

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON AUGUST 8, 2018 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Jacob Smith, Centerville Management Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. The full packet can also be viewed on the City's website: <http://centerville.novusagenda.com/agendapublic>.

Tentative - The times shown below are tentative and are subject to change during the meeting.
Time:

7:00 PM **A. WELCOME AND ROLL CALL**

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

 Logan Johnson, Commissioner

D. COMMISSION BUSINESS

7:10 1. Public Hearing - [Tabled from 7/11] Sheffield Downs Conceptual Site Plan and Zoning Map Amendment -- 274 E Pages Lane

LEGISLATIVE & ADMINISTRATIVE DECISIONS

[This matter was tabled from the July 11th Meeting] Consider the proposed Zoning Map Amendment, Conceptual Site Plan and Conceptual Subdivision applications for the properties at 274 East Pages Lane, Parcel numbers **03-004-0150, 03-004-0099, 03-004-0139**, from a Commercial High Zone to a Residential-Medium Planned Development Overlay.

Taylor Spendlove, Brighton Homes, applicant

7:30 2. Public Hearing - Zoning Text Amendment - CZC 12.36 Table of Uses in Commercial Medium Zone on Main Street

LEGISLATIVE DECISION (No recommendation or decision will be made at this meeting)

The Commission will consider various Zoning Text Amendments of CZC 12.36, the

Table of Uses, that will be considering allowing more uses on Main Street in the Commercial-Medium Zone.

3. Discussion of Subdivision Ordinance Updates - Chapter 1 (General Provisions)

The City hired a consultant to update and rewrite the City Subdivision Ordinance. The consultant has prepared a draft of the new City Subdivision Ordinance. City Staff has been directed to finalize the draft ordinance and to work with the Planning Commission and City Council to complete this project as part of the PC/CC Goals for FY 2018-19. Rather than bringing the entire Subdivision Ordinance to the Planning Commission for review, the City Attorney recommends Staff bring a chapter or two at a time to for review and comment by the Planning Commission when such chapters are ready for review.

As part of this process, a copy of the proposed Table of Contents for the entire Subdivision Ordinance is attached, as well as a copy of the latest draft of Chapter 1 (General Provisions). Chapter 1 contains general administrative and boilerplate provisions. There are no highlighted issues or specific questions for the Planning Commission from Staff regarding this Chapter. This should be a quick read and Staff can answer any questions the Planning Commission may have regarding these general provisions.

4. Discussion - Work Session with Trails Committee

Planning Commission will schedule an upcoming Work Session with the Trails Committee and discuss the goals of such meeting.

5. City Council Report

6. Community Development Director's Report

E. MINUTES REVIEW and ACCEPTANCE

7-25-2018 Minutes

F. ADJOURNMENT

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
8/8/2018**

Item No. 1.

Short Title: Public Hearing - [Tabled form 7/11] Sheffield Downs Conceptual Site Plan and Zoning Map Amendment -
- 274 E Pages Lane

Initiated By: Taylor Spendlove, Applicant

Scheduled Time: 7:10

SUBJECT

LEGISLATIVE & ADMINISTRATIVE DECISIONS

[This matter was tabled from the July 11th Meeting] Consider the proposed Zoning Map Amendment, Conceptual Site Plan and Conceptual Subdivision applications for the properties at 274 East Pages Lane, Parcel numbers **03-004-0150, 03-004-0099, 03-004-0139**, from a Commercial High Zone to a Residential-Medium Planned Development Overlay.

Taylor Spendlove, Brighton Homes, applicant

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ▣ 08-08-2-18 PC Staff Report Sheffield Downs PDO
- ▣ 08-08-2018 Applicant Submittal Sheffield Downs PDO
- ▣ Previous Staff Report to Planning Commission

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

PROPERTY OWNER: DIKA PROPERTIES LLC
MARV BLOSCHE
517 SOUTH 100 EAST
BOUNTIFUL, UT 84010
(mbaproperties@gmail.com)

APPLICANT: BRIGHTON DEVELOPMENT
TAYLOR SPENDLOVE
215 NORTH REDWOOD RD. SUITE #8
NORTH SALT LAKE, UT 84054
(taylor@buildwithbrighton.com)

PROPERTY: 274 EAST PAGES LANE
○ PARCEL 03-004-0150
○ PARCEL 03-004-0099
○ PARCEL 03-004-0139

ACREAGE: 5.6 ACRES RESIDENTIAL AREA PROPOSAL

CURRENT ZONING: C-H (COMMERCIAL - HIGH)

APPLICATIONS: ZONE MAP AMENDMENT PETITION
○ C-H (COMMERCIAL) TO R-M (RESIDENTIAL MEDIUM)
○ PDO APPROVAL – CONCEPT PLAN
○ CONCEPTUAL SUBDIVISION

BACKGROUND

Previously at the July 11, 2018 Planning Commission Meeting, the Commission reviewed a Planned Development Overlay proposal to be known as Sheffield Downs by Brighton Homes. At that time, the Planning Commission tabled action on the matter and provided “*directives*” to the applicant to address for the Commission. This report will cover these previous directives for tabling that were communicated to the applicant. As part of the agenda posting, staff will also attach the staff report of the previous July meeting for reference and use in crafting a “*Staff Recommendation*” that is found in this report.

For recap, Brighton Homes is seeking to rezone a significant eastern portion of the Pages Lane Commercial Area (*aka: Old Dick's Market*) and reuse the property for a single-family dwelling subdivision of 33 homes. The project would be developed as a "*planned unit development*" having a private roadway system and a park area as common open space for use by the residents of this new community.

PREVIOUS PLANNING COMMISSION DIRECTIVES FOR TABLING

As indicated above, the Planning Commission tabled the matter and requested that the applicant further address the following:

1. The petitioner shall address the Southeast Neighborhood Plan policy matter regarding the current market demands and the commercial viability of the area. Why is it time to consider allowing residential re-development?

Staff Comment: The applicant has provided a letter from the current property owner essentially outlining the past vacancy rate for the buildings and their marketing efforts have not adequately brought forth additional commercial user interest.

2. The petitioner shall prepare a project specific Architectural Plan that includes a materials and colors story-board re-addressing the Southeast Neighborhood and PDO expectations that "*dwelling are to be designed with elements and materials that are weather resilient and have design elements with a robust architectural character.*" The Architectural Plan shall consider the following:

- a. Greater use of the heavier architectural elements. Brick and stone improve the durability of the home exterior.
- b. Address the use of these architectural elements on all sides of the buildings.
- c. Provide design elevations that include material percentage tabulations for the project.
- d. The Architectural Plan must depict what is being built but allow for choice and flexibility for the future buyer.
- e. Use a more durable roof shingle design.
- f. Upgrade the window design and improve the enhancing elements.
- g. Improve the use of building and landscape lighting.
- h. Create interesting home addressing elements, house entry walkways, street signs, and project and park entry features for the project.

Staff Comment: The applicant has provided several exhibits depicting the various architectural design elements and features that involve the following:

- Overall architectural building designs & heights
- Exterior materials and colors
- Use of masonry, lighting, and addressing plaques
- Corner/Pages verses Interior Lot building designs
- Fencing and Entry Monument Designs

- Open Space Elements and Design (*Patio and Play Structures*)
 - Lot Setback Designs
 - Landscape Plant Materials
 - Perpetual Access Exhibit to be executed at Subdivision Plat recording.
3. The petitioner shall amend the Conceptual Site Plan Submittal to address the following:
- a. Engage a landscape architect to enhance the “landscape theme,” with interesting plant materials, lighting, rock walls and other elements.
 - b. Re-design the open space predominantly turf (high-water use) and to set aside an area designed with the amenities or features that complement the various expected residents, both day and evening hours, and beyond the default design of a tot lot, playground, or clubhouse.
 - c. Adjust the setbacks along the southern lots (lots 22-33) from 15 feet to 20 feet and Lot 22 to be increased from 5 feet to 8 feet in order to meet the track perimeter requirements.
 - d. Better address the use and style of fencing, width and depth of driveways, and the parking of RV’s.
 - e. Address the manner in which to provide perpetual agreement to allow an integration of additional future conversion of commercial, as part of the development.
 - f. Show any existing utility line, aqueduct, dam, ditch, or canal located within the area.
 - g. Show the location, height, and setbacks of existing and proposed buildings on the subject property and immediately adjoining property.

Staff Comment: The amended Conceptual Site Plan addresses most of the matters listed above, with the exceptions as follows:

- Two-car parking driveways (*dimensions not shown*). However, the plans show a potential three-car home design. The concern here is that three-car driveways decrease the overall impervious surface expectations of 40% in the R-M Zone. Additionally, all open space should not be solely provided in the park/detention basin area, dwelling yard landscaping is just as important.
 - The submittal does not address the matter of RV parking.
4. The petitioner shall further address the following matters:
- a. The financial capability to carry out the planned development project.
 - b. The capability to start construction within one year of final plan approval.
 - c. Provide development schedule indicating the approximate date when construction or its stages can be expected to begin and be completed.

Staff Comment: The Applicant has provided the following:

- Preliminary Development Schedule

- Bank of Utah Letter Recommendation about Financial Capability
5. The petitioner shall modify, as needed, the Conceptual Subdivision Layout to reflect the changes being proposed or suggested.

Staff Comment: The Conceptual Site Plan has been altered to reflect the proposed changes.

6. The petitioner shall address the remaining commercial area needs to prevent any further non-conformities or applicable building/fire code issues with regards to the following:
- a. Current/existing landscaping percentages and any reduction or losses will occur.
 - b. Remaining commercial use parking counts and circulation lanes compared to the Zoning Ordinance requirements of CZC 12.52.
 - c. Demolition and rehabilitation of building walls in meeting application Building Code Regulations, specifically the west wall area of the Ace Hardware building.

Staff Comment: The applicant provided addendums for the PDO request and Conceptual Site Plan submittal makes the following conclusions:

Land Uses	Estimated Square Feet	Number of Stalls (Calculated)	Calculation Ratio
Office	8,165	40.83	1/ per 200 sq. ft.
Hardware Store	18,088	72.35	1/ per 250 sq. ft.
400 West Corner Buildings	3,100	12.4	1/ per 250 sq. ft.
Total Number of Stalls Required = 125.8 Stalls			
Total Number Provided = 147.0 Stalls			
Landscaping: Lot 34 – Nail Salon = Current 1279 sq. ft./Proposed 3443 sq. ft. Ace Hardware Site = Current/Proposed 2091 sq. ft. New Subdivision = Current 334 sq. ft./ Proposed 40,612 sq. ft.			
Demolition Matters NOT Addressed			

PLANNING STAFF RECOMMENDATION

Suggested Motion for the Planned Development Overlay Request for the SHEFFIELD DOWNS DEVELOPMENT located at 224 East Pages Lane: I hereby make a motion for the Planning Commission **RECOMMEND APPROVAL** the Sheffield Downs PDO project, as follows:

1. *The PDO Approval is subject to the layout and exhibits submitted to the City on July 19, 2018 and August 01, 2018 – Consisting of PDO Exhibit A-1 through Exhibit F and Sheets C400, X900, and L101 of the Conceptual Site Plan.*
2. *The Sheffield Downs PDO Rezone shall be limited to the following:*
 - *Rezone of approximately 5.6 acres to R-M/PD on the Centerville Zoning Map*
 - *Density shall NOT Exceed Six (6) units per acre. A bonus density is NOT APPROVED for the development*
 - *All residential development shall be limited to the construction of single-family homes.*
 - *The commercial area, located at the northwest corner, is not part of this PDO approval. However, it must be legally subdivided in accordance with City ordinances to separate it from the portion to remain in the proposed development.*
3. *The PDO approved Sheffield Architectural Design Plan shall consist of the following:*
 - (a) *All single-family dwelling design shall comply with Exhibits A-1 through A-4.*
 - (b) *Each dwelling type depicted may the use any color or material selection of the approved materials and colors and shall be consistent approved PDO building elevation exhibits.*
 - (c) *All building permit submittals shall provide a “building elevation plan” addressing the application and use of the approved Architectural Design Plan elements.*
 - (d) *Any dispute that arises regarding the application and use of the Architectural Design Plan elements shall be submitted to the Centerville City Planning Commission for resolution.*
4. *The PDO approved Sheffield Downs Landscaping Design Plan shall consist of the following:*
 - (a) *The project shall be landscaped in accordance with Exhibit B-1- Landscape Plan (also Sheet L101 of the Conceptual Plan) and Exhibit B-2 – Plant Types.*
 - (b) *As part of the Park area, a detention basin may be installed and shall be deemed acceptable by the City Engineer, as part of any Final Approval by the City.*
 - (c) *The total landscaping for the project shall meet the ordinance minimum requirement of 40%, as per CZC 12.52.070 or as otherwise allowed by the ordinance.*
5. *The PDO approved Sheffield Downs Fencing Design Plan shall consist of the following:*

- (a) *All use of fencing shall comply with Exhibit C.*
 - (b) *The placement of fencing shall comply with Exhibit B-1(also Sheet L101 of the Conceptual Plan).*
 - (c) *Other fencing shall be limited to the private rear yard areas from the rear lot line to the rear building line of the dwelling.*
 - (d) *The side yards areas between buildings/dwellings and any front yard area shall be NOT contain any fencing.*

6. *The PDO approved Sheffield Downs Open Space Amenities Design Plan shall consist of the following:*
 - (a) *The Open Space amenities shall be provided within the project as depicted on Exhibit D-1 through D-2 and on L101 of the Conceptual Site Plan*
 - (b) *The Open Space Amenities shall, at minimum, consist of the following:*
 - i. *A Patio and Plant Garden Area*
 - ii. *A Play Structure Area*
 - iii. *A Detention Facility, as approved by the City*
 - iv. *A 10-foot Landscape Buffer along Pages Lane*
 - v. *The project entry feature areas accessing Pages Lane*
 - vi. *The Buffer area (Trees and Shrubs) along the western boundary of the development*
 - vii. *The Visitor Parking Buffer on the west end of the dwellings*
 - viii. *The decorative lighting fixtures as depicted in the Exhibits*
 - (c) *As part of any Final Approval, the developer shall address the timing/phasing for the installation of the Open Space Amenities, as deemed acceptable by the City as part of any Phasing approval, OR*
 - (d) *These Open Space amenities shall be installed as per CZC 12.51.100 prior to a certificate of occupancy for any dwelling.*

7. *The PDO approved Sheffield Downs Buildings Setbacks shall consist of the following:*
 - (a) *The approved setbacks for dwellings shall comply with Exhibit E, which are:*
 - ✓ *The Interior Lot Setbacks are:*
 - *Front Porch/Living Area = 15-feet*
 - *Front Garage = 19-feet*
 - *Side Yards = 5-feet*
 - *Rear Yard = 15-feet*
 - ✓ *The Perimeter Lot Setbacks are:*
 - *Front Porch/Living Area = 15-feet*
 - *Front Garage = 19-feet*
 - *Side Yards = 8-feet*
 - *Rear Yard = 20-feet*

8. *The PDO approved Sheffield Downs Buildings Parking, Driveway/ Approach Widths, and Recreation Vehicle (RV) Use shall consist of the following:*
 - (a) *Each dwelling shall provide parking within an enclosed garage with a capacity of two-vehicles. Every garage shall meet the minimum size requirements of the City's Zoning Ordinance.*

- (b) The project shall provide the visitor parking, as shown on the Conceptual Site Plans, and shall not be less than the 30 stalls depicted.*
 - (c) The project shall limit driveway and approach aprons to a minimum width needed for two-car garage parking, as deemed acceptable by the City Engineer and Public Works Director.*
 - (d) The use of outside storage of Recreational Vehicles (RVs) for dwellings or in the common space areas shall be prohibited.*
 - (e) These restrictions shall be noted on any plan submitted for Final Approval and shall be included on the application subdivision plat and associated CC&Rs.*
9. *Other Matters Related to the Sheffield Downs PDO development are the following:*
- (a) As part of any Final Approval, the developer shall comply with Exhibit F and provide a future access easement for potential re-development of the remaining commercial properties to the east, as per the Southeast Neighborhood Plan objectives.*
 - (b) The project shall remain subject to the Residential Medium (R-M) Zone standards, unless otherwise modified by this PDO Approval.*
 - (c) The project shall be subject to the applicable subdivision ordinance requirements, and the Planned Unit Development (PUD) platting process.*
 - (d) An existing commercial building “demolition plan” shall be submitted and deemed acceptable to the City prior to receiving any Final Plan approval. All demolition of building and related elements shall comply with all local, state, or federal regulations, as may be applicable.*
 - (e) Remaining Commercial Area Parking shall NOT be less than the current Zoning Ordinance Parking requirements and shall be addressed with any Final Plan submittal to the City.*

Suggested Reasons for the Action (Findings):

- a) The Planning Commission finds that the PDO Concept Plan is in harmony with the Southeast Neighborhood Plan’s to allow future residential re-development to occur in the eastern half of the Pages Lane Commercial Area.*
- b) The Planning Commission finds that the PDO request, with the listed conditions, sufficiently addresses the PDO Development Standards found in Section 12-41-080, as addressed in the applicable staff reports provided to the Commission.*
- c) The Planning Commission finds that the PDO Concept Plan, with the listed conditions, provides sufficient compliance with regards to the project’s design and amenities requirement for R-M Zone Development.*



July 18th 2018

Centerville City
Att: Cory Snyder

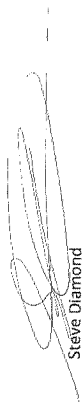
RE: Brighton Development / Sheffield Village

Dear Mr. Snyder

Bank of Utah is pleased to give you a letter of reference and financial capability letter for Mr. Nate Pugsley and his group of companies. Mr. Pugsley has banked with me since June of 2013. The Bank has done over 75 different construction / development loans with Mr. Pugsley and his company Brighton Homes and Brighton Development. The Loans have ranges from simple single family home construction loans to large Multi-Family Apartment projects, to large multiple lot development projects. Loans have ranged in size from \$150,000 to \$18,000,000. All of which have been handled as agreed. Bank of Utah considers Mr. Pugsley one of our very best customers.

