

PLANNING COMMISSION MINUTES OF MEETING
Wednesday, January 8, 2020
7:00 p.m.

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

MEMBERS PRESENT

Cheylynn Hayman, Chair
Kevin Daly, Vice Chair
Logan Johnson
Mason Kjar
Christina Wilcox
Becki Wright

MEMBER ABSENT

Thomas Hunt

STAFF PRESENT

Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Mackenzie Wood, Assistant Planner
Coralee Carroll, Recording Secretary

PLEDGE OF ALLEGIANCE

INTRODUCTION OF NEW COMMISSIONERS

Chair Hayman expressed appreciation to Commissioner Johnson for six years of service on the Planning Commission. Commissioner Johnson served competently and has been a great asset to the Commission.

Chair Hayman welcomed and introduced Commissioner Christina Wilcox and Commissioner Mason Kjar.

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Wright

ADMINISTRATIVE DECISION – WAIVER OF STRICT COMPLIANCE FOR LANDSCAPING – DAVE’S COMPLETE AUTO

The applicant, David Bell, proposes to renovate Dave’s Complete Auto located at 335 South Frontage Road. The proposed renovation would add 8,500 square feet to the 12,136 square foot building.

Although the site and buildings were constructed prior to the current zoning ordinance, the proposal to renovate falls under parameters set forth in Section 12-22-080 of the Zoning Ordinance. The section states that all development with a 30% floor area expansion shall be brought into conformance with the new standards of the Zoning Ordinance. However, due to physical restraints of the existing developed site, the applicant finds the standards onerous for the existing site. The applicant is requesting that the Planning Commission consider approving a waiver to the 30-foot landscaping buffer requirement, as allowed by Section 12-51-050, in

1 addition to a waiver of the 15% landscaping/open space requirement. The applicant desires the
2 waiver in order to comply with the required parking (a parking modification is pending for the
3 final site plan), which would be difficult with the 30-foot landscaping buffer requirement.
4

5 Mackenzie Wood, Assistant Planner, advised the Commission that the applicant will present
6 their non-conformity request to the Board of Adjustments next week. The applicant is requesting
7 a waiver of strict compliance for landscaping authorized by Section 12-5-050(a).
8

9 Three findings are required to consider a waiver of strict compliance. The criteria are:
10

- 11 1. Preserves the intent of this Chapter and the provision for which a waiver is authorized:
12

13 Staff Conclusion – The applicant has committed to maintain the eight-foot CMV wall as a
14 buffer to the residential zones adjacent to the property. However, staff finds that
15 eliminating the buffer does not preserve the intent of the Chapter. The Chapter
16 specifically calls out evergreen trees and shrubs to provide “a visual and noise reducing
17 barrier.” Staff recommends reducing the buffer, but maintaining the tree requirement put
18 forth in 12.51.070(b)(a). One evergreen tree for every linear 20 feet of buffer needed to
19 preserve the intent to buffer the C-VH land use from the adjacent residential property.
20 Staff recommends reducing the buffer to the Commercial Medium/Residential buffer
21 requirement of fifteen feet.
22

- 23 2. The granting of a waiver will not result in an adverse impact on surrounding properties:
24

25 Staff Conclusion – Eliminating the buffer would adversely affect the residential
26 properties. While a change would not currently alter conditions to the neighbors, an
27 increase in business and noise would alter the neighborhood. In addition, since the
28 property to the east is zoned Residential Medium and if it is developed having no visual
29 or noise barrier, it would affect the residential property. A reduction in the required buffer
30 size could create the barrier while also minimizing the affect the buffer would have on
31 the circulation of the applicant property parking.
32

- 33 3. (a) The strict application of the provision in question is unreasonable or unnecessary for
34 the specific use, design or site proposal given the nature of the proposal or alternate
35 measures proposed by the applicant; or
36

37 (b) The property has extraordinary or exceptional physical conditions that do not
38 generally exist on nearby property in the same zone and such conditions will not allow
39 strict compliance with the all of provision of this Chapter.
40

