

1 Minutes of the Centerville City Council meeting held Tuesday, December 18, 2018 at 7:00 p.m.
2 at Centerville City Hall, 250 North Main Street, Centerville, Utah.
3

4 **MEMBERS PRESENT**

5
6 Mayor Clark Wilkinson

7
8 Council Members Tamilyn Fillmore
9 William Ince
10 Stephanie Ivie
11 George McEwan
12 Robyn Mecham
13

14 **STAFF PRESENT**

15 Steve Thacker, City Manager
16 Lisa Romney, City Attorney
17 Jacob Smith, Management Services Director
18 Cory Snyder, Community Development Director
19 Cassie Younger, Assistant Planner
20 Bruce Cox, Parks and Recreation Director
21 Katie Rust, Recording Secretary

22 **VISITORS**

23 Lynn Keddington, Parks and Recreation Committee Chair
24 Interested Citizens

25 **PRAYER OR THOUGHT**

26 Councilwoman Fillmore

27 **PLEDGE OF ALLEGIANCE**

28
29 **OPEN SESSION**

30
31 No one wished to comment.
32

33 **MINUTES REVIEW AND ACCEPTANCE**

34
35 The minutes of the December 4, 2018 regular Council meeting were reviewed.
36 Councilman Ince made a motion to accept the minutes. Councilwoman Ivie seconded the
37 motion, which passed by unanimous vote (5-0).
38

39 **PUBLIC HEARING – WOODS PARK SUBDIVISION PLAT AMENDMENT**

40
41 The Woods Park Homeowners Association desires to amend specific plat notes for the
42 Woods Park Subdivision regarding driveway widths and fencing. Cory Snyder, Community
43 Development Director, explained the proposed plat amendments.
44

45 Steve Johns, Vice-President of Construction for Oakwood Homes, stated that Oakwood
46 Homes is prepared to make corrections to comply with the planned development plat provisions
47 related to driveway widths and fencing if the plat is not amended. However, Mr. Johns said he
48 is not aware of any homeowners objecting to the proposed changes. Responding to a question
49 from Councilwoman Mecham, Lisa Romney, City Attorney, explained the City's snow removal
50 agreement for the Woods Park Subdivision.

1 Mayor Wilkinson opened a public hearing at 7:28 p.m.

2
3 Joey Wilson – As a resident of the Woods Park Subdivision, Mr. Wilson said he does not
4 have a problem with the changes discussed. He commented that there is a problem with
5 drainage in the common area. He said the playground/common area has become an unusable
6 space, and he would like to know how the problem will be addressed.

7
8 Dee Evans – Mr. Evans stated he owns the property adjacent to the Woods Park
9 Subdivision to the east. He said his cow pasture is flooded all the time because of how the
10 drainage system was designed for the Subdivision. He said there is also no space for snow
11 removal. Mr. Evans said that during construction, his no-climb gate was removed and a weak,
12 insufficient gate and fence were put in along the property line. He said he does not want
13 children to be injured because of the insufficient gate and fence. Mr. Evans said he would like
14 to know what is going to be done. He said he understands there will be an Ivory Homes
15 development in Farmington to the north that will tie into the drainage system on the Centerville
16 side of Lund Lane, and said he does not want flooding on his driveway as a result.

17
18 Chelsea Stuart – Ms. Stuart said her property falls within the provisions and would need
19 to be changed. She said she has a three-car garage and a 2 ¼ driveway, and it is difficult to get
20 cars in and out of the driveway. She said she understands the concern about space for snow
21 removal, but the proposed changes would not affect any of the areas with an existing snow
22 storage problem. She said it would be nice to have this issue resolved.

23
24 Trish Evans – Ms. Evans owns the property adjacent to the Woods Park Subdivision to
25 the east. She stated that when the Subdivision went in, there was an agreement that a no-climb
26 gate would be installed along the property line. The gate that was put in is insufficient. Ms.
27 Evans said she thinks the fence should be remedied, and the drainage issue should be
28 remedied. Because of the drainage problems, their land has become insufficient for grazing
29 their cattle. Ms. Evans added that snow should not be pushed up against their gate by snow
30 plowing personnel.

