

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, May 28, 2014**

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

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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 David P. Hirschi, Chair

10 Gina Hirst

11 William Ince

12 Logan Johnson

13 Debra Randall (arrived at 7:06 p.m.)

14
15 **MEMBERS ABSENT**

16 Scott Kjar

17 Kevin Merrill

18
19 **STAFF PRESENT**

20 Corvin Snyder, Community Development Director

21 Brandon Toponce, Assistant Planner

22 Lisa Romney, City Attorney

23 Katie Rust, Recording Secretary

24
25 **VISITORS**

26 Interested citizens (see attached sign-in sheet)

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28 **PLEDGE OF ALLEGIANCE**

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30 **OPENING COMMENT/LEGISLATIVE PRAYER** Commissioner Hirst

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32 Chair Hirschi welcomed new Planning Commission member William (Bill) Ince to the
33 Planning Commission.

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35 **MINUTES REVIEW AND APPROVAL**

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37 The minutes of the April 23, 2014 Planning Commission meeting and the May 14, 2014
38 Planning Commission meeting were reviewed. Commissioner Johnson made a **motion** to
39 approve the April 23, 2014 minutes. Commissioner Hirschi seconded the motion, which passed
40 by unanimous vote (4-0). Commissioner Randall arrived after approval of the April 23rd minutes.

41
42 Cory Snyder and Commissioners Hirst and Randall requested amendments to the May
43 14, 2014 minutes. Commissioner Hirst made a **motion** to approve the May 14, 2014 minutes
44 as amended. Commissioner Johnson seconded the motion, which passed by unanimous vote
45 (5-0).

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47 **PUBLIC HEARING – ECHELON MOTORS – CONSIDERATION OF CONDITIONAL**
48 **USE PERMIT FOR WOLFPACK MANAGEMENT GROUP**

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50 Brandon Toponce, Assistant Planner, showed the proposed location of Echelon Motors
51 on a map and explained that the request for conditional use permit falls within the definitions
52 and table of uses for the area. The business would operate with an indoor showroom (8-10

vehicles) and rely heavily on internet sales, with minimal outdoor parking space required and no change to existing landscaping. Mr. Toponce added that business hours would be 10:00 a.m. to 5:00 p.m., and vehicles would not be washed on site. Concern has been expressed by workers in the area relating to the limited amount of parking available. Mr. Toponce stated that vehicles may temporarily be parked outside just before or after a test drive, but the business will only have one full-time employee, and parking should not be a factor. Mr. Toponce provided the Commissioners with a list of Echelon Motors' responses to staff concerns. He stated that staff recommends the Planning Commission approve the Conditional Use Permit with Conditions 1-8 listed in the staff report.

Commissioner Hirst asked what other businesses are in the area. Mr. Toponce responded the area has general office-type uses with approximately 50 parking stalls. Chair Hirschi asked what businesses expressed concern. Mr. Toponce responded the person who expressed concern did not say what company he worked with. Cory Snyder, Community Development Director, stated parking was a concern when the business park expanded. The concern that inventory cars would take up shared parking space is not an issue with business limited to the indoor showroom.

Richard Borell, owner and director of the Wolfpack Management Group, confirmed what staff stated regarding the nature of the business. He stated the dealers may use inventory vehicles for personal use and park them outside with dealer license plates, but the only other time inventory vehicles would be parked outside would be before and after a test drive. Commissioner Randall asked what type of cars will be sold. Mr. Borell responded his primary target will be 3-6 year old low-mile cars in a price range of \$12,000-\$24,000. There will be some latitude with consignment offered to customers. Commissioner Hirschi asked if off-site storage is available for trade-in vehicles. Mr. Borell stated he owns property in Syracuse that could be converted for storage if needed. Commissioner Ince asked how vehicles will enter and exit the building. Mr. Borell stated that a 10-foot by 10-foot overhead door will allow ground level access.

Chair Hirschi opened a public hearing at 7:36 p.m. and closed the public hearing seeing that no one wished to comment. Chair Hirschi asked staff if vehicle deliveries would pose problems for the area. Mr. Toponce responded that deliveries will take place during regular business hours and will not cause traffic problems.

Chair Hirschi made a **motion** that the Planning Commission approve the Conditional Use Permit for Echelon Motors located at 239 North 1250 West, Suite 3, with Conditions 1-8 as found in the staff report and Reasons for the Action 1-4, adding a number five in the form of the letter from Wolfpack Management Group to Centerville City which answers some of the concerns raised in the staff report. Commissioner Johnson seconded the motion, which passed by unanimous vote (4-0), with Commissioner Ince abstaining.

Conditions

1. All fees shall be paid.
2. The use of vehicle sales shall be permitted and limited to used vehicles for Echelon Motors only.
3. Sales are limited to inside display only.
4. The applicant shall not occupy the designated landscaped areas or required parking stalls with any outside storage, equipment or display vehicles.

5. Detail concerning cleaning and maintenance procedures on the vehicles shall be submitted prior to receiving a business license. If the applicant washes the vehicles on site, they shall be required to come into compliance with the drainage standards for a carwash.
6. Any deliveries or pickups shall take place during regular operating hours from 10:00 a.m. to 5:00 p.m., Monday through Friday.
7. The applicant shall inform City staff of the total number of employees prior to receiving a business license.
8. A business license shall be obtained prior to opening for business.