41 Staff Conclusion – It is the opinion of staff that upgrading the site to install the 30-foot
42 buffer creates problems that would not be resolvable, specifically with site circulation. If
43 the buffer was installed, it would eliminate the east parking area. Furthermore, this site
44 has three residential boundaries located to the south and east. A 30-foot buffer along
45 these three boundaries would substantially affect the ability for developing the site.
46 However, staff recommends a 15-foot buffer to maintain the intent of the Chapter.
47 Therefore, the waiver of strict compliance for the required 30-foot buffer, in this particular
48 case, appears to be appropriate.
49

50 Staff determines that a reduction in the buffer is reasonable, but that trees remain a part of the
51 buffer.

1 Applicant Dave Bell presented his proposal and specified his waiver requests. Mr. Bell
2 petitioned the Commission to waive the landscaping requirement completely. There is an 8-foot
3 wall which should adequately address the noise issue. Mr. Bell also questioned whether adding
4 trees would provide a significant additional buffer.

5
6 Miles Bell, applicant's son, stated that the type of work performed on the vehicles in the shop
7 would produce minimal noise. Consequently, the 8-foot concrete wall should adequately contain
8 noise.

9
10 Commissioner Johnson asked the applicant if he had reviewed Staff's recommendations. Mr.
11 Bell stated he had reviewed Staff's recommendations but expressed his opinion that the 15-foot
12 buffer and addition of trees was not necessary. The impound yard is not visible to the public and
13 noise is minimal. Also, implementing the buffer and landscaping would greatly reduce his
14 parking area.

15
16 Commissioner Kjar asked how many parking stalls would be lost if the 15-foot landscaping
17 buffer is still required. About 18 parking stalls would be lost.

18
19 Commissioner Johnson stated that in the future the property might have a different use and
20 landscaping requirements would need to be consistent with the future use. Ms. Wood stated the
21 adjoining residential property is Residential Medium which allows for higher density and taller
22 buildings.

23
24 Cory Snyder, Community Development Director, stated the adjacent residential property must
25 be provided with a 15-foot landscaping buffer with trees, especially if taller residential units are
26 built in the future. The applicant's desire to maximize use of property, needs to be weighed with
27 Code requirements.

28
29 Commissioner Daly stated this is the time to maximize parking stalls. Adequate parking issues
30 should be addressed, especially if the commercial use changes in the future. He would be
31 willing to grant a waiver for landscaping if more parking stalls were implemented. Perhaps a
32 better place for tree buffers would be on the residential side of the wall. Commissioner Wright
33 stated that parking is not as big an issue as buffering. Buffering should be the responsibility of
34 the applicant, not a residential action. Landscaping needs are as important as parking needs.

35
36 Mr. Snyder stated that according to the applicant's submitted parking study this particular use
37 requires 23 parking stalls. But other future uses may require more. Commissioner Daly stated
38 that currently there are many vehicles already parking on the site, adequate parking should be
39 an important issue. If parking is reduced, then parking may overflow into other areas.

40
41 Chair Hayman expressed empathy for the property owner's desire to maximize his
42 property/business. She also recognized the need for addressing adequate current and future
43 parking needs. However, to grant a waiver the Commission must find that the granting of the
44 waiver will not result in an adverse impact on surrounding properties. If there is an adverse
45 impact, then the Commission cannot grant the waiver.

46
47 Commissioner Daly asked whether the Code also refers to an adverse impact on future property
48 owners.

49
50 Ms. Romney clarified that the Building Code should adequately buffer the zone whether current
51 or future use.

52

Commissioner Wright made a **motion** for the Planning Commission to approve a waiver of the landscaping requirements for the Dave's Complete Auto Development located at 335 South Frontage Road, subject to the following conditions and reasons for action. Commissioner Johnson seconded the **motion**.

Conditions:

1. This waiver shall be limited to a 30-foot landscaping buffer.
2. The existing eight-foot screening wall shall be maintained along the south and east property boundaries adjacent to the residential zone.
3. The Zoning Ordinance requirement, thirteen (13) trees, shall remain in effect and the trees shall be depicted and installed as part of a final site plan approval.
4. A buffer of fifteen (15) feet shall be provided along the residential zone.