I have recently reviewed the company's financial statements and I am confident that Mr. Pugsley and his companies have the liquidity and the Income Sufficient to put this project together. Bank of Utah would be very interested in helping to provide the financing for a new development project for Mr. Pugsley in Centerville. Please feel free to give me a call if you have any questions.

Sincerely

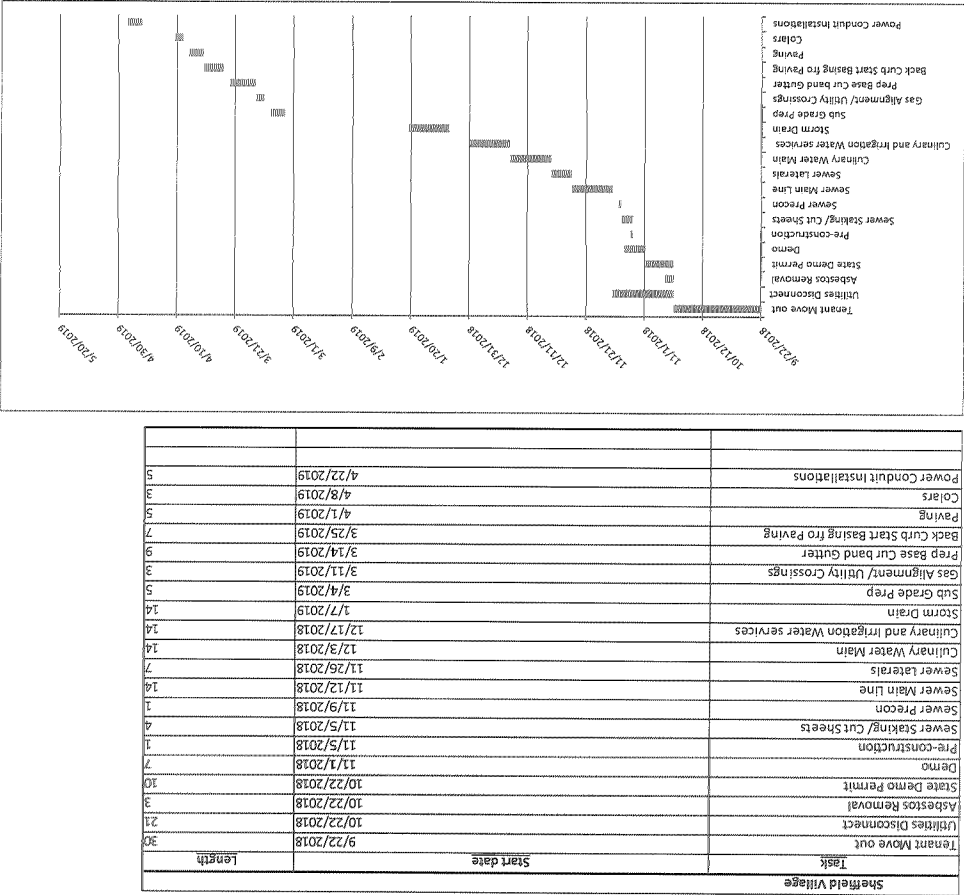

Steve Diamond
SVP Commercial Loans

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BANKOFUTAH.COM

2605 WASHINGTON BLVD., OGDEN, UT 84401 | 801-469-5000

PRELIMINARY DEVELOPMENT SCHEDULE



DIKA PROPERTIES, LLC

415 S DIXIE DRIVE #1, ST GEORGE UTAH 84770
Phone (435) 674-1974 E-mail nbaproperties@gmail.com

July 25, 2018

Centerville City Utah
Attn: Casey Snyder

RE: 350 E. Pages Lane, Centerville

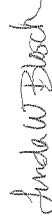
Dear Cory:

In regards to commercial viability of the old "Dicks Market" property and adjoin commercial properties, Our group has been trying to attract new tenants in the vacant space left from when the grocery store and theater left. Regardless of all marketing efforts over the years the space has not been attractive to tenants. Although a few tenants have remained and/or have changed over the years the viability of this site to remain as commercial is none existent with the current allowed uses in the zone.

Over the last year our property on Pages lane, including the Dicks Market site, has undergone a general plan change that has required several public hearings. During those hearings our group requested that commercial not be removed as an option in hopes that with some additional marketing efforts we potentially could find commercial solutions. This has come to no avail and we are left with the same vacant buildings.

As an owner of the property we believe that quality commercial is no longer viable at the site and would ask that the history of the site be taken into consideration to justify our stance.

Sincerely,



Linda Bloch
Manager
Dika Properties LLC

FIBER CEMENT BOARD COLORS

ARCHITECTURE

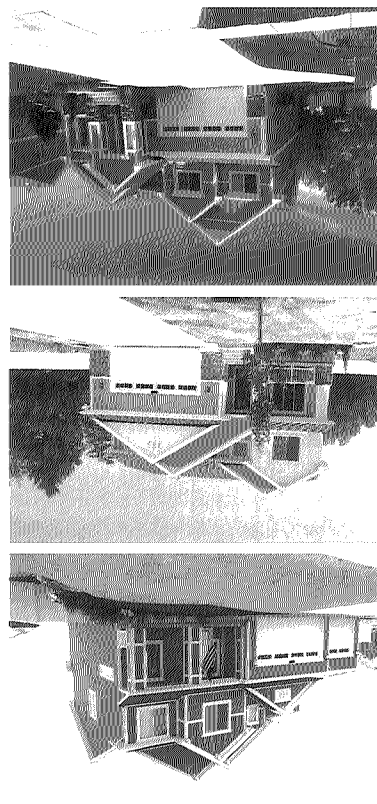
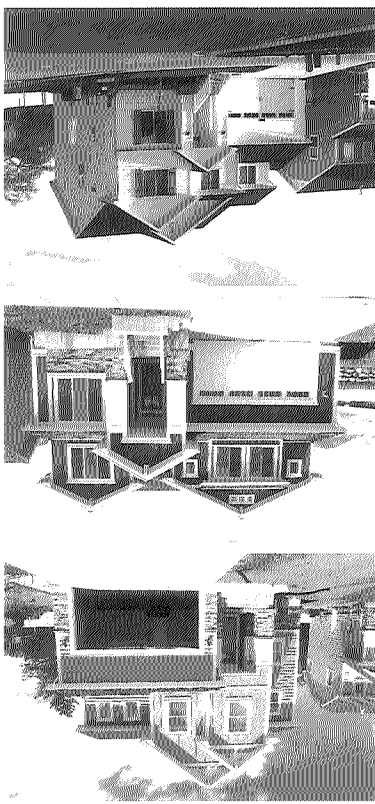


EXHIBIT A-1

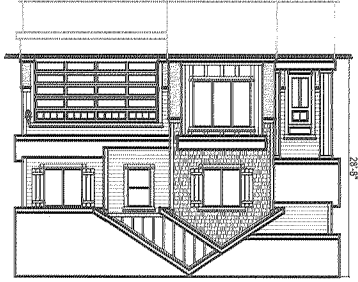
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BUILDING HEIGHTS

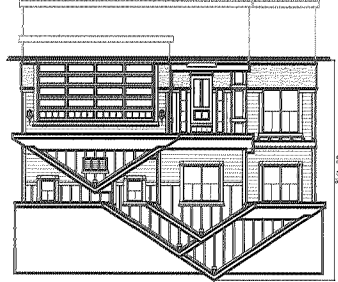
EXHIBIT A-2

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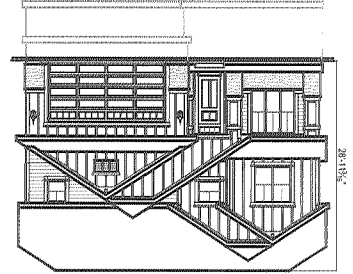
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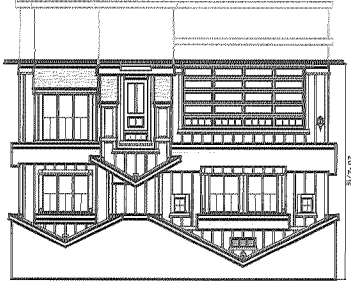
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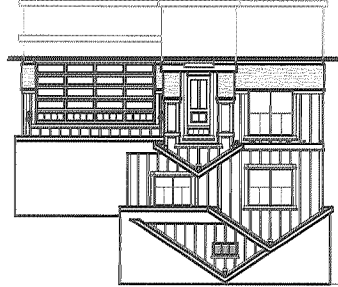
WEBSTER



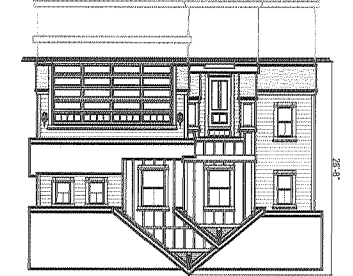
WILLIAMSBURG



EASTCHESTER



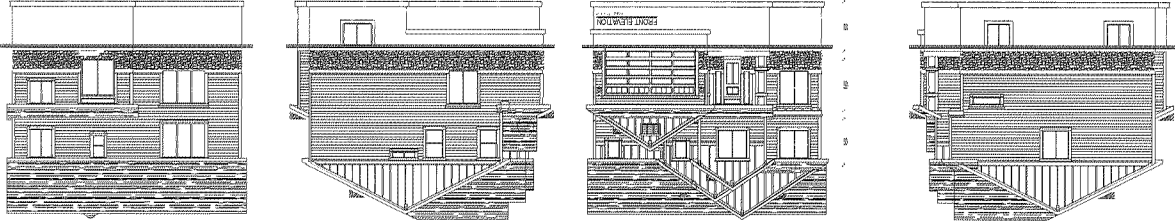
HAMPSHIRE



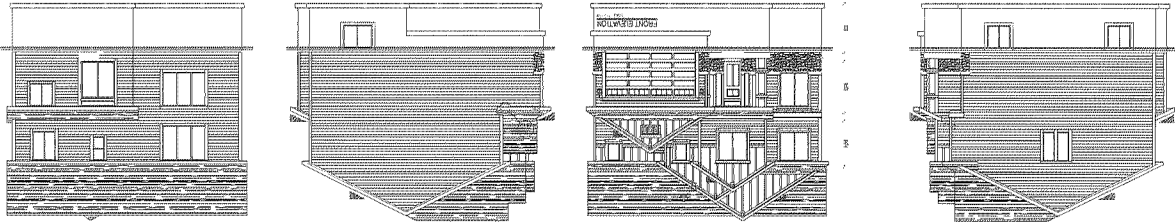
CORNER AND PAGES LANE LOT DESIGN STANDARDS

- FIBER CEMENT BOARD ON ALL SIDES OF BUILDING
- MINIMUM 3" STONE/ BRICK WAINSCOTS ON FRONT/ CORNER LOTS TO HAVE 3" WAINSCOTS/ LOTS BACKING ONTO PAGES SHALL HAVE 3" WAINSCOTS
- IF A SIX FOOT PRIVACY FENCE IS INSTALLED ON A CORNER LOT OR ALONG PAGES LANE NO STONE WAINSCOTING WILL BE REQUIRED
- 30 YEAR ARCHITECTURAL SINGLES
- 9' CEILINGS ON MAIN LEVEL
- DOUBLE PAIN LOW E WINDOWS
- UPGRADED TRIM AROUND WINDOWS ON ALL SIDES FACING STREET.
- ADDITIONAL WINDOWS ON CORNER LOTS WITH WINDOW DETAILS TO MATCH FRONT ELEVATION

EXAMPLE ELEVATION CORNER/ PAGES LOTS



EXAMPLE ELEVATION INTERIOR LOTS



INTERIOR LOT DESIGN STANDARDS

- FIBER CEMENT BOARD ON ALL SIDES OF BUILDING
- MINIMUM 3" STONE/ BRICK WAINSCOTS ON FRONT WITH A 2" RETURN ON EACH SIDE
- 30 YEAR ARCHITECTURAL SINGLES
- 9' CEILINGS ON MAIN LEVEL
- DOUBLE PAIN LOW E WINDOWS

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EXHIBIT A-5

MASONRY, LIGHTING FIXTURES, ADDRESS LABELS

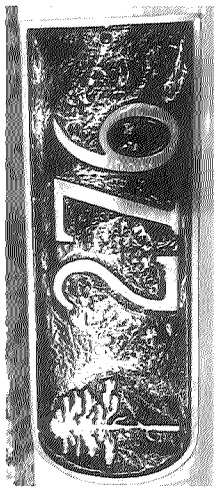
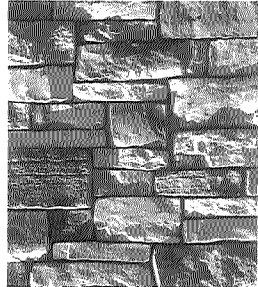
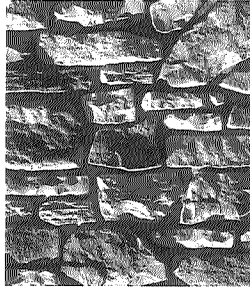
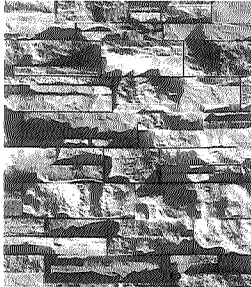
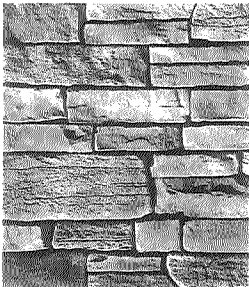
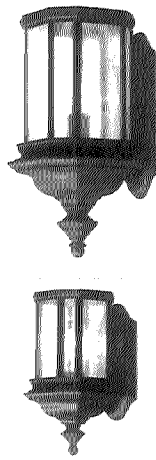
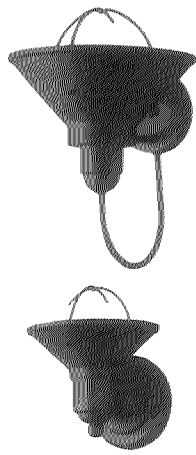


EXHIBIT A-4



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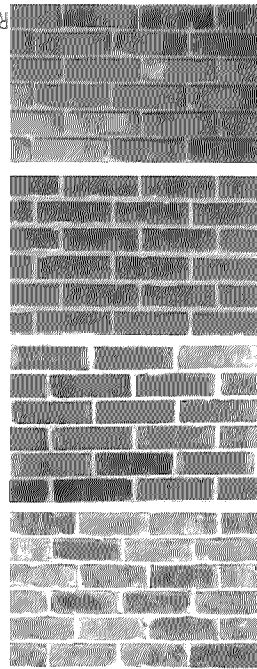
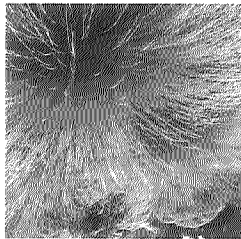