31
32 The Mayor closed the public hearing at 7:44 p.m. Mr. Snyder pointed out that the
33 drainage issues are separate from the proposed amendment. He commented that the common
34 area with the playground is intended to be drainage space in the approved detention plan.
35 Regarding drainage issues with the neighboring property to the east, Mr. Snyder said it is his
36 understanding that the Public Works Director and the City Engineer determined not all of the
37 drainage comes from the Woods Park Subdivision. Ms. Romney commended Oakwood Homes
38 for staying involved and trying to resolve existing fence and driveway noncompliance.
39 Responding to a question from the Council, Ms. Romney advised that the proposed Subdivision
40 Plat Amendment and the drainage and gate issues are separate, and approval of the former
41 should not be contingent on resolution of the latter. Councilman McEwan said he would like to
42 direct staff to prepare a report and recommendations regarding the drainage issues on both
43 properties. A majority of the Council appeared to agree with Councilman McEwan's request.
44 Mr. Johns stated Oakwood Homes is ready to review and address any legitimate drainage
45 deficiencies. He said it is his understanding that drainage in the common area is functioning as
46 designed.

47
48 Councilwoman Fillmore made a **motion** to approve the proposed plat amendment,
49 regarding Note 11 and Note 13 of the Woods Park Subdivision, subject to the following:
50

1 1) **Preparation and submittal of a final linen subdivision plat**, as outlined in City
2 Ordinance, to the City Recorder's Office, which shall reflect the approved
3 amendments presented to the City Council and the alterations required by this
4 approval.

5 2) **Note 11 shall be amended to state the following** (or as deemed acceptable for
6 clarification by the City Attorney):

7
8 "Fencing shall be allowed for all rear and side yard areas, including the street
9 side yard of lots (i.e. fence placement limited to along the side of the house
10 elevation facing the street) and shall not exceed a height of 6 feet. Front Yard
11 fencing (i.e. along the entire front of the lot with the house elevation facing the
12 street to the depth of the front yard setback) shall be prohibited.

13
14 3) **Note 13 shall be amended to state the following:**

15
16 "No two-car garage home may have a curb cut greater than 23 feet wide, a drive
17 approach skirt wider than 19 feet, and a driveway wider than 20 feet at its
18 maximum width. Except as otherwise provided herein, no three-car garage
19 home may have a curb cut wider than 27 feet wide, a drive approach skirt wider
20 than 22 feet, and a driveway wider than 30 feet at its maximum width. Lots 10,
21 13, 14, 15 and 18 may not have a curb cut wider than 35 feet wide, a drive
22 approach skirt wider than 30 feet wide, and a driveway wider than 30 feet at its
23 maximum width; provided: (1) the maximum curb cut width must provide at least
24 five lineal feet of curb length before the driveway curb cut for either adjacent lot;
25 and (2) all water meter, irrigation and utility boxes must be located outside any
26 concrete area in accordance with Centerville Municipal Code 9.02.240, as
27 amended, and if required to be relocated shall be relocated at the builders or
28 property owner's cost. Builder or property owner shall submit a plot plan showing
29 the tapered driveway widths and layout on each home to the city. Once approved
30 for a building permit, no further front or side yard concrete may be added (this
31 provision is specifically for the purpose of preserving and protecting the front yard
32 streetscape and landscaping provisions of the PDO approval). The proximity of
33 the driveways and limited curb area within the project creates limited snow
34 storage and removal issues within the project, the City will provide standard snow
35 removal for the public street within the project, but shall not be responsible to
36 provide any additional snow removal services or to manipulate the snow in any
37 way other than plowing."

38
39 Reasons for the Action:

- 40
41 a. The City Council finds that the particular notes on the plat were put in place for the
42 specific purpose of addressing the subdivisions layout and design of the
43 development that included a density bonus that was allotted to the subdivision as a
44 unique Planned Development.
45 b. The City Council finds that the current builder, which had taken over from the original
46 developer, did not fully understand the design expectations and constructed, or
47 allowed to be constructed, a few driveways that exceeded the parameters,
48 specifically associated with three (3) car garages for a few of the lots.
49 c. The City Council finds that if Note 11 is left "intentionally blank," as proposed, then all
50 fencing would be then subject to the existing City-wide standards, as described in the

Zoning Ordinance and would create "non-compliances" for all the corner lots in the Woods Park Subdivision.

- d. Consequently, the City Council finds that Note 11, as modified, will sufficiently address the desires of the HOA and developer.
- e. The City Council finds that adjusting the notes to clarify the matters leading to the amendments is not a detriment to the public interest and no one will be materially injured by the proposed plat amendment.

Councilman McEwan seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – SHEFFIELD DOWNS FINAL SUBDIVISION PLAT

Mr. Snyder explained the request for final plat approval for Sheffield Downs Subdivision. Mayor Wilkinson opened a public hearing at 8:17 p.m., and closed the public hearing seeing that no one wished to comment. Councilman McEwan made a **motion** to accept the final plat for Sheffield Downs Subdivision located at approximately 274 East Pages Lane, subject to the following conditions and findings. Councilwoman Ivie seconded the motion, which passed by majority vote (4-1), with Councilman Ince dissenting. Councilman Ince said it is his opinion that the adjacent commercial lots to the east and on the northwest corner of the development will be a problem in the future.

