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2 **PLANNING COMMISSION MINUTES OF MEETING**

3 **Wednesday, May 13, 2015**

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

5
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 David Hirschi, Chair

11 William Ince

12 Logan Johnson

13 Scott Kjar

14 Kevin Merrill

15 Debra Randall
16

17 **MEMBERS ABSENT**

18 Gina Hirst
19

20 **STAFF PRESENT**

21 Corvin Snyder, Community Development Director

22 Brandon Toponce, Assistant Planner

23 Lisa Romney, City Attorney

24 Kathy Streadbeck, Recording Secretary
25

26 **VISITORS**

27 Interested Citizens (see sign-in sheet)
28

29 **PLEDGE OF ALLEGIANCE**

30
31 **OPENING COMMENT/LEGISLATIVE PRAYER**

Chair Hirschi

32
33 **MINUTES REVIEW AND APPROVAL**
34

35 The minutes of the Planning Commission meeting held April 22, 2015 were reviewed and
36 amended. Commissioner Ince made a **motion** to approve the minutes as amended. The motion
37 was seconded by Commissioner Randall and passed by unanimous vote (6-0).
38

39 **HAFOKA PROPERTY | 564 WEST PORTER LANE (400 S) - [Continuation from**
40 **the April 22, 2015 Planning Commission Meeting] - Consider a Zone Map Amendment for**
41 **the purpose of developing a multi-family project located at 564 West Porter Lane from**

Residential-Medium (R-M) to Residential-High (R-H). Taylor Spendlove, Brighton Centerville LLC, Applicant.

The applicant asked to postpone this item until further notice.

MICKELSON MEADOWS SUBDIVISION | 696 EAST CENTER STREET - Consider a final subdivision plan for the Mickelson Meadows Subdivision, located on property at 696 East Center Street. Patrick Scott, Brighton Homes Utah LLC, Applicant

Brandon Toponce, Assistant Planner, reported the Planning Commission previously approved a preliminary subdivision for Mickelson Meadows. The proposed subdivision consists of four (4) lots, with one lot having an existing home that will remain. Each lot depicted has adequate frontage, buildable area, easements, and setbacks as required. The final paper plat has been submitted to the City and appears to meet all previous conditions for a final review by the Planning Commission. Mr. Toponce reviewed the conditions set during the preliminary subdivision process. The applicant has met a majority of the conditions including drainage and zoning requirements. The applicant will be required to pay all applicable fees, post all required bonds, and submit an appropriate title report. The applicant must receive final approvals for the subdivision from the City Council.

Lisa Romney, City Attorney, suggested an amendment to the proposed condition #2. She suggested separating the bonding requirements for infrastructure within the subdivision and infrastructure within the public right-of-way.

Chair Hirschi made a **motion** for the Planning Commission to accept the final subdivision plat and recommend approval to the City Council for the proposed Mickelson Meadows Subdivision, located at 696 East Center Street, subject to the following:

Conditions:

1. All professional service fees shall be paid.
2. A bond shall be posted for all public infrastructure and utility work to be conducted within the subdivision prior to the plat being recorded. Any public infrastructure or work in the public-right-of way shall require an excavation permit and bonding.
3. A current title report will need to be submitted and reviewed by City staff prior to the plat being recorded.
4. The final subdivision plat shall be reviewed and approved by the City Council and recorded at the Davis County Recorder's Office.

Reasons for the Action (Findings):

1. The final subdivision plat is in harmony with the General Plan [Section 12-480-52(1)(e)].
2. The new subdivision meets the objectives for development within a Residential-Low Zone [Section 12-30-020(b)(1)].
3. It appears all applicable development standards for development within an R-L Zone have been satisfied [Table 12-32-1].
4. It appears all general requirements for a subdivision have been satisfied [Chapter 15-5].
5. All applicable standards found in the Subdivision Ordinance pertaining to a final subdivision review have been satisfied [Chapter 15-4].
6. The final plat conforms to the preliminary plat [Section 15-4-106].

The motion was seconded by Commissioner Merrill and passed by unanimous roll-call vote (6-0).