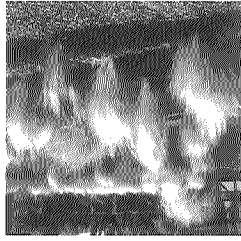
EXHIBIT B-1



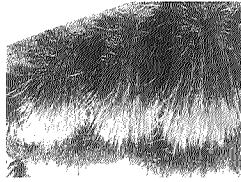
KARL FORESTER
FEATHER GRASS



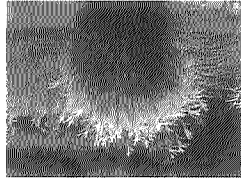
ATLAS RESCUE



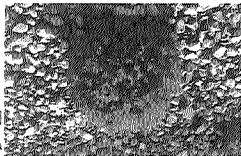
SLENDER MAIDEN
GRASS



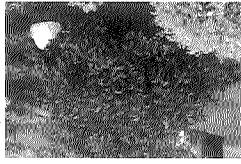
FEATHER GRASS



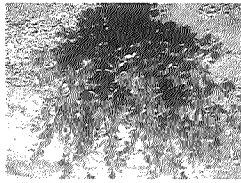
WINTER GEM
BOXWOOD



CISTENA
PLUM



GROW LOW
SUMAC



SMOOTH
SUMAC



WHITE
MIDLAND
ROSE



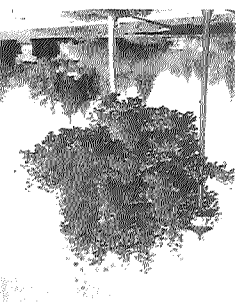
PRAIRIE FIRE CRABAPPLE



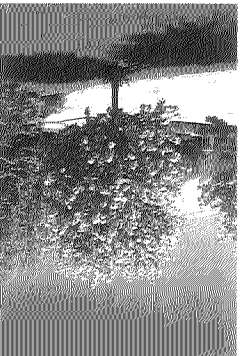
VILLAGE ZELKOVA



NORWEGIAN SUNSET MAPLE

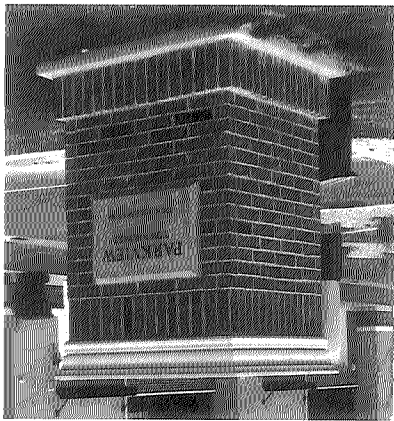


SPRING SNOW CRABAPPLE

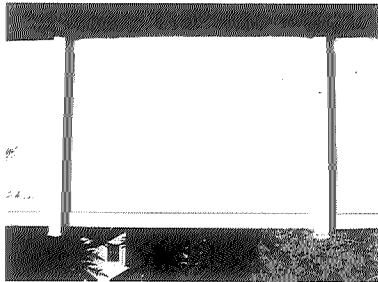


RECEIVED JUL 19 2018

EXHIBIT B-2



ENTRY MONUMENT



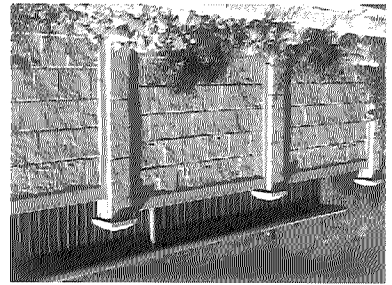
LOCATION
- NORTH WEST CORNER OF LOT 1
- NORTH EAST CORNER OF LOT 7

Exhibit C

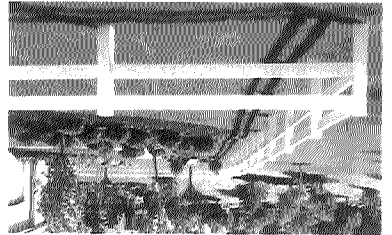
Remainig areas
Limited to 6' Vinyl

LOCATION
- EAST, SOUTH, AND WEST BOUNDARIES

RHINO-ROCK FENCE

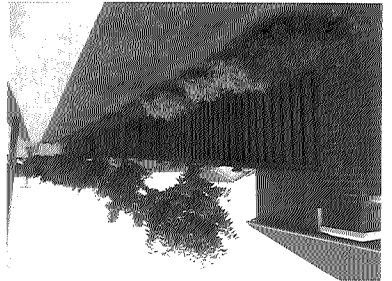


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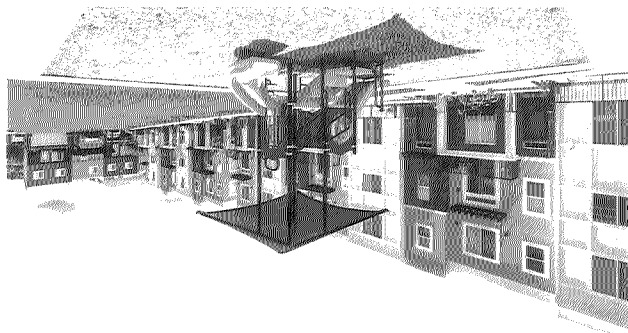
LOCATION
- ALONG NORTH BOUNDARY BETWEEN THE
OPEN SPACE AND LOT 34 (COMMERCIAL PROPERTY)

SPLIT RAIL FENCE



LOCATION
- ALONG PAGES LANE FRONTAGE
- SIDE YARD FACING ROADS ON LOTS
1, 8, 21, 7, 14, 15

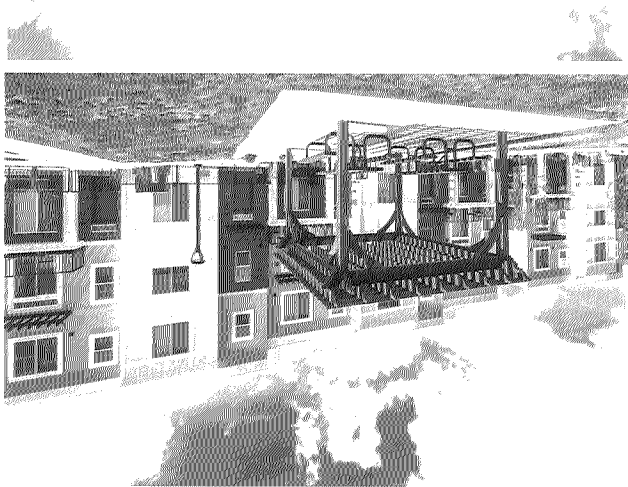
BROWN TREX FENCE



EXAMPLE OPEN SPACE PLAY STRUCTURE

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EXHIBIT D-1



EXAMPLE OPEN SPACE PATIO STRUCTURE

PARK AND STREET LIGHT HEADS

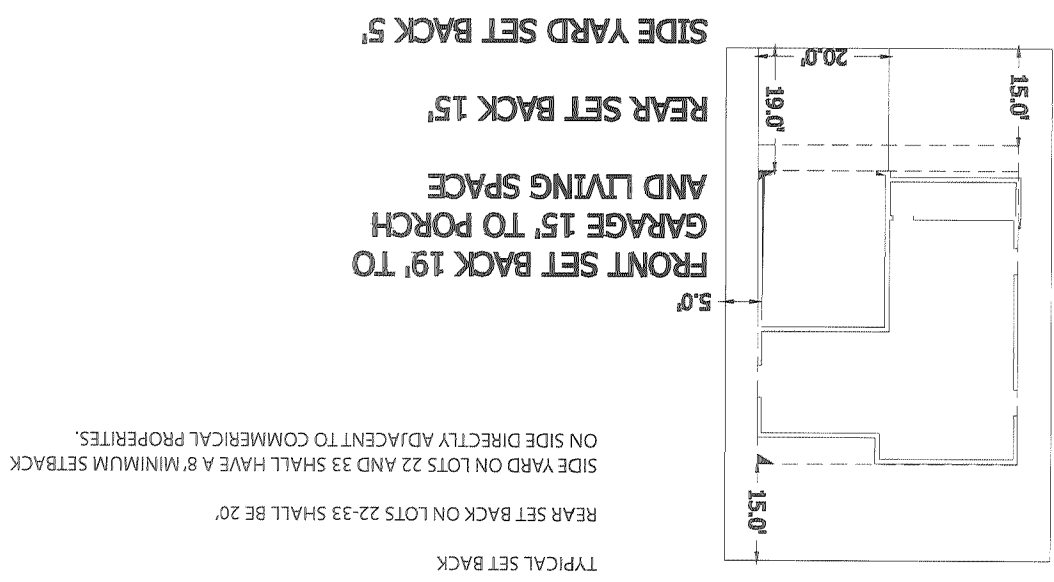


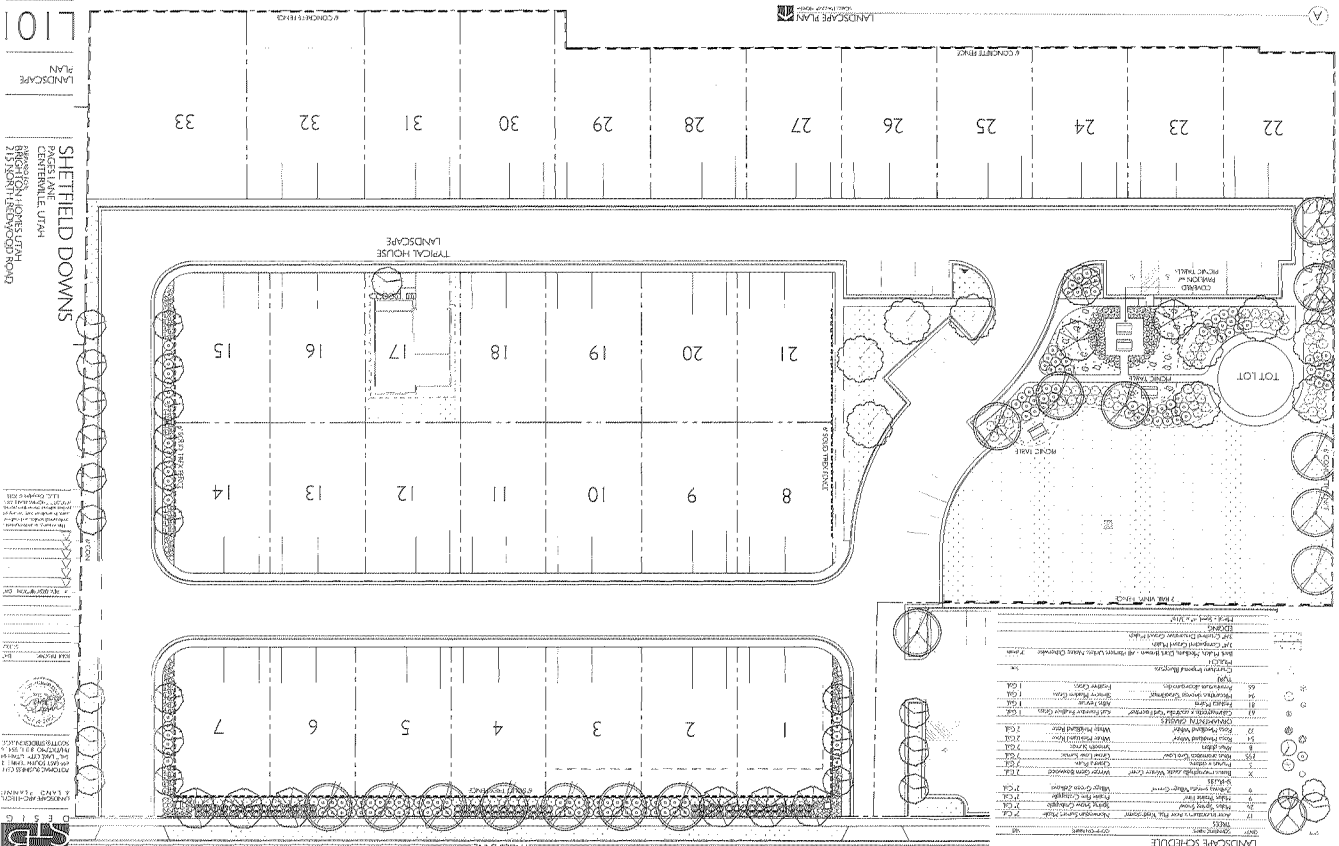
EXHIBIT D-2



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EXHIBIT E

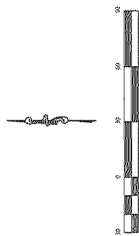




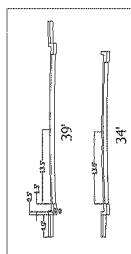
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EXHIBIT F

SUBDIVISION P.U.D.
SHEFFIELD VILLAGE



FLOOD ZONE: X/MINIMAL FLOOD HAZARD



TYPICAL ROADWAY X-SECTION

LAND USE TABLE
TOTAL AREA: 6.72 ACRES
LOT 34 COMMERCIAL ZONE: 0.62 ACRES
19 PARKING SPACES
RESIDENTIAL ZONE: 5.6 ACRES
NUMBER OF LOTS: 33
DENSITY: 5.89 LOTS PER ACRE
OPEN SPACE: 0.94 ACRES
GUEST PARKING: 30 SPACES
LOT PARKING: 132 SPACES (4 PER LOT)

PARKING AND LS TABLE
LOT 34:
CURRENT LS: 1278 SF/PROP LS: 3443 SF
+2,165 SF DIFFERENCE
19 PROPOSED PARKING STALLS
ACE HARDWARE:
CURRENT AND PROP LS: 2091 SF
-40 SF DIFFERENCE
128 PROPOSED PARKING STALLS
NEW SUBDIVISION:
CURRENT LS: 334 SF/ PROP LS: 40,946 SF
-40,612 SF DIFFERENCE
30 PROPOSED PARKING STALLS

ACCESSIBLE AREA CONSTRAINTS

ALL ACCESSIBLE AREAS MUST MAINTAIN THE FOLLOWING MINIMUM SLOPES AND TOLERANCES:

- ACCESSIBLE PARKING:
 - ACCESSIBLE SLOPE OF 1:8 (12.5%) THROUGHOUT.
- ACCESSIBLE ROUTE:
 - ACCESSIBLE SLOPE OF 1:8 (12.5%) THROUGHOUT.
 - MAXIMUM SLOPE OF 1:10 (9.1%) THROUGHOUT.
 - MAXIMUM CROSS-SLOPE OF 1:48 (2.1%) THROUGHOUT.
- ACCESS ROUTE TURNAROUNDS:
 - ACCESS ROUTE TURNAROUNDS.
 - A CLEAR 6' TURNING DIAMETER. MAXIMUM SLOPE OF 1:48 (2.1%) THROUGHOUT.
 - NO SIDEWALKS OR DRIVEWAYS TO BE IN ANY DIRECTION.
- LEVEL LANDING / OUTSIDE RAMP LANDING:
 - LEVEL LANDING / OUTSIDE RAMP LANDING.
 - MAXIMUM SLOPE OF 1:48 (2.1%) THROUGHOUT.
- ACCESSIBLE GOESSES TO PUBLIC WAY:
 - MAXIMUM SLOPE OF 1:8 (12.5%) ALONG THE ROUTE.
 - MAXIMUM CROSS-SLOPE OF 1:48 (2.1%) THROUGHOUT.
- MAXIMUM ACCESS RAMP:
 - MAXIMUM SLOPE OF 1:12 (8.33%), WITH A MAXIMUM CROSS-SLOPE OF 1:48 (2.1%). THE TRANSITION BETWEEN ASPHALT AND CONCRETE SHALL BE GRADUAL (NO STEPS OR POOLED).