Suggested Reasons for the Action (Findings):

- a. The granting of a waiver will not result in an adverse impact on surrounding properties.
- b. The site has two residential boundaries located to the south and east. A 30-foot buffer along these two boundaries would substantially affect the ability for developing the site.
- c. The ability to reduce the buffer, while improving the existing buffer with additional trees, would be an improvement and help reduce any potential conflicts between the site and the adjacent residential uses.
- d. Upgrading the site to install the 30-foot buffer creates problems that would not be resolvable, specifically with site circulation because if the buffer was installed it would eliminate the east parking area.

Commissioner Daly **moved to amend** the proposed motion by striking conditions 3 and 4. Commissioner Johnson seconded the **motion**. Motion to amend failed 3 to 3. Chair Hayman, Commissioner Wright and Commissioner Kjar voted against the amended motion.

Commissioner Wright stated buffers are required to address adverse effects and suggested that perhaps a compromise can mitigate the adverse effects. Commissioner Wright asked Ms. Wood if a 10-foot buffer would be adequate for the 13 trees. She stated it would be tight, she would prefer at least 12-feet, but 10-feet should be adequate. Chairman Hayman **moved to amend** the motion by revising condition 4 to: "A buffer of ten (10) feet shall be provided along the residential zone." Commissioner Johnson seconded the motion to amend. Motion to amend passed unanimously. The amended motion passed unanimously. (6-0)

**ADMINISTRATIVE DECISION – PUBLIC HEARING – CONCEPTUAL SITE PLAN
AMENDMENT – DECANT STATION – 655 NORTH 1250 WEST**

The Centerville City Public Works Department proposes to construct a "decant station" on a portion of the existing site. The "decant station" will be a large concrete pad and building where City crews can discharge waste material retrieved from cleaning storm drain catch systems and storm water piping systems or cleaning of City trucks. Storm water drainage systems could contain above normal concentrations of contaminants. The washing of City trucks may contain salts, soils and other sediments. If left untreated, these sediments could result in contamination to the environment. The decant facility would be a place to receive, process and dispose of any contaminants and sediments. The facility is to be located in the northwest areas of the Public

1 Works Facility. This area is currently underdeveloped and often used for miscellaneous storage
2 or left open. Therefore, the City's Development Review Committee (DRC) recommended that
3 the proposed development submit a Conceptual Site Plan Application to determine whether the
4 proposed development complies with the Public Facility, Very High (PF-VH) Zone's
5 development regulations.

6
7 Mr. Snyder advised the Commission that the current facility is considered compliant with the
8 original approved amended site plan of August 2001. This approval occurred prior to the original
9 2003 adoption of the current Zoning Ordinance, as amended. Therefore, the development is
10 deemed a legal nonconforming site. Due to the project being less than a 30% expansion of the
11 existing facility (just over 5%), there are a few ordinance provisions that are considered "Not
12 Applicable" or "Limited in Scope". Consequently, development regulations with regards to
13 landscaping, screening and parking need not be addressed, as they are exempted by the
14 applicable nonconforming provisions.

15
16 Commissioner Wright asked about treatment of contaminants currently. Mr. Snyder advised her
17 that the proposed plan provides better compliance with environmental concerns (storm drain,
18 run off) than current procedures.

19
20 Chair Hayman opened the Public Hearing at 8:07 p.m. Since no one from the public was
21 present, Chair Hayman closed the Public Hearing at 8:07 p.m.

22
23 Commissioner Daly made a **motion** for the Planning Commission to accept the Conceptual Site
24 Plan for Lot #3 and partially Lot #2 of the Centerville Corporate Park Subdivision, provided that
25 the applicant addresses the following with a future final site plan submittal. Commissioner
26 Wright seconded the motion.