MILES MANOR SUBDIVISION | 580 EAST 100 SOUTH - Consider a final subdivision plan for the Miles Manor Subdivision, located on property at 580 East 100 South. Patrick Scott, Brighton Homes Utah LLC, Applicant

Brandon Toponce, Assistant Planner, reported the Planning Commission previously approved a preliminary subdivision for Miles Manor Subdivision. The proposed subdivision consists of three (3) lots. An existing home on the property will be demolished to make room for each new dwelling. Brighton Homes has been selected by the property owner to be the developer of the project. Each lot depicted has adequate frontage, buildable area, easements, and setbacks as required. Mr. Toponce reviewed the conditions set during the preliminary subdivision process. The applicant has met a majority of the conditions. The applicant will be required to pay any applicable fees, post all required bonds, and submit an appropriate title report. In addition, the applicant will be required to submit an adequate drainage plan and a remediation plan (lead contamination) to be reviewed and approved by the City Engineer. The applicant must receive final approvals for the subdivision from the City Council.

Lisa Romney, City Attorney, suggested an amendment to the proposed condition #3. She suggested separating the bonding requirements for infrastructure within the subdivision and infrastructure within the public right-of-way. She also suggested an additional condition addressing the City Engineer's review and acceptance of the drainage plan.

Patrick Scott, applicant, reported on the environmental study that has taken place on the property. He said the initial concern was that there was a 50 gallon drum buried on the property.

1 No such drum was found; however, one of the soil samples taken from the site tested positive for
2 lead. Additional soil samples were taken on and around that area of the property (southern
3 portion of Lot 3), but none tested abnormally high for lead. It was determined the lead found in
4 the original soil sample was an anomaly and was thrown out. The Consultant believes the lead
5 levels within the soil are considered natural for this area and does not recommend any soil be
6 removed from the site. He said the City Engineer has received the study in full and the applicant
7 is awaiting his review.

8
9 Commissioner Ince made a **motion** for the Planning Commission to accept the final
10 subdivision plat and recommend approval to the City Council, for the proposed Miles Manor
11 Subdivision, located at 580 East 100 South, subject to the following:

12
13 ***Conditions:***

- 14 1. All professional service fees shall be paid.
- 15 2. Removal of the home shall take place or a bond shall be posted prior to recording the
16 plat, for the demolition of the existing building located on the property line of Lots 2
17 and 3.
- 18 3. A bond shall be posted for all public infrastructure and utility work to be conducted
19 within the subdivision prior to the plat being recorded. Any public infrastructure or
20 work in the public right-of-way shall require an excavation permit and bonding.
- 21 4. Remediation concerning the environmental assessment shall be determined by the
22 City Engineer and adhered to by the applicant prior to any building permit being
23 issued for the subdivision.
- 24 5. The applicant shall obtain a Davis County Development and Construction Permit,
25 with a copy being submitted to City staff.
- 26 6. A current title report shall be submitted as part of the final plat submittal to City staff.
- 27 7. The final subdivision plat shall be reviewed and approved by the City Council and
28 recorded at the Davis County Recorder's Office.
- 29 8. Subdivision drainage plan shall be reviewed and accepted by the City Engineer prior
30 to the recording of the plat.

31
32 ***Reasons for the Action (Findings):***

- 33 1. The final subdivision plat is in harmony with the General Plan [Section 12-480-
34 52(1)(e)].
- 35 2. The new subdivision meets the objectives for development within a Residential-Low
36 Zone [Section 12-30-020(b)(1)].
- 37 3. It appears all applicable development standards for development within an R-L Zone
38 have been satisfied [Table 12-32-1].

4. It appears all general requirements for a subdivision have been satisfied [Chapter 15-5].
5. All applicable standards found in the Subdivision Ordinance pertaining to a final subdivision review have been satisfied [Chapter 15-4].
6. The final plat conforms to the preliminary plat [Section 15-4-106]

The motion was seconded by Commissioner Kjar and passed by unanimous roll-call vote (6-0).

PUBLIC HEARING | WALTON VILLAGE | 395 SOUTH MAIN STREET - Consider a proposed conceptual site plan for the Walton Village Development, on property located at approximately 395 South Main Street. The project design and layout involves 15 live/work units, 35 multi-family units, using the residential permitted allowance of 3 units per building. Taylor Spendlove, Brighton Centerville LLC, Applicant

The applicant asked to postpone this item until further notice.