DATE:	DATE:
APPROVED:	DATE:
BY:	1008015
PROJECT:	1008015
1008015 PUD recovery.dwg	

020

CONVEYANCE OF TITLE IN

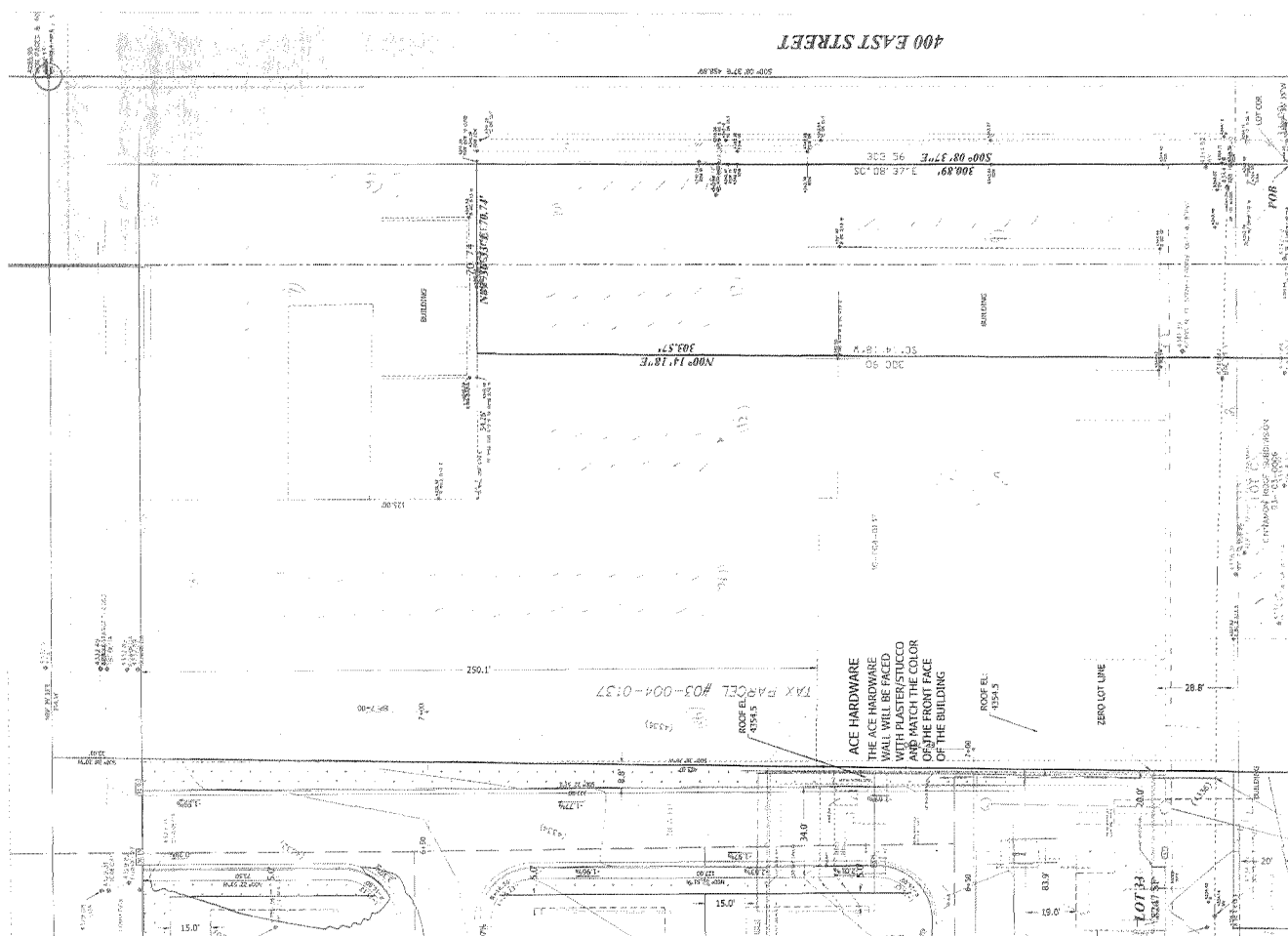
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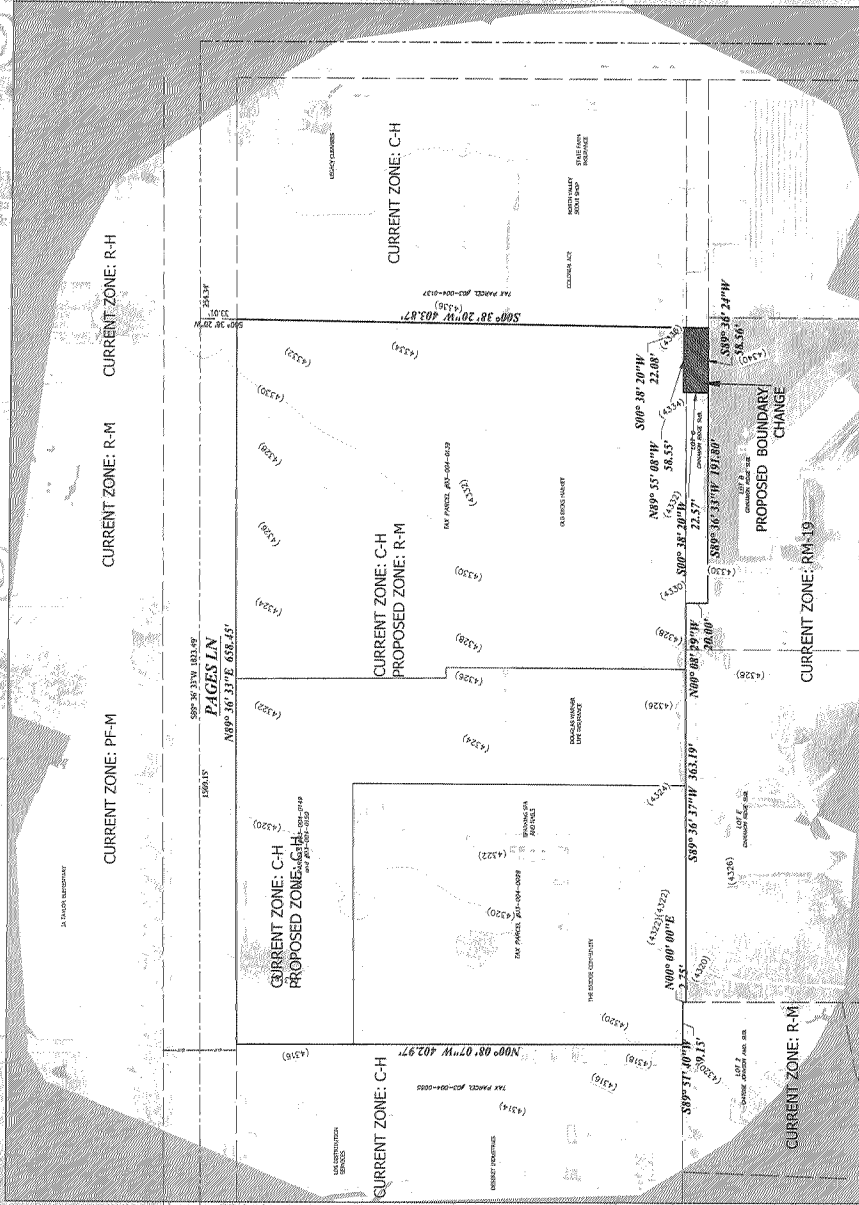
SHEFFIELD VILLAGE
BRIGHTON HOMES
300 EAST PACES LANE
LOCATED IN THE SE 1/4 OF SECTION 18, T.2N., R.1E., S.1R.4M.
CENTERVILLE CITY, DAVIS COUNTY, UTAH
TAX PARCELS 003-004-0099, 003-004-0119, 003-004-0139, and 003-004-0150

SHEFFIELD VILLAGE

RECEIVED AUG 01 2018



REZONE PLAT
PAGES LANE TOWNHOMES



VICINITY MAP
SCALE: 1"=500'

TOTAL AREA TO BE REZONED: 6.22 ACRES



GENERAL

- [illegible]

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNER: **DIKA PROPERTIES LLC
MARV BLOSCH
517 SOUTH 100 EAST
BOUNTIFUL, UT 84010
(mbaproperties@gmail.com)**

APPLICANT: **BRIGHTON DEVELOPMENT
TAYLOR SPENDLOVE
215 NORTH REDWOOD RD. SUITE #8
NORTH SALT LAKE, UT 84054
(taylor@buildwithbrighton.com)**

PROPERTY: **274 EAST PAGES LANE**
 ○ PARCEL 03-004-0150
 ○ PARCEL 03-004-0099
 ○ PARCEL 03-004-0139

ACREAGE: **6.22 ACRES**

CURRENT ZONING: **C-H (COMMERCIAL - HIGH)**

APPLICATIONS: **ZONE MAP AMENDMENT PETITION**
 **○ C-H (COMMERCIAL) TO R-M (RESIDENTIAL
 MEDIUM)**
 ○ PDO APPROVAL – CONCEPT PLAN
 ○ CONCEPTUAL SUBDIVISION

BACKGROUND

The proposed redevelopment project is to rezone a significant eastern portion of the Pages Lane Commercial Area (*aka: Old Dick's Market*) and reuse the property for a single-family dwelling subdivision of 33 homes. The project would be developed as a “planned develop” having a private roadway system and a park area as common open space for use by the residents of the new community.

This report will cover the zone map amendment with a Planned Development Overlay (PDO) approval, which is a requirement of the Southeast Community Plan when a residential re-

development is being sought. However, the applicant is **NOT seeking a “Density Bonus”** but will maintain the density at the six (6) dwellings per acre, which is the permitted use or base density of the R-M Zone. Additionally, the applicant desires to couple the PDO rezone request with a conceptual subdivision acceptance to begin the process for a future division of the redevelopment project to allow the homes to be purchased in the private sales market.

SOUTHEAST NEIGHBORHOOD PLAN POLICY REVIEW 12-41

Page Lane/Eastern Block Segment (approximately from 200 East to 400 East)

This eastern block is the primary target area that is in decline. This half of block area is located deep off of Main Street and any redevelopment will have a greater effect on the residential character of this neighborhood than the western half. Future land use allowances must balance the redevelopment needs of the block with protecting and buffering the residential neighborhood areas to the east and north. Despite substantial use and building vacancies over the past few years, it remains the intent of the City to encourage existing uses to continue or redevelop in the same manner. Nonetheless, the City believes that, due to changes in retail shopping preferences, the decline of commercial viability may continue and the ability of encouraging a transition to other redevelopment opportunities needs to be considered for the future of this area. The following goals and objectives outline these opportunities:

- ✓ Goal #1 - Consider various options to promote the block area's redevelopment that balances the need to reverse the decline, while respecting the remaining viable commercial uses.
 - Objective A — Existing commercial uses are encouraged to be continued for the future until such time the commercial market demands prove to be unsustainable. If and when commercial viability is deemed unsuccessful, future zoning map or text amendments are to be predominately oriented towards encouraging residential redevelopment.

Staff Comment: [NEEDS TO BE DETERMINED] The applicant has not addressed the matter of the current market demands and the commercial viability of the area. Is the commercial still viable? Is the vacancy status a sufficient argument?

- Objective B As residential uses are established, the use intensity of such development is to utilize a transitional design pattern from west to east, with higher intensities located nearer to the commercial uses and lower intensities moving eastward that are more compatible with the single-family area east of 400 East.

Staff Comment: [CONFORMS] The project is proposing single family homes at the permitted R-M density of 6 units per acre. Consequently, if this project is developed, then the policy expectation will limit the future transition of the remaining commercial to single-family also.

- Objective C — Consider allowing residential redevelopment, provided that the area to be redeveloped is of sufficient size and area to begin transitioning the existing commercial to becoming a new residential neighborhood with a minimum of five (5) acres in development size.

Staff Comment: [PARTIALLY CONFORMS] The project is over the five (5) acre minimum. However, it is staff's opinion that the plans are not specific enough to meet the PDO approval expectations.

- Objective D — Consider allowing up to a medium density consisting of small lot single-family uses, twin home lots, or townhomes fronting local roadways either public or private. Roadways are to be of sufficient width to allow for vehicular flow, parking, sidewalks, or other alternative walking paths. Development layout should allow for future project connectivity as the area redevelops. Dwellings are to be designed with elements and materials that are weather resilient and have design elements with a robust architectural character.

Staff Comment: [PARTIALLY CONFORMS] The proposed homes are located on a private roadway system, which likely meets the expected R-M Zone Development Standards. However, the submittal depicts the typical use and style of single-family homes on the market today, which in staff's opinion lacks the expected **"robust"** architecture of the policy. Additionally, the submitted plans are not site specific enough and only contains examples from other places. The petitioner needs to develop a project specific architectural and landscaping plan for the development. Staff would recommend the following:

- Greater use of the heavier architectural elements. Brick and stone improve the durability of the home exterior.
- Address the use of these architectural elements on all sides of the buildings.
- Submit an architectural style, material, and color story-board, with elevation percentages tabulations for the project. The Story-board must depict what is being built but allows for choice and flexibility for the future buyer.
- Use a more durable roof shingle design
- Upgrade the window design and improve the enhancing elements
- Improve the use of building and landscape lighting
- Create interesting home addressing elements, house entry walkways, street signs, and entry features for the project.
- Engage a landscape architect to enhance the "landscape theme," with interesting plant materials, lighting, rock walls and other elements

- Re-design the open space predominantly turf (high-water use) and to set aside an area to create a garden court with passive activities with connecting walkways.
 - Better address the use and style of fencing, width and depth of driveways, and the parking of RV's.
- Objective E - Ensure that residential development establishes a buffer between the western commercial uses and residential housing through use of open space, landscaping, and if deemed appropriate, screening type features.

Staff Comment: [CONFORMS] The development layout places open space and buffer landscaping along the adjacent commercial edges.

- Objective F - If residential is developed, the layout and positioning of accesses, roadways and dwellings are to be designed in a manner to allow an integration of additional future conversion of commercial to residential uses.

Staff Comment: [CONFORMS w/ CAUTION] The internal roadway system allows for the opportunity for connecting future residential development. However, if a perpetual agreement to do so is not prepared and recorded, then it is unlikely such connections would be made available.

- Objective G — Any redevelopment that includes future residential uses is to be considered a "Residential Planned Development." subject to the Planned Development Overlay Zone approval process.

Staff Comment: [DOES NOT COMPLY] Generally, staff believes that the submittal is insufficient in its current form to recommend a PDO approval (see other comments in this report). Specifically, staff believes the project does not yet meet both General Plan and PDO expectations with regards to the desire to achieve a tool that creates a higher quality subdivision in regard to design standards.

PLANNED DEVELOPMENT OVERLAY REVIEW 12-41

The purpose of the Planned Development Overlay (PDO) is to allow a residential project to be developed in a manner that allows flexibility in design and layout that would not be accomplished through conventional zoning. In order for a project to receive flexibility from the standard requirements of the Zoning Ordinance and Subdivision Ordinance, the proposed project must meet certain goals standards of the PDO Zone found in Chapter 12-41 of the Zoning Ordinance. The PDO design must not be used as a tool for the developer to be exempt from zoning standards; it is a tool that creates a higher quality subdivision in regard to design standards. ***Furthermore, as mentioned earlier, the PDO approval is a requirement of the Southeast Community Plan when a residential re-development is being sought.***

Planned Development Overlay Zone Approval

Approval Procedure. Land can be placed in a PDO Zone pursuant to a Zoning Map amendment as set forth in CZC 12.21.080 of the Zoning Ordinance. The following shall be submitted in conjunction with an application for a Zoning Map amendment:

- An Existing Conditions Inventory as required by CZC 12.50; and
- A conceptual site plan as provided in CZC 12.21.110.

Staff Comment: [INCOMPLETE SUBMITTAL] The submittal does not address the following:

- Utility Lines, Dams and Canals. The ECI shall show any existing utility line, aqueduct, dam, ditch, or canal located within the area subject to the ECI.
- Location, height, and setbacks of existing and proposed buildings on the subject property and immediately adjoining property
- A development schedule indicating the approximate date when construction or its stages can be expected to begin and be completed.

Approval Criteria. Submittal of an application for a PDO Zone does not guarantee that the zone or a conceptual site plan will be approved. A Zoning Map amendment and conceptual site plan may be approved only if the City Council, after receiving a recommendation from the Planning Commission, finds that the proposed PDO Zone and associated conceptual site plan:

- Does not conflict with any applicable policy of the General Plan;
- Meets the purpose and intent of this Chapter as set forth in CZC 12.41.010;
- Allows integrated planning and design of the property and, on the whole, better development than would be possible under conventional zoning regulations;
- Meets the use and development limitations and other requirements of the zone with which the PDO Zone is combined, except as otherwise allowed by this Chapter;
- Meets the density limitations of the General Plan; and
- If a residential density bonus is authorized, provides superior site design and increased amenities, as provided in CZC 12.41.080(c), which ameliorate the potential impact of increased density; and

Staff Comment: [SEE STAFF COMMENTS WITHIN THIS REPORT] *NOTE* – The petitioner is NOT seeking a density bonus.

The petitioner has sufficient control over the property to be developed to ensure development will occur as approved;

- The financial capability to carry out the planned development project; and
- The capability to start construction within one year of final plan approval.

Staff Comment: [INCOMPLETE SUBMITTAL] The petitioner has not addressed the “financial capability or the capacity to start within one year of final approval.

12.41.100 (PDO) Development Standards

The development standards set forth in this Section are to apply to any planned development and are prevail over any contrary base zone standards established in the Zoning Ordinance.