Conditions:

1. The Final Plat and submittal shall be corrected/modified to include the following:
 - a. The Final Plat shall note/depict the applicable "tract perimeter" setbacks for rear and side yards, as required by CZC 12-41-100.i.
 - b. A title report shall be submitted prior to Final Plat Acceptance (*paper version*) by the City.
2. The Final Plat and Plan shall be submitted, reviewed, and approved by the Centerville City Council.
3. The Final Plat and Plans (*i.e. paper version*) shall be submitted, reviewed, and deemed acceptable to the City Recorder, City Engineer, and City Attorney, prior to the preparation and submittal of the Final Linen Plat for Subdivision Recordation.
4. As part of the paper plat and plan review by the City, the plat shall be submitted to the City's Public Works Department for assignment of lot addresses, which shall be depicted on the Final Linen Subdivision Plat.
5. The subdivision improvement plan phasing shall be as follows:
 - a. Installation of public improvements & detention are subject to the City's Bonding and Fee Requirements – *CMC 15.07 and 15.08*
 - b. Installation of basic service utilities (*water, sewer, storm drainage, etc.*) and all-weather surface road shall be required for issuance of any building permits for homes – *CMC 15.05.090*
 - c. Installation/Completion of Roadways (*Asphalt Surface*) shall be achieved for an issuance of a Certification of Occupancy – *CMC 15.05.090, OR*
 - d. Installation/Completion of Roadways/Parking adjacent to amenities (park, play structure, pavilion, etc.) shall be completed at 50% development build out (*i.e. 16 lots*) or a City acceptable bond may be submitted for incomplete improvements to obtain additional building permits – See *applicable PDO approval for Common Amenities plan*
 - e. Installation of Common Amenities (park, play structure, pavilion, etc.) shall be completed at 50% development build out (*i.e. 16 lots*) or a City acceptable

- 1 bond may be submitted for incomplete improvements to obtain additional
2 building permits – *See applicable PDO approval for Common Amenities plan*
3 f. Project fencing, where lots are present shall be completed with the issuance
4 of applicable lot's Certificate of Occupancy – *See applicable PDO approval*
5 *for fencing plan*
6 g. Project Fencing, where common areas or development boundary is present
7 are to be installed prior to developer's transfer to the Home Owner's
8 Association – *See applicable PDO approval for fencing plan*
9 6. After recordation of the Subdivision Plat, the developer and associated contractors
10 shall schedule and attend a pre-construction meeting with the City Engineer prior to
11 any commencement of construction activities related to subdivision improvements.
12

13 Reasons for Action:
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- 15 a) The City Council finds that the final subdivision plat and plan, as conditioned in this
16 approval, complies with the terms and conditions of Sheffield Downs PDO Zone Map
17 Amendment and associated Conceptual Plan acceptance that was approved in
18 September of 2018, Ordinance No. 2018-20.
19 b) The City Council finds that the conditions of the final subdivision plat and plan
20 approval render the development consistent with the requirements for final
21 subdivision review and approval, as required by CMC 15-04, Final Plat.
22

23 UPDATE REGARDING ISLAND VIEW PARK PROJECT OPEN HOUSE
24

25 Bruce Cox, Parks and Recreation Director, presented preliminary plans by G. Brown
26 Design for Phase One of the Island View Park Project, and updated the Council regarding
27 preparations for the Island View Park Project open house scheduled for January 10, 2019.
28

29 ZONING CODE AMENDMENT – TABLE OF USES AND DEFINITIONS FOR C-M
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31 ZONE
32

33 In the December 4, 2018 meeting, Councilman Ince asked staff to prepare a table
34 showing all uses in the C-M Zone as permitted, conditional, or not permitted, and how those
35 would change under the proposed Ordinance. Cassie Younger, Assistant Planner, presented
36 the table and answered questions from the Council.
37

38 Councilwoman Mecham said she is aware of community members not pleased that the
39 Council is discussing this issue one week before Christmas. She said she had originally
40 expected the Planning Commission to recommend adding two or three uses to the table, not the
41 many uses that are recommended. She said she feels she needs more time to consider what
42 could happen. Councilwoman Fillmore said she believes the Planning Commission has gone
43 above and beyond in this process, and has exactly followed the direction given by the Council.
44 Councilwoman Fillmore suggested the Council pull out any uses they are unsure about, and
45 move forward with the remaining Table of Uses as recommended. Councilwoman Mecham said
46 she believes the property owners would probably benefit from the Council being a little more
47 thorough.
48