- 27
28 1. The applicant must submit a final site plan application in accordance with
29 CZC12.21.100 of the City's Zoning Ordinance.
30 2. The final site plan must address the following:
31 a. Depict the setbacks distances that meet the PF-VH Zone Standards.
32 b. Send and collect, as part of the submittal, all related "utility provider" notice
33 letters.
34 c. Address the use of signs on the building.
35 d. Report on the use of outdoor lighting.
36 e. Provide final plans for addressing storm water management and drainage.
37 3. The Final Plan submittal must also address the concerns regarding the use and
38 management of the remaining open land surrounding the proposed building to
39 mitigate issues with air quality, stormwater management or a visual nuisance of the
40 property.

41
42
43 Suggested Reasons for the Action:

- 44 a. The Planning Commission finds that with the issues to be addressed with the
45 acceptance directives, the proposed accessory use and building would likely
46 comply with the applicable development standards of the PF-VH zone.

47
48 Motion passed unanimously. (6-0)

ELECTION OF CHAIR AND VICE CHAIR OF PLANNING COMMISSION

Chair Hayman opened nominations for Planning Commission Chair. Chair Hayman nominated Commissioner Daly for Planning Commission Chair. Commissioner Wright nominated Chair Hayman to continue as Commission Chair. Commissioner Johnson seconded the motions.

Ms. Romney received and counted the ballots. Five votes were received for Chair Hayman, one vote for Commissioner Daly.

Chair Hayman nominated Commissioner Daly as Vice Chair. Seconded by Commissioner Johnson. Vote was unanimous. (6-0)

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT & CITY COUNCIL REPORT

Mr. Snyder advised the Commission that no specific agenda items are scheduled for the January 22, 2020 Planning Commission Meeting. Chair Hayman requested that a review of the Main Street Corridor and a review of Commission goals be agenda items for the January 22nd meeting.

Commissioner Wright requested Mr. Snyder update the newly appointed Commissioners regarding proposed development concerns and goals for the Main Street Corridor.

Mr. Snyder stated that in 2008 a development plan for the Main Street Corridor from Pages Lane to Parrish Lane (corridor gateways) was proposed. In the past couple of years, the Planning Commission issued a directive to develop a new Main Street Corridor development proposal (Porter Lane to Parrish Lane) addressing historical landmark concerns and additional concerns. Commissioner Wright stated that previous recommendations to the City Council were tabled. Mr. Snyder has requested a joint work session with the Planning Commission and City Council to address Main Street Corridor planning issues. Council has not yet scheduled a joint work session date. He will again advise the Council of the Commission's request to meet in joint session to address Main Street Corridor development.

Commissioner Wright proposed when Planning Commission agenda items are minimal that those meetings be used for training. Ms. Romney recommended that the types of training be specified so that the Commission would have an adequate budget. Chair Hayman requested staff to provide appropriate training options for consideration.

Staff was advised to add the following items to the January 22nd Commission agenda.

1. Main Street Corridor Development
2. Commission Goals
3. Training

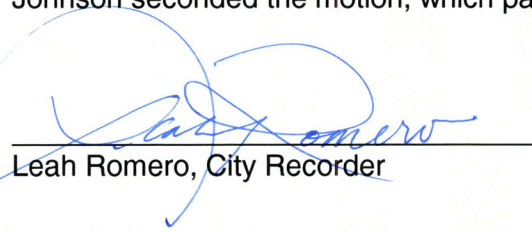
Mr. Snyder reported the Devore Property Rezone from A-L to R-L was tabled by the City Council.

1 **MINUTES REVIEW ACCEPTANCE**

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3 The minutes of the December 11, 2019 Planning Commission meeting were reviewed
4 and amended. Commissioner Wright **moved** to accept the minutes as amended. Commissioner
5 Daly seconded the motion which passed by unanimous vote (6-0).
6

7
8 **ADJOURNMENT**

9
10 At 8:33 p.m., Chair Hayman made a **motion** to adjourn the meeting. Commissioner
11 Johnson seconded the motion, which passed by unanimous vote (6-0).
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13
14
15 
16 _____
17 Leah Romero, City Recorder

18
19 January 22, 2020
20 _____
21 Date Approved

19
20 
21 _____
22 Coralee Carroll, Recording Secretary