Access. Access to a planned development should be from interior streets rather than directly from adjoining perimeter streets.

Staff Comment: [COMPLIES] The property fronts only Pages Lane. There are two access points from Pages Lane. However, all of the homes will be accessed from the private internal street system of the development.

Building Height. Building height shall be governed by the requirements of the underlying zone.

Staff Comment: [PARTIALLY CONFORMS] Typically, the single-family style design heights shown for the project are within the 35-foot height limitation. However, the submitted building designs are not project specific and are only examples from other places. The petitioner needs to submit an architectural style, material, and color story-board, with elevation percentages tabulations for the project. The story-board must depict what is being built but allows for choice and flexibility for the future buyer.

Common Areas. Areas intended for public use shall be freely accessible from streets and/or other common areas that have unrestricted entry. Areas intended for restricted use shall be interspersed within the planned development so as to convey a sense of openness.

Common areas shall include all jointly used recreation areas and related landscaping provided for the use and/or visual enjoyment of the residents of the project. Common recreation areas shall be located and improved so they may be readily accessed and used by residents of the dwelling units they are intended to serve. Where necessary, walls or landscaping may be required to protect the privacy of adjoining residents.

Common areas may include:

- Natural areas of undisturbed vegetation of areas replanted with vegetation after development.
- Use and maintenance shall be limited to removal of litter and accumulated plant material.
- Natural waterways shall be maintained as free flowing and devoid of debris.
- Stream channels shall conform to City storm water management requirements and be maintained so as not to alter flood plain levels.
- Agricultural uses where conditions are suitable for agricultural production. Minimum areas for agricultural use designation shall be five acres.
- Garden plots for use by residents.
- Greenways, including pedestrian ways, bike paths and equestrian trails linking residential areas with other open space uses.

- Recreation areas designed for specific recreational activities such as children's play areas, playing fields, tennis courts, and similar facilities.
- Storm water control and management areas used in conjunction with other allowed uses as described in this Section.

Staff Comment: [PARTIALLY CONFORMS] This is a re-development site from commercial to residential. There are no natural areas such a stream, wetlands, etc. This is a “planned development” that is providing a “open space feature” with visitor parking, playground, pavilion, and green expanse. Additionally, a landscape buffer is depicted along the eastern side to separate the development from the commercial parking lot adjacent to the development.

However, staff suggests a re-design of the open space of predominantly turf (high-water use) and to set aside an area to create a garden court with passive activities with connecting walkways.

Distance Between Buildings. No requirement, except as provided in the Construction Codes.

Staff Comment: [LIKELY CONFORMS]

Lot Area and Width. A planned development shall not be subject to the lot width and lot area requirements of the underlying zone in which the development is located. The area and widths of lots shall be shown on an approved subdivision plan.

Staff Comment: [CONFORMS] These dimensions are provided on the design plans, which are as follows:

- Front Yard = 19 feet
- Side Yards = 5 feet/total 10 feet
- Rear Yard = 15 feet

Required Improvements. All streets shall be dedicated public streets constructed as required by City Standards and Specifications.

- ✓ Sidewalks shall be installed along both sides of all streets except where alternate pedestrian ways are provided as part of an approved conceptual site plan.
- ✓ Storm water shall be controlled and managed according to a plan approved by the City.
- ✓ Water and sewer systems shall be provided in accordance with standards of CMC 15 (Subdivisions).
- ✓ Irrigation water, street signs, street lighting, fencing, and any other required improvements shall be provided in accordance with City Standards and Specifications.
- ✓ Other utilities and improvements shall be provided and installed in accordance with City Standards and Specifications and other applicable specifications.

Staff Comment: [LIKELY CONFORMS] Although the site has been previously developed, the re-development will undertake a major demolition/ renovation of infrastructure. The submittal is limited to a preliminary schematic of utility services.

However, the plans are insufficient to determine compliance with City Specifications and Standards or whether other service providers have or conditions needed to provide their respective services.

Required Yards. The yard and setback requirements of the underlying zone shall not apply but shall be as shown on an approved site plan.

Staff Comment: [CONFORMS] These dimensions are provided on the design plans, which are as follows:

- Front Yard = 19 feet
- Side Yards = 5 feet/total 10 feet
- Rear Yard = 15 feet

Residential Use Types. Residential use types within a planned development shall be shown on an approved site plan and may include one or more of the following:

“Single-family detached dwelling located on a privately-owned lot which is not attached to another dwelling unit and has a private yard on all four sides of the dwelling.”

Staff Comment: [CONFORMS] The submitted plans depict single-family lots.

Tract Perimeter Setback and Buffer Requirements. Structures within any PDO shall be situated so as to maintain a minimum setback from any perimeter property line equivalent to the rear yard or side yard setback(s) of the underlying zone of the PDO depending upon the orientation of such structures (e.g. rear yard adjacent to rear yard, or side yard adjacent to side yard).

Staff Comment: [DOES NOT COMPLY] If the R-M rezone is approved, the underlying setback along the southern lots (lots 22-33) needs to be increased from 15 feet to 20 feet and Lot 22 needs to be increased from 5 feet to 8 feet in order to meet the track perimeter requirements.

Walls and Fences. Walls and fences may be required around the perimeter of a planned development where the development abuts an adjacent zone.

Staff Comment: [CONFORMS] The submitted plans depict the use of fencing along the exterior lines of the project.

Required Improvements and other Development Standards 12-41-100

The developer is required to dedicate and improve all City streets within the subdivision and provide a sidewalk on at least one side of the street. The Ordinance states that a sidewalk is required on both sides, except when alternative pedestrian ways have been provided as part of an approved plan [12-41-100(f)(2)].

Staff Comment: [LIKLEY CONFORMS] However, the submitted plans depict single-family lots along private street with sidewalks on both sides, except where the

landscape buffer is located on the east side. The private street must be built in compliance with the City specifications regarding roadway construction design. Additionally, the project will be establishing a homeowner's association that will maintain all private roadways, sidewalks, and common landscaping. Documentation on the homeowner's association along with proper CC&R's, must be prepared submitted as part of the subdivision process.

R-M ZONE STANDARDS & PDO ALTERATIONS PROPOSED

The following is a graphical description of the development standards of the R-M Zone and/or PDO alterations:

R-M Zoning Ordinance Standards & Proposed Alterations		
Standard	Required	Proposed/ Alteration
Road Way Width	27 Feet Pavement	27 Feet
Lot Width	60 feet/Corner lot 70 feet	Predominately 50 feet (45 to 80)
Density	6 Units an Acre (33 units)	6 Units an Acre (33 units)
Front Setback	25 Feet	19 Feet
Rear Setback	20 Feet/ 20 Feet Perimeter	15 Feet/ 15 Perimeter *
Side Yard Setback	5 Feet, Total Both Sides 18 Feet	5 Feet, Total Both Sides 10 Feet
Building Pad	2,000 Square Feet	3,548 – 8,247 sq. ft.
Hard Surfacing - Lot	60%	Undetermined

*Note: the Perimeter is required to be 20 feet

DESIGN DEVELOPMENT STANDARDS FOR R-M AND R-H ZONES

All residential development within the R-M and R-H Zones are to comply with the following development standards.

Architectural Design Standards. All primary buildings within the R-M and R-H Zones shall be designed by a licensed, professional architect and all drawings submitted for approval or permit shall bear the architect's stamp for the State of Utah.

Staff Comment: **[DOES NOT COMPLY]** As indicated earlier, the submittal depicts the typical use and style of single-family homes and are examples from other places. Staff believes the submittals are not site specific enough to obtain a project specific approval with this proposal. Below is a summary of the design expectations of the R-M Zone:

Exterior Design Standards. All sides of primary buildings within the R-M and R-H Zones shall receive design consideration with particular attention given to areas exposed to public view. All primary buildings within a development project shall possess an overall building architectural theme, including, but not limited to, exterior building materials, textures, colors and signage.

The apparent mass of primary buildings or structures shall be minimized through design, articulation, and use of materials. An open design is desired that visually and physically breaks up the mass and footprint of buildings. Approaches such as the use of vertical and horizontal planes, roof pitches, roof lines, windows, reveals, and alcoves shall be used to create façade variation, shadows, corners, and architectural interest. Articulation approaches should not appear to be applied randomly or merely a surface treatment. In addition, the use of any multiple articulation approaches shall be coordinated to affect a complementary building design.

Natural or natural-appearing materials, such as stone, cultured stone, brick, and wood, shall be the design gestures used in the architectural design of all primary buildings. Wood siding, cement fiber board siding, and other similar appearing materials shall be the other main materials used in the design of all residential buildings. Substantial or prominent use of synthetic stucco, and unnatural appearing materials, such as metal, vinyl, and plastics are to be used sparingly. Use of such secondary and/or accent materials shall not exceed 20% of the building or structure's exterior.

Staff Comment: [DOES NOT COMPLY] As indicated earlier, it is staff's opinion the project lacks the expected **"robust"** architecture of the General Plan policy and the design expectations of the R-M Zone. The petitioner needs to review both the General Plan and R-M expectations and develop a project specific architectural and landscaping plan for the development. Staff would again recommend the following:

- Greater use of the heavier architectural elements. Brick and stone improve the durability of the home exterior.
- Address the use of these architectural elements on all sides of the buildings.
- Submit an architectural style, material, and color story-board, with elevation percentage tabulations for the project. The story-board must depict what is being built but allows for choice and flexibility for the future buyer.
- Use a more durable roof shingle design
- Upgrade the window design and improve the enhancing elements
- Improve the use of building and landscape lighting
- Create interesting home addressing elements, house entry walkways, street signs, and entry and park features for the project.
- Engage a landscape architect to enhance the "landscape theme," with interesting plant materials, lighting, rock walls and other elements
- Re-design the open space predominantly turf (high-water use) and to set aside an area to create a garden court with passive activities with connecting walkways.
- Better address the use and style of fencing, width and depth of driveways, and the parking of RV's.

Landscaping and Open Space. All residential developments within the R-M and R-H Zones, except for single-family developments, shall comply with the landscaping regulations of CZC 12.51 (Landscaping and Screening), and more specifically, the regulations of CZC 12.51.070(g) regarding multi-family developments.

Additionally, landscaping and open spaces shall be designed in a manner to meet the residential needs for active and passive spaces for residents and visitors, such as private spaces, entry features, small centralized gathering areas, and buffering adjacent land uses.

Furthermore, such areas shall be designed with the amenities or features that complement the various expected residents, both day and evening hours, and beyond the default design of a tot lot, playground, or clubhouse.

Staff Comment: **[DOES NOT COMPLY]** As similarly mentioned earlier, landscaping and open spaces shall be designed in a manner to meet the residential needs for active and passive spaces for residents and visitors. Such areas are to be designed with the amenities or features that complement the various expected residents, both day and evening hours, and beyond the default design of a tot lot, playground, or clubhouse.

Use of Public and Private Roadways. All dwellings within residential developments in R-M and R-H Zones shall be accessed from a public roadway, unless otherwise approved as part of a planned development or condominium (See, CZC 12.55.150). Approved access from a private right-of-way shall meet the following standards:

- Access to and from a public street may be in the form of private right-of-way or a driveway, as defined or required by this Title.
- Two points of ingress/egress from a public right-of-way shall be established for any development greater than 20 dwellings, irrespective of the allowed gross density.
- When a private right-of-way is utilized, the private right-of-way pavement (i.e. travel lanes) shall be at least 27-feet and the constructed cross-section with curb and gutter of the roadway shall be built to City Specifications.
- Access using a private right-of-way shall be constructed with a sufficient width to provide on-street parking for visitors at a ratio of at least 0.5 stalls per dwelling. An exception may be provided to this ratio if visitor parking is provided by separate parking area or parking lot as part of a site plan approved by the City.
- A sidewalk system shall be provided on both sides of any private right-of-way. An exception may be provided to this requirement if an alternate integrated development pathway system connecting to the public right-of-way and serving the dwellings is provided to satisfy the requirement for sidewalks, as part of a site plan approved by the City.
- A private right-of-way shall be perpetually maintained by the developer or an owner's association. Such perpetual care and maintenance obligations shall be addressed with covenant, conditions, and restrictions, for the development approved by the City and recorded against the property.
- A private right-of-way design shall also comply with all applicable Fire Code regulations.

Staff Comment: [LIKLEY COMPLIES] The submitted plans appear to comply with the private roadway dimensions, and visitor parking (24 stalls/ .72 stalls per dwelling). As part of any subdivision or development approval, the construction drawings will need to be prepared and approved by the City to ensure compliance with applicable standards and specifications.

Residential Development Style Limitations for R-M Zone. The residential development style for residential development within the R-M Zone shall be limited to single-family dwellings, twin homes, duplexes, or townhomes in tri-plex, four-plex, and six-plex formats that mimic a typical neighborhood style street on public or private roadways. Higher density design formats such as stacked flats or apartment style buildings or buildings constructed with associated vehicular parking lot style facilities are prohibited in the R-M Zone.

Staff Comment: [CONFORMS] The submitted plans depict single-family lots located along private roadways. Visitor parking is provided as part of the design of the Open Space element rather than solely relying parking on the private street.

OTHER DEVELOPMENT MATTERS

The proposal to re-develop a portion of the existing commercial area poses potential problems with creating non-conformities, additional non-conformities, or applicable building and fire code issues. Staff suggests that the development plan address, at minimum the following:

- Current/existing landscaping percentages and any reduction or losses will occur.
- Remaining commercial use parking counts and circulation lanes compared to the Zoning Ordinance requirements of CZC 12.52.
- Demolition and rehabilitation of building walls in meeting application Building Code Regulations, specifically the west wall area of the Ace Hardware building.

PLANNING STAFF RECOMMENDATION

Suggested Motion for the Planned Development Overlay Request for the SHEFFIELD DOWNS DEVELOPMENT located at 224 East Pages Lane: I hereby make a motion for the Planning Commission **TABLE** the matter and direct the applicant to further address the following:

1. The petitioner shall address the Southeast Neighborhood Plan policy matter regarding the current market demands and the commercial viability of the area. Why is it time to consider allowing residential re-development?
2. The petitioner shall prepare a project specific Architectural Plan that includes a “materials and colors story-board re-addressing the Southeast Neighborhood and PDO expectations that “*dwellings are to be designed with elements and materials that are weather resilient and have design elements with a robust architectural character.*” The Architectural Plan shall consider the following:
 - a. Greater use of the heavier architectural elements. Brick and stone improve the durability of the home exterior.
 - b. Address the use of these architectural elements on all sides of the buildings.

- c. Provide design elevations that include material percentage tabulations for the project.
 - d. The Architectural Plan must depict what is being built but allow for choice and flexibility for the future buyer.
 - e. Use a more durable roof shingle design.
 - f. Upgrade the window design and improve the enhancing elements.
 - g. Improve the use of building and landscape lighting.
 - h. Create interesting home addressing elements, house entry walkways, street signs, and project and park entry features for the project.
- 3. The petitioner shall amend the Conceptual Site Plan Submittal to address the following:
 - a. Engage a landscape architect to enhance the “landscape theme,” with interesting plant materials, lighting, rock walls and other elements.
 - b. Re-design the open space predominantly turf (high-water use) and to set aside an area designed with the amenities or features that complement the various expected residents, both day and evening hours, and beyond the default design of a tot lot, playground, or clubhouse.
 - c. Adjust the setbacks along the southern lots (lots 22-33) from 15 feet to 20 feet and Lot 22 to be increased from 5 feet to 8 feet in order to meet the track perimeter requirements.
 - d. Better address the use and style of fencing, width and depth of driveways, and the parking of RV’s.
 - e. Address the manner in which to provide perpetual agreement to allow an integration of additional future conversion of commercial, as part of the development.
 - f. Show any existing utility line, aqueduct, dam, ditch, or canal located within the area.
 - g. Show the location, height, and setbacks of existing and proposed buildings on the subject property and immediately adjoining property.
- 4. The petitioner shall further address the following matters:
 - a. The financial capability to carry out the planned development project.
 - b. The capability to start construction within one year of final plan approval.
 - c. Provide development schedule indicating the approximate date when construction or its stages can be expected to begin and be completed.
- 5. The petitioner shall modify, as needed, the Conceptual Subdivision Layout to reflect the changes being proposed or suggested.
- 6. The petitioner shall address the remaining commercial area needs to prevent any further non-conformities or applicable building/fire code issues with regards to the following:
 - a. Current/existing landscaping percentages and any reduction or losses will occur.

- b. Remaining commercial use parking counts and circulation lanes compared to the Zoning Ordinance requirements of CZC 12.52.
- c. Demolition and rehabilitation of building walls in meeting application Building Code Regulations, specifically the west wall area of the Ace Hardware building.