Reasons for the Action

1. The applicant has submitted a full application for a conditional use permit [Section 12-21-100(d)(1)].
2. The use of vehicle and equipment rental or sales is a permitted use within the Industrial-High Zone with a conditional use permit [Table 12-36].
3. The use is consistent with the General Plan of Centerville City [Sections 12-430-3(2), 12-480-6(1H)].
4. Using the site to sell a limited number of used vehicles is suitable for this property and will not injure the surrounding tenants or the City.
5. See attached letter.

TRAINING FOR COMMISSIONERS

Lisa Romney, City Attorney, presented training regarding open and public meetings as required annually by State law. Ms. Romney covered the following topics:

- All meetings of public agencies of the State shall be open to the public unless closed by reasons allowed by law.
- All actions and deliberations of political agencies of the State are to be conducted openly. Commissioner Ince asked if it is appropriate for Commissioners to comment or discuss issues outside of a public meeting. Ms. Romney responded discussions are not prohibited, but she advised Commissioners not discuss pending applications outside of public meeting. It would be inappropriate for a quorum of Commissioners to discuss Commission topics outside of public meeting. She advised the Commissioners to be cautious and pass information or questions on to staff, and allow staff to gather and present information to the Commission as a whole.
- Notice – The City must provide at least 24 hours' notice of every Planning Commission meeting, including the agenda, date, time and place of meeting. Such public notice of meetings must be posted at City Hall, posted on the Utah Public Notice Website and sent to at least one local newspaper or media correspondent.
- Agendas – All matters to be discussed at the meeting must be described with reasonable specificity to notify the public as to the topics to be considered at the meeting.
- Minutes - The City is required to take and prepare written minutes of all Planning Commission meetings. Minutes are required to include certain information, such as the substance of matters discussed, a record of the vote by each member, and a summary of public comments. Minutes are the official record of action taken and are to be retained permanently.
- Recording - The City is required to take and keep a recording of all Planning Commission meetings (except for site visits or traveling tour if no vote or action is

1 taken). The recording must be available to the public for listening within 3 business
2 days after the meeting.

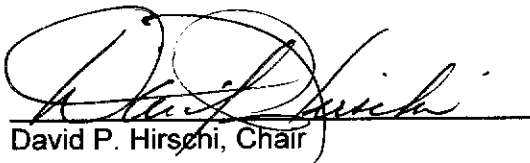
- 3 • Closed meetings – The Planning Commission can only go into a closed session for
4 reasons specified by law. Most reasons do not apply to Planning Commission
5 meetings, but may include discussion of pending or reasonably imminent litigation or
6 the purchase or sale of property.
7 • Electronic meetings – The City has adopted an electronic meetings policy which
8 allows Planning Commissioners to call into meetings when they are out of town or
9 unable to attend meetings in person. Certain conditions apply.
10 • 2014 Legislative updates – four bills adopted during the 2014 Utah Legislative
11 Session involved amendments to the Utah Open Meetings Act (SB 113, SB 169, SB
12 179, and HB 419).

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14 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

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16 Cory Snyder reported that no items are scheduled for the June 11th Planning
17 Commission meeting. Chair Hirschi made a **motion** to cancel the June 11, 2014 Planning
18 Commission meeting. Commissioner Randall seconded the motion, which passed by
19 unanimous vote (5-0).

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21 **ADJOURNMENT**

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23 At 8:19 p.m. Commissioner Ince made a **motion** to adjourn the meeting. Commissioner
24 Johnson seconded the motion, which passed by unanimous vote (5-0).

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David P. Hirschi, Chair

7-9-14

Date Approved

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36 
Katie Rust, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, May 28, 2014
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Richard Borell

239 N 1250 West Ste 3

** 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.

Wolfpack Management Group, Inc.
DBA Echelon Motors
239 N 1250 West, Ste 3
Centerville, UT 84014

City of Centerville
Community Development Department
655 N 1250 West
Centerville, UT 84014

To Whom It May Concern,

Thank you for your consideration and recommendation to approve the conditional use permit to allow Wolfpack Management Group, dba Echelon Motors to operate an indoor showroom and used automobile dealership. In the recommendations, you asked for further clarification to a few questions or concerns that were not addressed in the original conditional use permit application. Please see below for additional information to address these concerns.

1. "Although the applicant will not be conducting major repair, it was still unclear about car cleaning and washing"
 - a. No washing of vehicles will be done on site.
2. "It was unclear on the total number of employees, which will need to be specified at the time of the business license application."
 - a. There are four partners. Only one of the partners, Richard Borell, will be involved in the day-to-day operations of the business and will be the only employee. One of the other partners, Rick Winters, will provide IT support and may occasionally be on site for such support. Approximately once per month, a board of directors meeting will take place in which all 4 partners are present at the same time. The amount of designated parking plus the warehouse showroom will provide more than adequate parking for such times.
3. "Some concern has been expressed by surrounding businesses in regard to outdoor sales and parking"
 - a. The indoor showroom will allow for 8-10 vehicles (depending on the size of each vehicle) to be parked inside. There are 3-4 parking stalls directly in front of the site for customer and owner parking. No vehicles will be parked outside for display or sales purposes. Between the indoor showroom and the stalls directly in front of the leased space, we will have no trouble meeting the required 10 stalls per 250 sq. ft.

requirements. Some vehicles that are available for sale may temporarily be in the 3-4 stalls in front of the space leased by Echelon Motors for reason like:

- i. Immediately before or after a test drive (until it is parked in the garage)
- ii. Vehicles provided to an owner for personal use

If there are any additional questions or concerns, please feel free to contact me.

Sincerely,

Richard Borell
Owner and Director
Wolfpack Management Group, Inc.
rrborell@yahoo.com
801-498-0641