

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, February 13, 2019**

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

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah, the
6 meeting of the Centerville City Planning Commission was called to order at 7:09 p.m.

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8 **MEMBERS PRESENT**

9 Cheylynn Hayman, Chair

10 Kevin Daly, Vice Chair

11 Kai Hintze

12 Logan Johnson

13 Becki Wright

14
15 **MEMBERS ABSENT**

16 Gina Hirst

17
18 **STAFF PRESENT**

19 Cory Snyder, Community Development Director

20 Lisa Romney, City Attorney

21 Cassie Younger, Assistant Planner

22
23 **VISITORS**

24 Interested citizens

25
26 **PLEDGE OF ALLEGIANCE**

27
28 **OPENING COMMENT/LEGISLATIVE PRAYER** Commissioner Wright

29
30 **PUBLIC HEARING – PRELIMINARY SUBDIVISION PLAT – BARRUS COVE –**
31 **196 E CHASE LANE**

32
33 Cory Snyder explained that the applicant had met the directives received from the Planning
34 Commission following its examination of the Conceptual Subdivision review with one exception. That
35 exception involved the gas and secondary water providers and as indicated in the staff report, completion
36 of those items was pending. Lot lines had been adjusted in order to be more perpendicular. At the end of
37 the new cul de sac, the lot lines diverged from one another somewhat, but it appeared that they still met
38 the current setback requirements. Staff wished to ensure that the drawings met the setback requirement as
39 well.

40
41 Regarding drainage, it presented a potential design issue with the project, as the property involved
42 a hill. The City engineer did not wish to create a common detention pond that would require long-term
43 maintenance. Still, this was an issue that had yet to be completely ironed out.

44
45 Chair Hayman invited the applicant to address the Planning Commission.

46
47 Kyle Honeycutt introduced himself and explained that he represented property owner Roy Barrus,
48 who had also stepped forward. Mr. Honeycutt stated that he would soon have the required approval from
49 Dominion Energy. Regarding the setback issue, he explained that his engineer had designed the property

1 to meet the 40-foot and 60-foot setback requirements, but had failed to document that fact in the plans. He
2 assured the Planning Commission he would take care of that.

3
4 Regarding drainage, Mr. Honeycutt felt there was sufficient slope from the east side to the west
5 side of the property in order to prevent any flooding. He was confident that his experienced engineer had
6 designed the project so as to avoid any drainage issues and he looked forward to moving ahead on the
7 project.

8
9 Chair Hayman opened the public hearing at 7:20 p.m. There was no one who wished to address
10 the Planning Commission so Chair Hayman closed the public hearing.

11
12 Commissioner Daly pointed out that the Commission had addressed this project at length during a
13 previous meeting. He made a **motion** to approve the Preliminary Subdivision Plan for the Barrus Cove
14 Subdivision located at 196 E Chase Lane with conditions 1-5 as outlined below, for suggested reasons for
15 action a-c. Commissioner Hintze seconded the motion. Mr. Snyder pointed out that although the
16 recommendation listed in the staff report mentioned Deuel Creek Place subdivision, he clarified this was
17 actually the Barrus Cove Subdivision.

18
19 Conditions:

- 20
21 1. A Final Subdivision Application and Plat shall be submitted in accordance of CMC 15.04
22 of the Subdivision Ordinance.
23
24 2. The Final Subdivision Submittal shall also provide the applicable subdivision infrastructure
25 construction plans for the subdivision in accordance with CMC 15.04.104
26
27 3. The remaining "utility provider" sheets for natural gas and secondary water shall be submitted
28 with the Final Subdivision Application.
29
30 4. In accordance with the City's addressing system, the final plat shall depict the address of each
31 dwelling and be deemed acceptable by the City's Public Works Director.
32
33 5. The Final Subdivision Submittal shall provide verification of the required Lot Width
34 Requirements of the R-L Zone.

35
36 Suggested Reasons for Action:

- 37
38 a) The Planning Commission finds that Preliminary Subdivision Plans are substantially consistent
39 with the previous Conceptual Plan Acceptance.
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41 b) The Planning Commission finds that the Preliminary Subdivision Submittal, with the
42 conditions imposed, complies with the applicable regulations of the
43 Subdivision Ordinance.
44
45 c) The Planning Commission finds that the Preliminary Subdivision Submittal, with the
46 conditions imposed, complies with the applicable regulations of the City's Zoning Ordinance,
47 regarding lot development within the R-L Zone.
48

49 Commissioner Wright expressed appreciation that the concerns she had expressed at a previous
50 meeting had been addressed by the developer.