PUBLIC HEARING | CODE TEXT AMENDMENT | SIGNS, SECTION 12-54-080- SIGNS PERMITTED IN ALL ZONES - Consider proposed zoning code text amendments for Chapter 12-54-Signs; which includes various changes to Section 12-54-080-Signs Permitted in All Zones. Centerville City, Applicant

Cory Snyder, Community Development Director, reported the City Council requested staff draft an amendment to Section 12-54-080 of the Zoning Ordinance regarding temporary sign allowances. The Council desires the provisions for political signage be more convenient for those desiring to run for office. The Ordinance does not have a specific section for political signs; therefore, they would fall under the category of "Signs Permitted by Right." This category allows persons to place signs on a property, which includes lawful commercial or non-commercial messages, without having to obtain a permit. Persons are still required to follow the provisions of the ordinance in relation to location and size. Mr. Snyder explained that these types of signs have been viewed to cause visual clutter throughout the city and he discussed the confusion and frustration that has been associated with these types of political signs and business/private signs in the past. He said staff has attempted to draft an ordinance that is simple to understand and fair for all. He said the City Council suggested keeping a setback for "Signs Permitted by Right" but staff is proposing, for simplicity of enforcement, no setback. He also explained the proposed changes combine public facility, commercial, and multi-tenant in one provision. Mr. Snyder said he suggests multi-tenant buildings be separated and allowed a specific square footage per tenant.

1 Commissioner Randall said she is concerned with visual clutter. She is concerned these
2 temporary signs could become permanent fixtures. She asked if a time limit should be set for
3 political sign postings. She also asked what is considered "temporary?" She said some of these
4 flags and other signs along Parrish Lane seem permanent to her, as they never come down.

5
6 Mr. Snyder said "temporary" means any sign that is not cemented or otherwise secured to
7 the ground or building. He said flags would be a violation of the proposed amended ordinance
8 because they exceed the 5-foot high limit. However, if the height of the flag is lowered it is
9 possible they could remain in place indefinitely, as this is the "right" of the property owner. He
10 explained the proposed ordinance deals with both political and private signs equally. Setting a
11 time limit for political signs would not be fair, as this same provision would apply to private
12 signs, thus hindering a property owners "right." He explained that until the City chooses to be
13 more aggressive with violations, staff would prefer to keep the ordinance all inclusive, simple,
14 fair, and easy to understand.

15
16 Chair Hirschi opened the public hearing.

17
18 Tim Hawkes agreed all signs should be treated equal whether private or political. He also
19 said it is important not to be too restrictive. He does not believe the City should be going around
20 doing spot sweeps for signage. He said the rules should be simple, reasonable and fair.

21
22 Patty Hendrick said she would like to see the City install a functional sign system that
23 would inform the public of upcoming issues.

24
25 Seeing no one else wishing to comment, Chair Hirschi closed the public hearing.

26
27 Chair Hirschi agreed visual clutter can be significant especially during campaign season.
28 He said he does not like the visual clutter, but also hates the restriction of free speech. He agreed
29 property owners have a right to express their free speech on their own property. However, he
30 would prefer some type of a setback, perhaps three (3) feet, for signage. He does not want to see
31 signage hindering pedestrians. He said the wind in Centerville can be a problem and he would
32 like to keep signage setback off of sidewalks and streets. He said this is more of a concern along
33 commercial corridors (i.e., Parrish Lane, Main Street, etc.) and not so much for residential areas.
34 He said the City has gone to great lengths to ensure pedestrian friendly corridors and would not
35 want to hinder this by allowing signage with no setback.

36
37 Lisa Romney, City Attorney, suggested including a reference to Section 12-54-060 which
38 includes additional signage regulations (i.e., visual triangle, etc.)
39

Chair Hirschi made a **motion** for the Planning Commission to recommend to the City Council, the amendments to Chapter 12-54-Signs as follows:

SECTION 12-54-080(b)(1)-(3)

(1) Agricultural or residential zones: Any type or number of signs provided:

- A. The total area of all signs is not more than sixteen (16) square feet;
- B. No sign is higher than five (5) feet; and
- C. Each sign is located on private property behind the sidewalk and is not within the public right-of-way or restricted sight triangles as more particularly set forth in Section 12-54-060.