CENTERVILLE

Staff Backup Report

8/8/2018

Item No. 2.

Short Title: Public Hearing - Zoning Text Amendment - CZC 12.36 Table of Uses in Commercial Medium Zone on Main Street

Initiated By: Planning Commission & City Council

Scheduled Time: 7:30

SUBJECT

LEGISLATIVE DECISION (No recommendation or decision will be made at this meeting)

The Commission will consider various Zoning Text Amendments of CZC 12.36, the Table of Uses, that will be considering allowing more uses on Main Street in the Commercial-Medium Zone.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ▢ 8-8-18 PC Staff Report Table of Uses C-M Zone Main Street
- ▢ 8-8-18 Website/ Flyer sent to Business and Property Owners

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

APPLICATION: AMENDING THE TABLE OF USES CZC 12.36, FOR USES
WITHIN THE COMMERCIAL MEDIUM ZONE ALONG
MAIN STREET.

PROPERTY LOCATION: MAIN STREET, PORTER LANE TO PARRISH LANE

ZONING DISTRICT: COMMERCIAL MEDIUM, SOUTH MAIN STREET
OVERLAY

STAFF RECOMMENDATION: PUBLIC HEARING ONLY AND TABLE FOR
FUTURE ANALYSIS

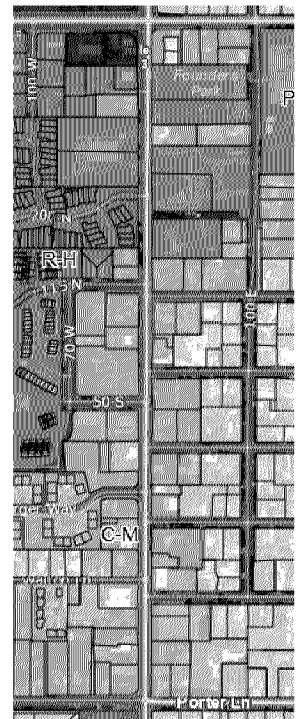
Background

Through many Work Sessions between the City Council and the Planning Commission, the bodies decided to go forward with some zoning amendments in order to make the Main Street corridor more marketable and successful for local businesses in the area. The first step in the process was decided to consider amending the table of uses in order to incorporate a further variety of uses allowable on the street to encourage more types of businesses to be welcome on Main Street.

Commercial Medium (here shown in pink) is the primary zone along this corridor. Other Public Facility Zones including City Hall, Smith Park and the Post Office are found along this corridor as well (in blue). This corridor is also the ONLY place the Commercial Medium Zone exists, so it should be tailored exclusively with Main Street in mind. Other Commercial zones throughout the city are all of a higher intensity. This corridor is the only location for smaller, lower intensity retail stores under 10,000.

12.30.020 Zones Established

(4) Commercial Zones. Commercial zones provide areas where a combination of business, commercial, entertainment, office, and related activities may be established, maintained and protected. Commercial zones are intended to provide a suitable environment for those commercial and service uses vital to the economic base of the City.



The purpose of the C-M Zone is to provide areas for commercial activities and professional offices which have **less than 10,000 square feet of floor area**. This zone is intended to promote a combination **of retail and service facilities that meet day to day needs of nearby residents and which are compatible in character and scale with adjacent development**.

General Plan Language:

12-430-2- (3)

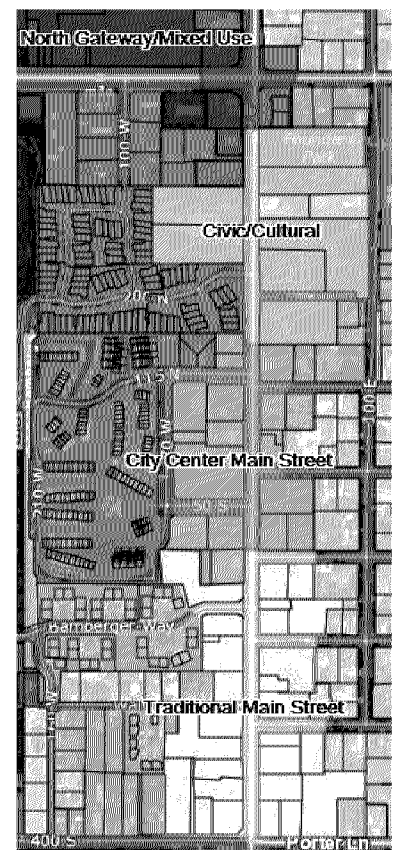
The area on Main Street between 400 South (Porter Lane) and 400 North (Parrish Lane) has been regarded as the traditional commercial center of Centerville, though in reality it never became a strong focal point. The Main Street commercial area is old now and somewhat deteriorating, though a few new buildings have been constructed here in recent years. *Restoration or revitalization should be encouraged.*

12-480-7 South Main Street Corridor Wide Vision Goal #1

The goal is intended to enhance Main Street's role in the Centerville community. This will require preservation of the existing mix of land uses throughout the South Main Street Corridor, and further development of this mix in specific areas. At the same time, care must be given to minimize potential land use conflicts and protect the interests of existing residents and businesses.



Other uses are allowed within the South Main Street Overlay in different districts and will need to be amended separately from this Chapter. The North Gateway Mixed Use and Traditional Main Street and City Center Sub-districts all allow a variety of housing and some other exceptions (restaurants, eateries) with the promise of a mixed use development.



It should also be noted that in this Overlay, uses differentiate based on the side of the street. While the west side of Main Street borders Residential High Zones, including many apartment buildings, townhomes, and duplexes, the east side of Main Street is mainly Residential Low with some Residential Medium between Parrish Lane and 100 North. This may affect the types of uses permitted on either side based on the necessary buffering and transition areas from higher to lower intensity zones.

Existing, Permitted Uses currently successful on Main Street:

- Civic uses (City hall, Smith Park)
- Medical Office (U healthcare)
- Dentists (many)
- Specialty Retail (Don's Meats)
- Insurance companies
- Personal Care (Nail salon, Unitee Salon)
- More...

EXISTING Non-Conforming Uses : (Currently existing but not allowed according to our code)

- Restaurant, fast food
- Restaurant, general
- Car Wash
- Gas and fuel, storage and sales
- Gasoline service station
- Vehicle Sales Repair
- Manufacturing, limited
- Single family dwelling
- Construction Sales and Service

Proposed Schedule

August 8th, 2018 Planning Commission – First Public Hearing – Gather information, opinions, and response from the general public. The Commission will assess the first response and get a general idea of the direction they should head. Any major controversial uses may be eliminated. Based on the public opinion and discussion, the Commission will give direction to staff on how to proceed with a future recommendation.

Future Dates:

- Meet with property and business owners, other stakeholders for input
- Hold second public hearing with recommendations from Staff
- Planning Commission will recommend proposed amendments to the City Council
- City Council will host at least one public hearing for further input on the issue before making a final decision.

Conclusion

Main Street, as stated in the General Plan, should be the small, traditional, commercial center of the city, but never has been made into a focal point. Currently, it has cultural and civic center aspects to it, like City Hall and the Smith Park, and some successful small businesses, including retail and office uses. But there is also room for improvement. Allowing a greater variety of uses may be a way to create synergy on this corridor and enhance an economically viable and vibrant street for the city.

The following uses are under consideration for change:

N= Not permitted

C = Requires a Conditional Use Permit. (This is an allowed use that is permitted by the city, with *conditions* placed on the use based on potential impacts on the surrounding area.)

LAND USE	CURRENT STATUS
Agricultural sales and service	N
Assisted Living Facility	N
Auditorium or stadium	N
Bank or Financial Institution	C
Bed & Breakfast	C
Business equipment rental, services and entertainment	N
Car wash	N
Catering, Limited	C
Cemetery	N
College or university	N
Construction Sales and service	N
Hotel	N
Cultural Service	C
Church or Place of Worship	C
Indoor Recreation and entertainment	N
Mortuary	N
Multi-family dwelling	N
Outdoor recreation and entertainment	N
Park	N
Post Office	N
Printing, general	N
Protective Service	N
Reception Center	N
Research Service	N
Restaurant, fast food	N
Restaurant, general	N
School, elementary, middle or high	N
Secondhand store	N
Shopping Center	N
Single Family Dwelling	N
Twin home	N
Two-family dwelling	N

Agricultural Sales and Service: An establishment primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products, anhydrous ammonia, farm supplies and the like, and including accessory food sales and machinery repair services.

Assisted Living Facility: A residential facility, licensed by the State of Utah, with a home-like setting that provides an array of coordinated supportive personal and health care services, available 24 hours per day, to residents who have been assessed under Utah Department of Health or the Utah Department of Human Services rules to need any of these services and who have a service plan based on the assessment, which may include: (1) specified services of intermittent nursing care; (2) administration of medication; and (3) support services promoting residents' independence and self-sufficiency. An assisted living facility does not include adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

Auditorium or Stadium: An open, partially enclosed or fully enclosed facility used or intended to be used primarily for spectator sports, entertainment events, expositions and other public gatherings. Typical uses include convention and exhibition halls, sports arenas and amphitheaters

Bank or Financial Institution: An organization involved in deposit banking, finance, investment, mortgages, trusts, and the like. Typical uses include commercial banks, credit unions, finance companies, and savings institutions.

Bed and Breakfast: A limited commercial activity where paying guests:

1. Obtain lodging on a day-to-day basis in a room or rooms without cooking facilities,
2. May obtain breakfast or other meals, and
3. May engage in other limited related activities

Business Equipment Rental, Services, and Supplies: An establishment primarily engaged in the display, storage, sale, rental or repair of equipment and supplies used by office, professional or business service establishments, or individuals. Excludes automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops and hotel equipment and supply firms.

Car Wash: A place for the cleaning or detailing of motor vehicles, whether self-service, automatic or by hand.

Catering, Limited: An establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption with a limited number of catering transport vehicles. Includes catering for food for single event-based food services and contractual agreements for a specified period of time. This use does NOT include mobile food trucks or carts, or any other mobile food service uses. This use is intended to be a low-intensity use permissible in commercial areas commonly located adjacent to residential uses and shall prohibit the off-site dissemination of any detectable ambient food-source odors.

Cemetery: Land used or intended to be used for the burial of the dead, whether human or animal, including crematoriums and mausoleums.

Church or Place of Worship: Any structure or site such as a church, synagogue, chapel, sanctuary or cathedral, used primarily for collective or individual involvement with a religious activity, such as rites, rituals, ceremonies, prayers and discussions, and for church-related activities.

College or University: An institution of higher education offering undergraduate or graduate degrees and including, but not limited to, extension services and accessory uses such as dormitories, museums, stadiums, and theaters.

Construction Sales and Service: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lot or parcel other than a construction site. Typical uses include lumber yards, home improvement centers, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, swimming pool sales, construction and trade contractors' offices and storage yards, and public utility corporation storage yards.

Cultural Service: A library, museum or similar public or registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

Hotel: An establishment with or without fixed cooking facilities in individual rooms offering transient lodging accommodations to the general public, and which may provide additional services such as restaurants and meeting rooms.

Indoor Recreation and Entertainment: An establishment offering recreation, entertainment or games of skill to the general public that is wholly enclosed in a building. Typical uses include bowling alleys, indoor theaters, bingo parlors, pool halls, billiard parlors, video game arcades, racquetball and handball courts, and amusement rides.

Mortuary: An establishment engaged in preparing human deceased for burial and conducting funerals.

Multiple-Family Dwelling: A dwelling having three or more dwelling units.

Outdoor Recreation and Entertainment: An establishment offering recreation, entertainment or games of skill to the general public or members wherein any portion of the activity takes place in the open. Typical uses include archery ranges, batting cages, golf driving ranges, drive-in theaters, miniature golf courses, tennis courts, and amusement rides.

Park: A playground or other area or open space providing opportunities for active or passive recreational or leisure activities.

Post Office: A facility or structure owned by the U.S. Postal Service and used for collecting, sorting or distributing mail within one or more zip code areas, or providing limited retail services for the general public, such as the sale of stamps, postcards and postal insurance.

Printing, General: The production of books, magazines, newspapers and other printed matter, as well as publishing, engraving and photoengraving, but excluding Printing and Copying, Limited uses.

Protective Service: A facility for conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services.

Reception Center: A facility rented for private social gatherings.

Research Service: An establishment engaged in industrial, medical, or scientific inquiries.

Restaurant, Fast-food: An establishment that sells ready-to-eat food and beverages quickly and which has one or more of the following characteristics:

1. Food and beverage orders are not taken at the customer's table;
2. Food and beverages are generally served in disposable wrapping or containers; or
3. Food and beverages are offered directly to the customer in a motor vehicle from a "drive-up" service window.

Restaurant, General: An establishment that derives not less than 50% of its gross receipts from the sale of food and beverages for consumption on the premises and which has one or more of the following characteristics:

1. Food and beverage orders are taken at the customer's table from an individually-provided menu;
2. Food and beverages are served in non-disposable containers by a restaurant employee at the same table or counter where said items are consumed;
3. Food and beverages are generally self-served in non-disposable containers and consumed on the premises; or
4. A restaurant having some characteristics of a fast-food restaurant, other than drive-up service, which is located exclusively within a shopping center, shares common parking facilities with other businesses within the center, and has access to a common interior pedestrian access way.

School, Elementary, Middle, or High: Any building or group of buildings or premises approved by the State of Utah for public or private elementary or secondary instruction.

Secondhand Store: A retail establishment that engages in the purchase and resale of used goods such as clothing, furniture, appliances, books, and other household items.

Shopping Center: A group of three or more commercial establishments that is planned, developed, and managed as a unit with common areas for off-street parking and landscaping provided on the property.

Single-Family Dwelling : A building having only one dwelling unit.

Twinhome: Two single-family dwelling units connected by a common wall and located on adjacent, contiguous, and individually owned lots or parcels.

Two-Family Dwelling: A dwelling having only two dwelling units.

Consideration of Amending the Table of Uses on Main Street

The Planning Commission and City Council are considering amending the Table of Uses to allow a greater variety of businesses on Main Street.

The Commission and Council want to revitalize the Main Street corridor and place a symbolic “Open For Business” sign at our door. The past few years this street has seen vacancies and decline. Our studies show that the majority of businesses on this street are locally owned, and Centerville would like to continue and encourage this concentration of local Utah businesses in our community. The Council and Commission hope that by expanding the variety of stores and businesses allowed on this street by amending the Table of Uses, more business will come to Main Street and create a vibrant corridor in the center of town. Some of the uses may be changed to “Permitted” and others may be allowed as a “Conditional Use Permit”.

The first meeting this will be discussed is the August 8th Planning Commission Meeting, which starts at 7 p.m. at City Hall. **NO Decision** will be reached at this meeting, but please come with your thoughts, concerns, and input.

What is a Permitted Use? A Permitted is a use that the city is legally obligated to allow in a zone.

What is a Conditional Use Permit? A Conditional Use Permit (sometimes referred to as a CUP) is a *permitted* use, with conditions. The city assesses the use’s impact on the surrounding area and can mitigate some of these impacts with conditions of the approval – visual screening, parking and traffic, economic and aesthetic impact are all considered in this process. See CZC 12.21.100 for more details

The following uses are currently **NOT** allowed on Main Street. The city would like to consider amending our code to determine whether to include these businesses onto Main Street, either as a Permitted use OR with a Conditional Use Permit:

Agricultural sales and service
Assisted Living Facility
Auditorium or stadium
Bed & Breakfast
Business equipment rental, services and entertainment
Car wash
Catering, limited
Cemetery

College or university
Construction Sales and service
Hotel
Indoor Recreation and entertainment
Mortuary
Multi-family dwelling
Outdoor recreation and entertainment
Park
Post Office
Printing, general
Protective Service
Reception Center
Research Service
Restaurant, fast food
Restaurant, general
School, elementary, middle or high
Secondhand store
Shopping Center
Single Family Dwelling
Twin home
Two-family dwelling

The following are currently on the Conditional Use List that may be moved to the Permitted list:

Bank or financial institution
Cultural Service
Church or place of worship

There may be changes to this list and further possible amendments to our Main Street code. Please participate in our public hearings and let us know what changes YOU would like to see on Main Street!

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
8/8/2018**

Item No. 3.