51
52 The motion passed with a unanimous vote (5-0).
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PUBLIC HEARING – ZONING MAP AMENDMENT – 484 & 522 W PORTER LANE

Cassie Younger explained it was unclear how this property had become split into two different lots. However, it had since been combined into a single one-acre lot, the result being that it was now out of compliance in that it contained two separate dwellings with two types of zoning. Ms. Younger indicated that there was plenty of Residential Medium zoning in the area and that this property was even less dense. She recommended using landscaping as a buffer between the property and the church to the east.

Chair Hayman invited the applicant to address the Planning Commission.

Atieli “Andy” Hafoka introduced himself and expressed appreciation to the Commission for considering his request to rezone his property. He intended to improve the appearance of the property so that it fit well with the rest of the community.

Chair Hayman opened the public hearing at 7:32 p.m.

Robert Burns – Mr. Burns indicated that he was the President of the Centerville Deuel Creek Irrigation Company. He explained that the higher density zoning had been part of a previous zoning change and that the property in question had been three separate pieces at one time. His company was unaware that the lots had been combined and indicated that the accounts could be combined into one at the appropriate time in the development process.

There was no one else who wished to speak and Chair Hayman closed the public hearing at 7:33 p.m.

Commissioner Daly suspected that since there was no 500 West in this portion of the City, perhaps when the general plan of this area referred to 500 West, it was merely referencing any property that was behind the lots which fronted 400 West. Commissioner Johnson felt that 500 West might belong on the east edge of the property in question.

Commissioner Wright pointed out that the previous Hafoka development had come with some turmoil of trying to figure out what residents were hoping for versus what developers were hoping for. However, if the Planning Commission were to approve the rezone currently under consideration, she did not expect similar concerns because of the lower density level changes in the R-M zone, as well as the fact that no one appeared at the public hearing to speak in opposition to this rezone. She also expressed appreciation for the compromise that was reached between the City and the concerns of residents following the first Hafoka development.

Commissioner Daly asked if, as a Planned Unit Development (PUD), there might be the possibility of a bonus unit. Mr. Snyder indicated that in order to qualify for the bonus, the development would need to be at least 5 acres in size and this one was not. Therefore, it did not qualify for the bonus.

Commissioner Johnson made a **motion** to recommend approval to the City Council the following Zoning Map Amendment of Parcel Number 03-001-0209 at 522 and 484 Porter Lane, from Residential Low to Residential Medium Zone with proposed reasons for action a-c. Commissioner Wright seconded the motion.

Proposed Reasons for Action:

a) The following Zoning Map Amendment is consistent with the General Plan, in that residential medium density is allowed on Porter Lane “approximately” West of 500 West.

b) The zoning map amendment fits the approval standards as outlined in CZC 12.21.080(e)

c) Zoning boundaries, as stated in the General Plan 12-480-8 and CZC 12.30.050, should follow lots lines.

The motion passed unanimously (5-0). Chair Hayman explained to the applicant that the application would now go to the City Council for consideration but that the Planning Commission had recommended that they approve it.

PUBLIC HEARING – PRELIMINARY AND FINAL SUBDIVISION – COTTAGE ON THE CORNER – 323 E PAGES LANE

Commissioner Wright indicated that due to the slim possibility of a future business relationship between the applicant and her, she had chosen to recuse herself from the discussion and vote on this topic. She then stepped down from the dais.

Mr. Snyder reminded the Planning Commission that it had approved the site plan for this project some time ago. The applicant was now asking the Commission to approve both the preliminary and the final plat, expediting the ability to move on to the City Council. There was a unique situation wherein all the infrastructure to service the development had been put in place and the project had continued through the majority of the process without the Preliminary Plat approval going before the Commission. The Development Review Committee had not indicated an objection to requesting a Final Subdivision approval. Mr. Snyder then explained various recommended conditions.

Chair Hayman invited the applicant to address the Planning Commission.

Scott Balling introduced himself to the Commission and indicated he had no concerns about meeting any of the stated conditions of approval.

Chair Hayman opened the public hearing at 7:48 p.m.

Robert Burns – Mr. Burns introduced himself once again. He pointed out that all easements must be shown on the final plat and that the Zoning Code prohibited buildings from being constructed upon easements. Because the original easements had not been vacated when the project began, it now needed to be done. There was a public utility easement (PUE) along the north property line which did not appear to cover all of the irrigation alignment. Ms. Romney asked Mr. Burns if he was willing to vacate the easement. Mr. Burns responded that one of the two easements currently existed and if the 2002 easement was in an acceptable location, it could be added to the plat. But again, he did not believe the PUE covered the eastern portion of the pipeline. Mr. Snyder explained that the engineer would review the title report and determine how best to proceed.