(2) Public facility, commercial, and industrial zones: Any type or number of signs provided:

- A. Wall Sign: Any number of wall signs provided the total area of all wall signs on the overall property is not more than thirty-two (32) square feet.
- B. Free-standing sign: Any number of free-standing signs provided:
 - i. No sign is higher than five (5) feet;
 - ii. Each sign is located on private property setback at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangle as more particularly set forth in Section 12-54-060; and
 - iii. The total area for all free-standing signs does not exceed seventy-five (75) square feet.

(3) Multi-Tenant or Planned Centers: Any type or number of signs provided:

- A. Wall Sign: Any number of wall signs provided the total area of all wall signs on the overall property does not exceed more than thirty-two (32) square feet
- B. Free-standing sign: Each multi-tenant or planned center use shall be allowed any number of free-standing signs provided:
 - i. No sign is higher than five (5) feet;
 - ii. Each sign is located on private property setback at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangle as more particularly set forth in Section 12-54-060; and
 - iii. The total area of each free-standing sign does not exceed sixteen (16) square feet per tenant.

Reasons for the Action (Findings):

1. The proposed amendment addresses the concerns expressed by the City Council.

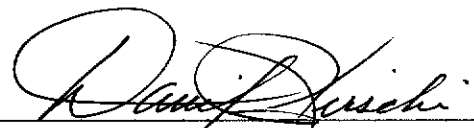
2. The amendment helps to clarify and provide equal opportunity for all those who desire to place a sign by right on their property.
3. Maintaining restrictions on temporary signs is consistent with the overall goal of the General Plan for signs [12-430-2(3)].

The motion was seconded by Commissioner Johnson and passed by unanimous roll-call vote (6-0).

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be Wednesday, May 27, 2015.
2. Upcoming Agenda Items
 - Commission Training

The meeting was adjourned at 8:40 p.m.



David Hirschi, Chair

5-27-2015

Date Approved



Kathleen Streadbeck, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, May 13, 2015
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Ron Patin

795 So. 300 E

KATH GUBLER

455 S 675 W

MARTI MONEY

486 S 675 W.

DEBRA DIXON

795 E. 800 S.

Tracy & Cindy James

617 W 1825 N

Lynne Shaffer

426 S. 675 W.

Patricia Braithwaite

516 S. 675 W.

Laura Dudley

446 S. 675 W.

Tanner Dudley

446 S 625 W.

Patricia Hedrick

253 W 1375 N

Ryan Dudley

446 S. 675 W.

Rick Dudley

446 S 675 W.

Dee McMillan

131 N 360 W

Allen McMillan

131 N 360 W

Dale McMillan

258 E 200 S.

James Young

311 E. 600 S.

Dale Engstrom

696 - E Center St

Candace & Grace Beesley

441 E 200 S

BRANDT SHARP

197 CANYON BREEZE DRIVE

Scott Van Orman

55 CANYON BREEZE

K. Peterson

836 S. 150 W.

K. Petersen

876 S 150 W

Charlie Bradley

204 E 735 South

** 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.

Kyle Green

Reed Walch

Joylyn Call

Susan Call

Heather Strasser

Barb Fran

Margo B. Irvine

TJ Buggar

Gregg Cleaveland

Patrick Scott

Beverly STREBA

Brita Johnson

Angella Brown

NEIL LUSH

CHERIE LUSH

Ed Schirner

TRAVIS & DANELLE DAVIS

Jennifer Whitworth

Charles Rawlins

Camille Rawlins

Susan Barker

Jim Hylce

Thi Hawkes

Quinn Heiner

Mark Brudener

Scott Ballinger

Bunt Hütze

433 E 200 N.

91 Village Sq Rd.

474 S 675 W

474 S. 675 W

434 S 600 W Centerville

458 S 675 W

968 S. 700 S. Circle

30 N 200 E Centerville, 1/2

461 S 225 E Circle

215 N. Federal Rd. NSL, UT

38 N 285 W Centerville

289 Williams Ln Centerville

88 W 50 S #Q-24 Centerville

428 E. 1200 N. Centerville

1 1 1 1 1 1

78 East Porter Ln Centerville.

111 CANYON BREEZE

62 W. 700 S.

439 Rawlins

216 W. 700 S

147 W. 700 S.

26 W. Bradley

443 S. 225 E. Centerville, UT

855 Pheasantbrook Cir.

971 N 150 W

1995 N 100 East

126 Bradley Drive