49 Councilwoman Ivie said she is amazed at how innocuous things sound on the Table of
50 Uses compared to what the actual definitions allow. She said it is hard for her to gauge how
51 much damage could be done. Councilwoman Ivie commented that it is the Council's
responsibility to protect individuals from the majority as well as listen to the majority. She said

1 she would like to move forward holistically and consider the uses along with the SMSC Overlay
2 Councilwoman Ivie said it is the responsibility of the Council to listen to the people; it is not the
3 responsibility of the Planning Commission to listen to the people. She said she would like more
4 time to listen to the people.
5

6 Councilman McEwan said that, in his opinion, Centerville as a town needs to determine
7 its identity and how much individuals are willing to contribute to the tax base. Tax income is
8 necessary to maintain public services. Councilwoman Mecham said she thinks the Council
9 needs to know what the Overlay is going to look like before adding to the uses, and that the
10 changes need to be accomplished in a reasonable amount of time. Councilman McEwan said
11 he is not opposed to making some changes to both the Table of Uses and the Overlay, and
12 asked staff how long the changes might take. Mr. Snyder stated that, including time for public
13 noticing, small land use changes would probably take 2 ½ months. He said he suspects,
14 however, that the Council will choose to do a more substantial overhaul of the Overlay, which
15 would take a more significant amount of time – possibly six months. Councilwoman Mecham
16 said she would like to schedule a work session to discuss the Overlay.
17

18 Councilwoman Mecham made a **motion** to table this issue to the second meeting in
19 February, 2019. Councilwoman Ivie seconded the motion, which passed by majority vote (5-0).
20 The Council scheduled a work session to discuss the SMSC Overlay on January 2, 2019.
21

22 PROPOSED AMENDMENTS TO SMSC OVERLAY ZONE

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24 At the December 4, 2018 Council meeting the City Council directed staff to bring back
25 proposed ordinance amendments to the SMSC Overlay Zone regarding building setbacks and
26 side yard distance between buildings. Mr. Snyder explained proposed draft language and
27 answered questions from the Council. Councilwoman Mecham made a **motion** to direct staff to
28 take the proposed language to the Planning Commission for expedited consideration and
29 recommendation. Councilwoman Ivie seconded the motion, which passed by unanimous vote
30 (5-0).
31

32 MAYOR'S REPORT

- 33
34 • Mayor Wilkinson provided an update on UIA/UTOPIA and the South Davis Metro Fire
35 Service Area.
36 • Councilman Ince updated the Council on the Centerville Tree Board.
37 • The Mayor reported on the Lunch with the Mayor program and the DARE program.
38

39 COUNCIL LIAISON REPORT

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41 Councilwoman Mecham updated the Council on Davis County transportation issues and
42 the Centerville Trails Committee.
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44 CITY MANAGER'S REPORT

- 45
46 • Councilman McEwan made a **motion** to cancel the regular Council meeting
47 scheduled for January 2, 2019. Councilwoman Ivie seconded the motion, which
48 failed by unanimous vote (0-5). Councilman Ince made a **motion** to tentatively
49 cancel the regular Council meeting scheduled for January 2, 2019, unless the Mayor

and City Manager decide such a meeting is necessary. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).

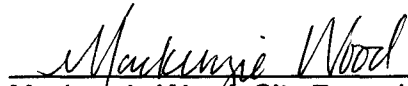
- Council members have expressed concern about the City using Sunrise Engineering for building inspection services without a current contract. Mr. Thacker reviewed the history of this matter, and requested time for staff to gather information regarding how other cities approach this matter and make a recommendation. He said he suspects contracted rather than in-house services will be the most economical way to proceed.
- Mr. Thacker reported that an expanded Complete Streets Committee has been meeting to discuss striping on Main Street in 2019. Parrish Lane and Main Street are both scheduled for a mill and repaving project next year. Councilman McEwan said he would be interested in data regarding traffic on the Frontage Road during the Main Street repaving project compared to before and after the project.

APPOINTMENT

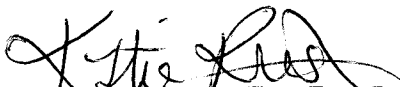
Mayor Wilkinson recommended the Council appoint Jennifer Beckstrand to the Centerville Tree Board. Councilwoman Mecham made a motion to appoint Jennifer Beckstrand to the Centerville Tree Board. Councilman Ince seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 10:18 p.m., Councilwoman Ivie made a motion to adjourn the meeting. Councilwoman Mecham seconded the motion, which passed by unanimous vote (5-0).


Mackenzie Wood, City Recorder

1/2/2019
Date Approved


Katie Rust, Recording Secretary

