, were significantly impacted during the 1983 flood. She does not want
10 any run-off to negatively affect her property. She question what standards are followed when
11 requiring appropriate water retention. She questioned how the sewer will be constructed, as
12 sewer cannot run uphill. She questioned if this means that significant fill dirt will be added to the
13 site making the proposed homes significantly higher than surrounding homes. She said if fill dirt
14 is brought in, will it require a retaining wall along the Deuel Creek channel? She also asked if
15 proof of financial backing is required. She does not want to see the development only partially
16 completed.
17

18 Chair Hirschi closed the public hearing.
19

20 Jacob Webber, engineer for the project, said the initial drainage/water retention studies
21 have been completed. He said they are confident the site can handle the run-off of a 100-year
22 storm. He said they intend to upgrade the channel as needed and required by the County. He
23 reminded the public that the curb and gutter system was also created to direct run-off and is a
24 supporting system. He explained the 20-foot easement for the channel is no longer located in the
25 flood plain, but rather is just a simple access easement. He said fire access is sufficient as
26 approved by the Fire Marshal. He said they are working on a sewer plan. The Sewer District
27 does allow sewage to be pumped uphill if necessary. He said the building height will be kept
28 within ordinance allowance. He said if fill dirt is necessary it will be kept to a minimum. He said,
29 worst case scenario, a 4-foot retaining wall will be needed.
30

31 Mr. Snyder said Davis County invested in a debris basin above this area after the 1983
32 flood. The debris basin can handle the debris flow from a 100-year storm, but the water will
33 continue to flow down the Deuel Creek channel. He said the standard for all engineering with
34 regard to drainage plans and water retention is a 100-year storm. The City Engineer will work
35 with the applicant and Davis County to ensure the drainage plan is adequate without creating a
36 negative effect on surrounding properties. Mr. Snyder discussed fill dirt and grading. He
37 explained building height is measured from the average grade after fill dirt is installed. This
38 could create a potential for imposing structures. He said at this point it is not clear whether a
39 retaining wall will be needed. He also reviewed the City's standard for proof of financial
40 backing.
41

1 Commissioner Wright questioned if there are other flag lots within the Deuel Creek
2 Historic District. Mr. Snyder said the Deuel Creek Historic District was anticipated as a hot spot
3 for flag lots since many of the properties are under-utilized, i.e., small single-family homes on
4 large lots. He said the flag lot ordinance takes spacing into consideration because of these under-
5 utilized parcels. He said the Deuel Creek Historic District previously allowed duplexes, which
6 there are several duplexes in the area, that could be viewed as compatible with flag lot uses.

7
8 Commissioner Johnson made a **motion** for the Planning Commission to approve the
9 request of a small subdivision waiver/flag lot for the project located at 362 South 400 East, with
10 the following findings:

- 11
12 a. The Planning Commission finds that the property involved was and is not a part of a
13 previous subdivision plat approval by the City.
14 b. The Planning Commission finds that the property involved qualifies for a "Small
15 Subdivision Waiver" in accordance with Section 15-2-107.
16 c. The Planning Commission finds that there are no adjacent streets stubbed to and
17 could not eventually be constructed to or through the area to provide proper street
18 frontage to the property as part of a conventional subdivision.
19 d. The Planning Commission finds that integrating the property with adjacent property
20 assemblages would not result in developing a lot layout that could be approved as part
21 of a conventional subdivision.

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23 The motion was seconded by Chair Hirschi and passed by unanimous roll-call vote (5-0).

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25 Commissioner Johnson made a **motion** for the Planning Commission to table action for
26 the approval of the subdivision, as submitted, for the project located at 362 South 400 East, with
27 the following directives to be completed or submitted for further consideration by the Planning
28 Commission:

- 29
30 1. A final plat (paper version) subdivision plat shall be prepared in accordance with City
31 Subdivision Plat Layout Standards. This paper plat version shall be deemed prepared
32 and acceptable by the City Attorney and City Engineer prior to submittal for approval
33 by the Commission.
34 2. The final paper version of the plat shall be corrected to meet the flag stem and
35 maintenance requirements for flag lots, and be deemed acceptable by the City
36 Attorney and City Engineer.
37 3. The final paper plat version shall provide the required build area meeting the 2,000
38 minimum standards for each lot.
39 4. The final paper plat version shall be reviewed by the South Davis Metro Fire District
40 and be deemed acceptable to the Fire Marshal, as to the subdivision's compliance

with applicable fire codes and/or to the fire related requirements of the Flag Lot Ordinance.

5. The final subdivision construction plans shall be prepared and submitted to the City Engineer. The construction plans shall address the comments of the City Engineer, as addressed in the related staff report and any other applicable regulations as identified or deemed necessary by the City Engineer.
6. The applicant shall prepare or provide a plan to address the lot line adjustments prior to the recording of any final subdivision plat.

The motion was seconded by Commissioner Hirst.

Commissioner Daly made a ***motion to amend*** to include a condition (#7) requiring the applicant receive approval by the Sewer District for all sewer construction on all proposed lots. The motion was seconded by Commissioner Johnson and passed by unanimous vote (5-0).

Commissioner Hirst made a ***motion to amend*** to include a condition (#8) requiring the applicant include drawings and specifications regarding grading and possible retaining walls. The motion was seconded by Commissioner Wright and passed by unanimous vote (5-0).

Chair Hirschi called for a vote on the original motion as amended. The motion as amended passed by unanimous roll-call vote (5-0).

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next regularly scheduled Planning Commission meeting will be Wednesday, May 11, 2016. Work session with UDOT and WFRC at 5:30 p.m. Regular meeting to follow at 7:00 p.m.
2. Upcoming Agenda Items:
 - 347 North 400 East, Small Subdivision Waiver
 - Snow Shack, Conditional Use Permit

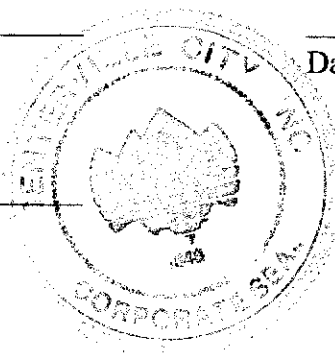
The meeting was adjourned at 8:25 p.m.



David Hirschi, Chair



Kathleen Streadbeck, Recording Secretary



5-11-2016

Date Approved