Short Title: Discussion of Subdivision Ordinance Updates - Chapter 1 (General Provisions)

Initiated By: City Attorney

Scheduled Time:

SUBJECT

The City hired a consultant to update and rewrite the City Subdivision Ordinance. The consultant has prepared a draft of the new City Subdivision Ordinance. City Staff has been directed to finalize the draft ordinance and to work with the Planning Commission and City Council to complete this project as part of the PC/CC Goals for FY 2018-19. Rather than bringing the entire Subdivision Ordinance to the Planning Commission for review, the City Attorney recommends Staff bring a chapter or two at a time to for review and comment by the Planning Commission when such chapters are ready for review.

As part of this process, a copy of the proposed Table of Contents for the entire Subdivision Ordinance is attached, as well as a copy of the latest draft of Chapter 1 (General Provisions). Chapter 1 contains general administrative and boilerplate provisions. There are no highlighted issues or specific questions for the Planning Commission from Staff regarding this Chapter. This should be a quick read and Staff can answer any questions the Planning Commission may have regarding these general provisions.

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ Subdivision Ordinance - Table of Contents
- ▢ Subdivision Ordinance - Chapter 1 (General Provisions)

Title 15 SUBDIVISIONS

Chapter 1. General Provisions – Updated 8/2/18

15.01.010. [15-1-101]	Short Title.
15.01.020. [new]	Authority.
15.01.030. [15-1-102]	Purpose.
15.01.040. [new]	Scope.
15.01.050. [new]	Definitions.
15.01.060. [15-1-103]	Interpretation.
15.01.070. [new]	Applicable Ordinances.
15.01.080. [new]	Licenses and Permits to Conform.
15.01.090. [new]	Construction and Uses to Conform.
15.01.100. [new]	Certificate of Occupancy.
15.01.110. [new]	Procedural Irregularities.
15.01.120. [15-1-103]	Conflicting Provisions.
15.01.130. [new]	Omission Not a Waiver.
15.01.140. [new]	Severability.

Chapter 2. Definitions – Updated 6/11/18

15.02.010. [new]	Purpose.
15.02.020. [new]	Scope.
15.02.030. [new]	Rules of Interpretation.
15.02.040. [15-1-104]	Definitions.
15.02.050. [new]	Illustrations.

Chapter 3. Administration.

15.3.010. [15.1.107]	Subdivision Plat Required.
15.3.020. [new]	Exemptions from Subdivision Requirements.
15.3.030. [15.1.105]	Development Requirements Generally.
15.3.040. [15.5.108]	Required Certificates, Permits and Reviews.
15.3.050. [5.1.110]	Pending Ordinance Amendments.
15.3.060. [15.1.107]	Building Permit Issuance.
15.3.070. [new]	Public Notice Requirements.
15.3.080. [15.1.113]	Public Hearings and Meetings.
15.3.090. [15.1.106]	Review Process Generally.
15.3.100. [new]	Decision Making Bodies and Officials.
15.3.110. [15.1.114]	Decision-Making Standards.
15.3.120. [15.1.112]	Staff Authority.
15.3.130. [new]	Administrative Interpretations.
15.3.140. [new]	Vested Rights.
15.3.150. [15.8.110]	Administrative Fees.

Chapter 4. Existing Conditions Inventory.

15.4.010. [new]	Purpose.
15.4.020. [new]	Scope.
15.4.030. [new]	Existing Conditions Inventory Requirements.
15.4.040. [new]	Geotechnical Reports.

Chapter 5. Conceptual Plan.

15.5.010. [new]	Purpose.
15.5.020. [new]	Authority.
15.5.030. [new]	Initiation.
15.5.040. [new]	Procedure.

[15.2.101]	Concept Plan.
[new]	Application and Fees.
[15.2.102].	Submission.
[new]	Determination of Completeness.
[15.2.103]	Distribution.
[new]	DRC Review.
[15.2.105]	Review and Approval by Zoning Administrator.
15.5.050. [new]	Approval Standards.
15.5.060. [new]	Appeal.
15.5.070. [new]	Effect of Approval.
15.5.080. [new]	Amendment.
15.5.090. [new]	Revocation.
15.5.100. [15.2.106]	Expiration.

Chapter 6. Preliminary Plat.

15.6.010. [15.3.101]	Purpose.
15.6.020. [new]	Authority.
15.6.030. [new]	Initiation.
15.6.040. [new]	Procedure.
[15.3.102]	Application and Fees.
[15.3.103]	Plat Preparation and Required Information.
[15.3.104]	Review and Approval by the Planning Commission.
15.6.050. [new]	Approval Standards.
15.6.060. [new]	Appeal.
15.6.070. [new]	Effect of Approval.
15.6.080. [new]	Amendment.
15.6.090. [new]	Revocation.
15.6.100. [15.3.105]	Expiration.

Chapter 7. Final Plat.

15.7.010.[15.4.101]	Purpose.
15.7.020. [new]	Authority.
15.7.030. [new]	Initiation.
15.7.040. [new]	Procedure.
[15.4.102]	Filing Deadline, Application and Fees.
[15.4.103]	Final Plat . Preparation and Required Information.
[15.4.104]	Construction Plans.preparation and Required Information.
[15.4.105]	Review by the City Engineer.
[15.4.106]	Planning Commission Action.
[15.4.107]	Review by the City Attorney.
[15.4.108]	Review by the City Council.
[15.4.109]	Security for Public Improvements.
[15.4.110]	Payment of Fees.
[15.4.111]	Recording of Final Plat.
15.7.050. [new]	Approval Standards.
15.7.060. [new]	Appeal.
15.7.070. [new]	Effect of Approval.
15.7.080. [new]	Plat Recording Requirements.
15.7.090. [new]	Development Activity Prior to Recording Plat.
15.7.100. [new]	Amendment.
15.7.090. [new]	Revocation.
15.7.100. [15.4.112]	Expiration.

Chapter 8. Small Subdivision.

15.8.010. [new]	Purpose.
15.8.020. [new]	Authority.
15.8.030. [new]	Initiation.

15.8.040. [new]	Procedure.
15.8.050. [new]	Approval Standards.
15.8.060. [new]	Appeal.
15.8.070. [new]	Effect of Approval.
15.8.080. [new]	Amendment.
15.8.090. [new]	Revocation.
15.8.100. [new]	Expiration.

Chapter 9. Reserved. (Flag Lots Repealed)

Chapter 10. Property Line Adjustments

15.10.010. [new]	Purpose.
15.10.020. [new]	Authority.
15.10.030. [new]	Initiation.
15.10.040. [new]	Procedure.
15.10.050. [new]	Approval Standards.
15.10.060. [new]	Appeal.
15.10.070. [new]	Effect of Approval.
15.10.080. [new]	Amendment.
15.10.090. [new]	Revocation.
15.10.100. [new]	Expiration.

Chapter 11. Condominium.

15.11.010. [new]	Purpose.
15.11.020. [new]	Authority.
15.11.030. [new]	Initiation.
15.11.040. [new]	Procedure.
15.11.050. [new]	Approval Standards.
15.11.060. [new]	Appeal.
15.11.070. [new]	Effect of Approval.
15.11.080. [new]	Amendment.
15.11.090. [new]	Revocation.
15.11.100. [new]	Expiration.

Chapter 12. Subdivision Plat Amendments.

15.12.010. [15.9.101]	Petition for Plat Amendment.
15.12.020. [15.9.102]	Procedure.
15.12.030. [15.9.103]	Public Hearing Requirements.
15.12.040. [15.9.104]	Notice Requirements.
15.12.050. [15.9.105]	Grounds for Vacating or Amending a Plat.
15.12.060. [15.9.106]	Recording of Amended Plat.
15.12.070. [15.9.107]	Effect of Street Vacation.
15.12.080. [15.9.108]	Compliance with Ordinances.
15.12.090. [15.9.109]	Subdivision Name Change.
15.12.100. [15.9.110]	Property Line Adjustments.
15.12.110. [15.9.111]	Plat Correction.
15.12.120. [15.9.112]	Appeal.

Chapter 13. General Subdivision Requirements.

15.13.010. [15.5.101]	Subdivision Layout.
15.13.020. [new]	Commencement of Site Development.
15.13.030. [15.5.102]	Lots.
15.13.040. [new] Flag	Lots.
15.13.050. [15.5.103]	Streets and Related Improvements.

15.13.060. [15.5.104]	Protection Strips.
15.13.070. [new]	Dedication and Reservation.
15.13.080. [15.5.105]	Drainage.
15.13.090. [15.5.106]	Utilities and Easements.
15.13.100. [15.5.107]	Landscaping.
15.13.110. [15.5.109]	Building Permits.
15.13.120. [15.6.101]	Subdivision within a Planned Unit Development.
15.13.130. 15.6.102.	Non-Residential Subdivisions.
15.13.140. [new]	Neighborhood Mail Box Units.

Chapter 14. Construction of Public Improvements.

15.14.010. [15.7.101]	Construction Design Standards.
15.14.120. [15.7.102]	Construction Plans.
15.14.030. [15.7.103]	Standards for Construction Plans.
15.14.040. [15.7.104]	Preconstruction Meetings.
15.14.050. [new]	Monuments.
15.14.060. [15.7.105]	Inspection.
15.14.070. [15.7.106]	Requests for Inspection.
15.14.080. [15.7.107]	Correcting Defective Work.
15.14.090. [new]	As.Built Plans.

Chapter 15. Performance Guarantees.

15.15.010. [new].	Subdivider's Agreement.
15.15.020. [15.4.109]	Security for Public Improvements.
15.15.030. [15.5.110]	Warranty Period.
15.15.040. [new]	Delay Agreement.

Chapter 16. Commencement of Development Activity.

15.16.010.[new]	No Development Activity Prior to Final Plat Approval.
15.16.020.[new]	Development Activity Prior to Recording Final Plat.
15.16.030.[new]	Infrastructure Requirements Prior to Building Permit Issuance.

Chapter 17. Enforcement.

15.17.010. [15.1.107]	Compliance Required.
15.17.020. [new]	Transfer of Land.
15.17.030. [new]	Transfer of Land . Voidable.
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Chapter xx.xx. Impact Fees. (RELOCATE)

15.xx.010. [15.8.101]	Definitions.
15.xx.030. [15.8.102]	Findings and Purpose.
15.xx.030. [15.8.103]	Service Areas Established.
15.xx.040. [15.8.104]	Impact Fees Levied.
15.xx.050. [15.8.105]	Time of Collection.
15.xx.060. [15.8.106]	Use of Fees.
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15.xx.080. [15.8.108]	Accounting, Expenditure and Refund.
15.xx.090. [15.8.109]	Impact Fee Challenges and Appeals.

TITLE 15 SUBDIVISIONS

CHAPTER 15.01. GENERAL PROVISIONS.

15.01.010.	Short Title.
15.01.020.	Authority.
15.01.030.	Purpose.
15.01.040.	Scope.
15.01.050.	Definitions.
15.01.060.	Interpretation.
15.01.070.	Applicable Ordinances.
15.01.080.	Licenses and Permits to Conform.
15.01.090.	Construction and Uses to Conform.
15.01.100.	Certificate of Occupancy.
15.01.110.	Procedural Irregularities.
15.01.120.	Conflicting Provisions.
15.01.130.	Omission Not a Waiver.
15.01.140.	Severability.

15.01.010. Short Title.

This Title shall be known as the Centerville Subdivision Ordinance. This Title shall also be known as Title 15 of the Centerville Municipal Code or CMC 15 (Subdivisions). It may be cited under either designation.

15.01.020. Authority.

This Title is adopted pursuant to the Utah Land Use Development and Management Act, set forth in *Utah Code* § 10-9a-101, *et seq.*, the general welfare power delegated to municipalities set forth in *Utah Code* § 10-8-84, and the police power authority of local government established by Utah common law. This Title is considered a land use regulation of the City and constitutes the subdivision ordinance authorized by the Utah Municipal Land Use Development and Management Act.

15.01.030. Purpose.

The purpose of this Title, and related rules, regulations, standards, and specifications adopted pursuant hereto, is to:

(a) Promote and protect the health, safety, and general welfare of City and its present and future inhabitants and businesses;

(b) Assure orderly development of land in accordance with the General Plan and City ordinances to provide sites suitable for development and human habitation;

(c) Establish procedures and standards for design and construction of roads, streets, curbs, gutters, sidewalks, drainage systems, water and sewer systems, and other facilities and improvements necessary to serve land development;

(d) Secure safety from fire, flood, and other dangers;

(e) Minimize boundary line disputes and eliminate property line gaps and overlaps;

(f) Establish fees and other charges to defray public costs of development and fairly allocate development costs between the public and private developers; and

(g) Comply with applicable provisions and stated purposes of the Utah Municipal Land Use and Development Act as set forth in *Utah Code* § 10-9a-102.

15.01.040. Scope.

This Title shall apply to all property within the corporate limits of the City except property expressly exempted by the provisions of this Title or other lawful exemption.

15.01.050. Definitions.

Certain words and phrases in this Chapter may be defined in CMC 15.02 (Definitions).

15.01.060. Interpretation.

In the interpretation and application of this Title, the provisions of this Title shall be considered as the minimum requirements for the purposes set forth.

15.01.070. Applicable Ordinances.

Any construction, alteration, or improvement of any building or structure within the City shall comply with the provisions of this Title and also comply with applicable provisions of the Centerville Municipal Code, Centerville Zoning Code, Construction Codes, and Standards and Specifications adopted by the City, and other relevant ordinances and regulations, including, but not limited to, building, fire, and engineering standards or regulations. The provisions of this Title are intended to be interpreted and administered in conformance with such other applicable ordinances.

15.01.080. Licenses and Permits to Conform.

(a) Conformance Required. The provisions of this Title shall be construed as the minimum requirements necessary to promote public health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants and businesses of the City. Each department, official, and employee of the City vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Title and shall not issue any permit or license for a use, building, or purpose in conflict with the provisions of this Title. Any permit or license issued in conflict with or violation of this Title shall be null and void.

(b) Permits Required. No building or structure shall be constructed, reconstructed, altered, or moved, nor shall the use or status of land be changed except after the issuance of valid permits and approvals which conform to the requirements of this Title, unless no such permit or approval is required by this Title or by the Construction Codes adopted by the City.

(c) Utility Service. No electrical, sewer, telephone, water, or other utility line shall be installed to serve any lot, parcel, building, or structure, or any portion thereof if such installation will violate the provisions of this Title.

15.01.090. Construction and Uses to Conform.

Building and other permits and certificates of occupancy issued by the City authorize only the use, arrangement, and construction set forth in the approved plans and applications, and no other use, arrangement or construction. Use, arrangements, or construction at variance with that shown on approved plans and specifications shall be deemed a violation of this Title.

15.01.100. Certificate of Occupancy.

No lot, parcel, or building shall be used or occupied until a certificate of occupancy has been issued in accordance with CZC 12.10.100. No certificate of occupancy shall be issued unless the building and the lot or parcel on which the building is located conforms to applicable provisions of this Title and CZC 12.10.100.

15.01.110. Procedural Irregularities.

(a) Validity of Action. Notwithstanding any provision of this Title which sets forth a procedure

for any matter herein, no action, inaction, or recommendation regarding the matter which is the subject of the procedure shall be void or invalid due to any error (including, but not limited to, any irregularity, informality, neglect, or omission) unless:

- (1) The procedure is required by state or federal law; and
- (2) In an examination of the entire circumstances, including the evidence of record, the error complained of was prejudicial to a substantial right of the complainant as shown by the following:
 - (A) Had the error not occurred the decision made pursuant to the procedure would have been different; and
 - (B) Because of the error the complainant suffered an injury for which relief must be given.

(b) **Presumption of Validity.** Action taken pursuant to a procedure herein shall be presumed valid and done in good faith. An error shall not be presumed to be prejudicial or to have caused an injury. A complainant shall have the burden of the proof by a preponderance of the evidence to show that an error is prejudicial or caused an injury.

15.01.120. Conflicting Provisions.

If provisions within this Title conflict, the most restrictive provision shall apply unless specifically provided otherwise.

15.01.130. Omission Not a Waiver.

The omission to specify or enumerate in this Title those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

15.01.140. Severability.

The chapters, parts, sections, paragraphs, sentences, and phrases of this Title are hereby declared to be severable. If any chapter, part, section, paragraph, sentence, or phrase of this Title is declared invalid by a court of competent jurisdiction, or deleted through amendment or repeal, such invalidation or deletion shall not affect the remaining parts of this Title.

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
8/8/2018**

Item No. 4.

Short Title: Discussion - Work Session with Trails Committee

Initiated By: Planning Commission

Scheduled Time:

SUBJECT

Planning Commission will schedule an upcoming Work Session with the Trails Committee and discuss the goals of such meeting.

RECOMMENDATION

BACKGROUND

CENTERVILLE

Staff Backup Report 8/8/2018

Item No.