There were no additional comments by the public and Chair Hayman closed the public hearing at 7:54 p.m.

Mr. Balling returned to the podium to address Mr. Burns' comments. He indicated that he was not opposed to writing a larger easement in the corner since it was still several feet away from the building. Ms. Romney explained that if the easement was still recorded against the property, it would need to either be shown on the plat by book and page number, or vacated and a new one granted.

Ms. Romney suggested that if the Planning Commission was still comfortable moving forward with approval, an eighth condition should be added such as *"all existing easements of record must be shown on the plat or vacated prior to the recording of the final plat."*

Chair Hayman **moved** that the Planning Commission approve the Preliminary Subdivision Plan and recommend approval of the Final Plat for The Cottage on the Corner Development, subject to Conditions 1-7 in the staff report, Condition 8, as recommended by the City Attorney and also Suggested Reasons for Action a-c. Commissioner Hintze seconded the motion.

Conditions

1. The applicant shall finalize any plat related formatting and/or survey errors and omissions, which shall be deemed acceptable by the City's Engineer and Attorney.

2. The subdivision plat shall contain necessary notes that the development of the properties is subject to the conditions of the approved Final Site Plan and Conditional Use Permit. - This approval also suggests that such references should be included in the CC&R's for disclosure to all future owners

3. Prior to plat recordation, the related Articles and CC&R documents will need to be reviewed by the City Attorney to verify compliance with state statutes.

4. Prior to the recording of the subdivision plat, the City's Building Official and the Fire District shall provide verification that the existing construction complies with the requirements to allow for the platting of the townhomes.

5. Prior to plat recordation, the secondary irrigation company shall provide verification that the plat reflects the needed easements that the applicant agreed to during the construction of the development

6. In accordance with the City's addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City's Public Works Director.

7. The applicant shall provide an updated title report (within 30 days) for review and acceptance of any final paper and/or linen plat, at a time deemed appropriate by the City's Attorney and/or Recorder.

8. All existing easements of record must be shown on the plat or vacated prior to the recording of the final plat.

Suggested Reasons for Action (Findings):

a) The Planning Commission finds that the subdivision plat and plans and plat are in harmony with the relevant provisions of the City's Zoning Approvals and Subdivision regulations.

b) The Planning Commission finds that the development has previously been approved by the City and that the subdivision is also subject other terms and conditions, as approved by the City for the related final site plan and conditional use permit.

c) The Planning Commission finds that with the Conditions listed for this approval, the subdivision can be deemed consistent with the expectations for PUD subdivisions, as outlined in Chapter 15-6, Planned Unit Development.

The motion passed unanimously (4-0). Commissioner Wright returned to the dais.

CITY COUNCIL REPORT

Ms. Romney explained that the City Council had approved the addition of businesses involved with applying permanent cosmetics be added to the table of uses. Additionally, they had discussed planning for the foothills.

COMMUNITY DEVELOPMENT DIRECTOR REPORT

Mr. Snyder indicated that there were three items tentatively scheduled for the next Planning Commission meeting—Deuel Creek, Legacy Lands Final Plat and a discussion regarding subdivision chapter 4. He also explained that at the City Council's next meeting, they would discuss the South Main Street Corridor revamp of the General Plan and Zoning Ordinance. Finally, a work session between the City Council and Planning Commission would potentially take place on either March 13th or 27th. Commissioner Hintze indicated that he would not be able to attend on March 13th and Commissioner Wright stated that there was a *slight* chance that she would be unavailable on the 27th.

MINUTES REVIEW AND ACCEPTANCE

The minutes of January 23, 2019 were reviewed. Commissioner Wright made a **motion** to accept the minutes as presented. Commissioner Hintze seconded the motion which passed by unanimous vote (5-0).

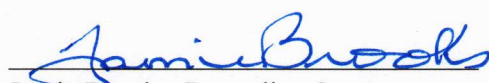
Commissioner Johnson mentioned that he would be unable to attend the next Planning Commission meeting on February 27. The remaining Commissioners expected to be in attendance.

ADJOURNMENT

Chair Hayman moved to adjourn. Commissioner Hintze seconded the motion. The motion passed unanimously (5-0) and the meeting adjourned at 8:03 p.m.

Cheylynn Hayman, Chair

Date Approved


Jamie Brooks, Recording Secretary