Short Title: 7-25-2018 Minutes

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▣ 7-25-18 PC Draft Minutes

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, July 25, 2018

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

Kevin Daly, Vice Chair

Kathy Helgesen

Kai Hintze

Logan Johnson

Becki Wright

MEMBERS ABSENT

Cheylynn Hayman, Chair

Gina Hirst

STAFF PRESENT

Cory Snyder, Community Development Director

Cassie Younger, Assistant Planner

Katie Rust, Recording Secretary

STAFF ABSENT

Lisa Romney, City Attorney

VISITORS

Jeff Bassett, South Davis Metro Fire Chief

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER Vice Chair Daly

**PUBLIC HEARING – CONDITIONAL USE PERMIT FOR ACCESSORY BUILDING AT
1771 N 125 EAST**

Cassie Younger, Assistant Planner, explained that within the recently approved Rigby Court subdivision, Fred Hale is in the process of building his new residence and garage on Lot 4. The height of his designed detached garage is an average of approximately 23 feet, while the Centerville building code allows a maximum of 20 feet in height for accessory buildings. Building Code standards determine height by the average between the roof peak and eave for each elevation. According to CZC 12.55.120, an accessory to a single family dwelling may be built with a Conditional Use Permit.

The Commission discussed suggested Condition 3 that states the detached garage shall not be used as an accessory dwelling unit or guest house. Accessory dwelling units are currently prohibited in Centerville.

Vice Chair Daly opened a public hearing at 7:12 p.m., and closed the public hearing seeing that no one wished to comment. Commissioner Wright made a **motion** to approve the Conditional Use Permit for the accessory building detached garage at 1771 North 1250 East with suggested Conditions 1,2,4, and 5, and Findings 1-5. Commissioner Johnson seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. This Conditional Use Permit is for the accessory building detached garage at 1771 North 125 East, for an increase in height up to 23' average height.
2. The garage is approved as the architectural elevations and site plan submitted in July 2018.
3. The development of the property must comply with the Hillside Impervious surface standards, as outlined in 12.42.
4. The applicant will need to receive a Building Permit for this structure from Centerville City.

Findings:

1. An accessory building is permitted to go above 20' in height with a Conditional Use Permit [CZC 12.55.120]
2. The accessory building height meets the standards for a Conditional Use Permit as outlined in 12.21.100(e)(5)
3. The accessory building meets the extra necessary setbacks, and is at least 8' away from all property lines [CZC 12.31.080]
4. The development on this property meets the Impervious Surface requirements as outlined in the Hillside Overlay [12.42.040]
5. Detached garage is an acceptable use for an accessory building in an Agricultural Low Zone [12.31.040]

PUBLIC HEARING – HOME OCCUPATION CONDITIONAL USE PERMIT – EPIC PARTY EVENTS LLC – 1092 DORIS STREET

Ms. Younger explained the request for Home Occupation Conditional Use Permit. The applicant desires to start a home business consisting of a gaming/party trailer that he would like to store on his property. The vehicle is about 35 feet long, including the tongue, and approximately 11 feet high. The trailer itself would not operate in or at the home, but drive to parties, fairs, and events around the region. The trailer would not be hooked up to the home, and would be stored elsewhere during the winter months.

The property has two driveways, one of which (off Doris Street) was not approved by the Public Works Department and is not built to standard. The driveway has a slope over 20%, where City code only allows 12%. The applicant can either eliminate the curb cut on Doris Street, and remove the driveway from the Public Right of Way, or fix the driveway with City approval according to City standards and specifications. Ms. Younger stated the only approved

1 storage space for the event trailer would be from the driveway off Powell Avenue, behind the
2 house.

3
4 An event trailer is not on the permitted use list for home occupations. The visual impact
5 would be of a commercial trailer in a driveway, similar in size to that of many other Recreational
6 vehicles that are parked in driveways throughout the city. Ms. Younger said citizens have
7 contacted staff with concerns about the visual presence of the trailer and the possibility that the
8 trailer may be parked on the street. With both driveways, the property currently has the
9 maximum allowed impervious surface.

10
11 Kerby Barker, applicant, stated it would be difficult to see the sides of the trailer with it
12 parked behind the house on the east side. He stated he does not have a cover for the trailer,
13 but could tie tarps down if necessary.

14
15 Vice Chair Daly opened a public hearing at 7:31 p.m.

16
17 Cheryl Hardy – Ms. Hardy stated she lives directly across the street from the subject
18 property. She said she wishes Mr. Barker the best, but she has concerns with seeing the trailer
19 sitting there. The trailer is tall and long, and would be difficult to cover up. She said that, added
20 to debris already on the property, the trailer would have a visual impact on the neighbors.

21
22 Staff provided two email comments submitted prior to the meeting (attached). The
23 public hearing was closed at 7:37 p.m. Mr. Barker stated they are working on clearing out the
24 debris and putting down gravel. He stated the backyard is fairly flat, with no significant slope.

25
26 Vice Chair Daly commented that if this were a recreational fifth-wheel of the same size
27 the Commission would not be having this conversation. Recreational trailers often have
28 prominent names or logos. He said he believes it would be difficult to require screening by
29 fence, since the maximum fence height is six feet. Commissioner Wright expressed the opinion
30 that the commercial wrap would be very different in appearance from a regular trailer. Vice
31 Chair Daly stated he does not see the wrap being an issue as long as the trailer is parked far
32 enough behind the home. He expressed the hope that the applicant would be respectful of the
33 neighbors. Commissioner Johnson stated that, with a retaining wall and fence already in place
34 on the neighboring property, he does not think requiring additional screening would be fair.
35 Commissioner Helgesen said she believes a screening gate would go a long way.
36 Commissioner Wright said she would be inclined to require a complete cover of the trailer as
37 well as a screening gate.

38
39 Commissioner Johnson made a **motion** to reopen the public hearing. Commissioner
40 Wright seconded the motion, which passed by unanimous vote (5-0).

41
42 Cheryl Hardy – Ms. Hardy asked if the commercial signage goes all the way to the top of
43 the trailer.

44
45 The public hearing was closed at 7:50 p.m.

1 Mr. Barker responded that the logo would be visible above a six-foot fence. He said he
2 does not know if a cover that size is available, but expressed confidence that he could attach
3 some kind of white tarp to cover the front. Mr. Snyder said he believes a screening gate would
4 be the limitation if screening is an issue. He said a gate provides a visual space between the
5 front and side yard, softens the appearance of what is behind, and helps things look tucked
6 away. He stated covers are available, but they deteriorate over time and become cumbersome.
7

8 Vice Chair Daly pointed out minor corrections to the proposed conditions and findings.
9 Vice Chair Daly made a **motion** to approve the Home Occupation Conditional Use Permit for
10 Epic Party Events LLC at 1092 Doris Street with the following Conditions and Reasons for the
11 Action. Commissioner Helgesen seconded the motion.
12

13 Conditions:
14

- 15 1) This Home Occupation Conditional Use Permit is for the Epic Party Events LLC
16 trailer to be stored outside the home of 1092 Doris Street, with home office uses
17 inside the residential home on the property.
- 18 2) No business events shall occur on the property; the trailer may not operate on-site,
19 and may only be parked in the driveway for storage use.
- 20 3) The applicant shall eliminate the curb cut on Doris Street OR receive City Approval
21 from the Public Works Director for the driveway meeting all the City standards and
22 specifics for curb cuts and driveways.
 - 23 a. Any changes to the driveway may not exceed the 60% impervious surface
24 calculation of the property.
- 25 4) When parked on the property, the trailer must be stored in the approved parking area
26 behind a six-foot screening fence and gate.
- 27 5) The home office for the business shall be conducted entirely indoors, shall not
28 disrupt the normal residential character of the neighborhood, and shall not exceed
29 20% of the dwelling units.
- 30 6) The trailer must be parked beyond the 25' front yard setback and the 20' street side
31 yard setback, as according to CZC 12.52.070(f).
- 32 7) The applicant shall apply for and receive approval for a Centerville City Business
33 License prior to conducting business.
- 34 8) If the applicant desires any future signage, they shall follow the guidelines found in
35 Section 12-524-080(b) of the Zoning Ordinance in regards to signs allowed "By
36 Right."
- 37 9) The applicant may not store any product or materials for the business outside of the
38 dwelling except for the trailer itself.
39

40 Reasons for the Action:
41

- 42 1. A complete application for a conditional use permit has been submitted [Section
43 12.21.100(d)(1)]
- 44 2. The application meets the required established evidence for an approval of a
45 conditional use permit [Section 12.21.100(e)(3)(A-D)].

3. The request for a conditional use permit meets the factors to be reviewed and considered for an approval [Section 12.21.100(e)(5)(A-K)].
4. The storage of a gaming trailer does not appear to be detrimental to the surrounding community with the conditions imposed [Section 12.21.100(e)(5)(D-E, G, I-K)].
5. All development standards for a home occupation have been reviewed and satisfied [Section 12.62.050(a-i)].
6. A use not listed on the home occupation approved listing of Section 12.62.040 is subject to receiving a conditional use permit [Section 12.62.060].
7. All development standards for a home occupation with a conditional use permit have been reviewed and satisfied [Section 12.62.070(a-d)].
8. The approval of a home occupation does not relieve a person from obtaining a Centerville City Business License and other related agency approvals [Section 12.62.050(a)].
9. If the applicant does not adhere to the conditional use permit, they may be subject to having the permit revoked [Section 12.21.100(i)(1)(B)].

Commissioner Johnson made a **motion to amend** the motion to strike Condition 4, explaining that he feels the requirement would put an unnecessary burden on the applicant. The motion to amend failed for lack of a second. Commissioner Wright said she believes a screening gate would not mitigate the problem, and she is not inclined to approve the motion. She said she feels a gaming trailer is very different from a large recreational vehicle, and would have a big impact on the neighborhood. She pointed out there are other options for storing commercially wrapped trailers. Vice Chair Daly said he believes a six-foot fence is a good compromise and sufficient mitigation. He said he does not see the gaming trailer as being different from a regular recreational vehicle. The motion to approve passed by majority vote (4-1), with Commissioner Wright dissenting.

PUBLIC HEARING – CONCEPTUAL SITE PLAN – OAK RIDGE ASSISTED LIVING FACILITY – 451 RAWLINS CIRCLE

Ms. Younger explained that Oak Ridge Assisted Living at 451 Rawlins Circle was previously known as Superior Assisted Living of Centerville, which consisted of two separate lots. Currently on the property there is an existing building and a poured foundation for a second building on the second lot, which is at least 15 years old. In September of 2015, Oak Ridge bought and took over the property, combined the lots, and added a third adjacent parcel into the project. With the addition of this third piece of land, the developer hopes to solve previous landscaping and parking issues that were involved with the site. The required amount of landscaping in a non-single family residential development is 40%. If a waiver allowing reduced landscaping is approved as provided in CZC 12.51.1050, the minimum amount of required landscaping shall not fall below 30%.

Tyler Young, applicant, stated the proposed addition would add ten new beds to the assisted living facility, for a total of 16. He said the proposal includes more parking than required in order to give sufficient space for delivery trucks to maneuver. He pointed out a few parking stalls that could possibly be eliminated to provide more landscaping, and said they

could be flexible with the placement of handicap parking. He stated the objective is to update an older building and improve the aesthetic appeal.

Vice Chair Daly opened a public hearing at 8:23 p.m., and closed the public hearing seeing that no one wished to comment. Responding to a question from Commissioner Wright, Mr. Snyder stated that this is the time to give direction regarding landscaping and curb appeal. Commissioner Helgesen said she knows from personal experience that an outside courtyard area is an important aspect of an assisted living facility. Commissioner Wright said she believes it would be appropriate to add a condition that the applicant shall work with staff to develop a landscaping plan that enhances curb appeal and addresses the needs of the residents. Vice Chair Daly suggested the condition could be added to Condition 5. Mr. Young stated they have a plan to provide amenities and take care of their residents. He said it was his understanding the Planning Commission would be concerned with whether or not requirements are met. He assured the Commission that they are motivated to make sure everything is competitive in the industry and looks good.

Commissioner Helgesen made a **motion** to accept the Conceptual Site Plan for Oak Ridge Assisted Living Facility at 451 Rawlins Circle, with Conditions 1-6 as amended and Reasons for the Action 1-3. Commissioner Hintze seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. The applicant must submit a complete Final Site Plan Application as outlined in 12.21.110(e).
2. The applicant shall combine lots 03-237-0101 and 03-169-0005 with Davis County.
3. As approved by the City Engineer, the applicant shall vacate the current storm drain easement running through the middle of the lot, and remove and relocate the storm drain, and create a new 20' easement on the north side of the property (the south side of newly acquired Parcel A, adjacent and parallel to the 7' PUE on the north property line of the original lot) in order to line up with the Culinary Waterline.
4. The applicant shall receive approval of Site Plan from Davis County Fire Marshall.
5. The applicant shall submit a final landscaping plan that complies with the landscaping standards for multi-family residential as outlined in 12.52 OR submit a proposed landscaping waiver of strict compliance for the Planning Commission to review at Final Site Plan. The applicant shall work with staff to develop a landscaping plan that enhances curb appeal and addresses the needs of the residents.
6. The applicant shall amend the Conditional Use Permit as approved on August 8, 2007 under Superior Assisted Living of Centerville.

Reasons for the Action:

1. The applicant has submitted a Conceptual Site Plan as outlined in 12.21.110(f)
2. An assisted living facility is a permitted use in a Residential Medium Zone with a Conditional Use Permit [12.36.020]
3. An assisted living facility is in harmony with the General Plan [12-420-4(2)]

PUBLIC HEARING – ZONING TEXT AMENDMENT – CZC 12.48 SOUTH MAIN STREET OVERLAY ZONE

The petitioner desires to construct a new fire station in Centerville City. The Fire Department has recently purchased vacant land located at 300 South Main Street. The petitioner has indicated that in order to accommodate the design and building function of the new fire station, some amendments to the regulations of the South Main Street Corridor Overlay District are needed. Mr. Snyder briefly described form-based code, and changes that have been made to the Main Street Corridor regulations over time. He said staff believes there is room for change in the current regulations.

Mr. Snyder presented the following text amendments proposed by the petitioner.

- Amend the requirement of a “*public entrance every 50 feet*,” or recognize the existing fire apparatus bay doors as entrances even though they are NOT public entrances. Mr. Snyder stated that for civic uses there are issues with security, and he does not feel a public entrance every 50 feet is a pertinent issue.
- Amend and increase the ratio limit for an allowed “courtyard feature” to extend a minimum “*build to*” setback line from a limit of 40% of the required building frontage to limit of 75% of the required building frontage.
- Amend the building’s street floor elevation limit of 12 inches above sidewalk level to 4 feet above sidewalk level to accommodate the apparatus bay driveway slope that is affected by the oversite slope of 10 feet. Mr. Snyder suggested a plaza system would be an option. He said he believes the 12 inches are important if the structure is closer to the street.
- Amend the new “driveway access” limitations to allow for an expansion of an existing driveway cut (*80 feet for the proposed apparatus driveway*). Mr. Snyder stated staff believe this change could be considered for this limited use.
- Amend and reduce the Civic/Cultural Lot Type Solid to Void requirement (i.e. building walls to windows) from 60% to 15% for the void minimums. Mr. Snyder said this issue is difficult to address with a civic building.

Mr. Snyder suggested the area currently depicting a proposed shed could be used for a public gathering area. Jeff Bassett, South Davis Metro Fire Chief, introduced Bill Gould, architect for the project. Chief Bassett stated the Centerville Fire Station is the second busiest station in the Service Area. He said the new station will have a great environment for welcoming community groups, but emphasized that he does not want the front of the station designed in a way that would encourage people to stop and gather in front of the apparatus bay doors.

Vice Chair Daly opened a public hearing at 9:04 p.m., and closed the public hearing seeing that no one wished to comment. Commissioner Johnson commented that the suggested changes are significant, and would affect the vision that was established for Main Street. He stated he supports the proposed Zoning Text Amendment, but said he finds the power of some applicants to affect changes within Centerville a little frustrating. Commissioner Johnson said it feels a little like spot zoning to him. Vice Chair Daly said he believes the changes make sense

for civic use. Commissioner Johnson said he would be in favor of the changes without the civic stipulation. Commissioner Wright said she would like to see a compromise that addresses the needs of the civic use while maintaining walkability.

Commissioner Johnson made a **motion** for the Planning Commission to recommend approval of the following proposed text amendments for the SMSC Overlay District. Commissioner Wright seconded the motion, which passed by unanimous vote (5-0). The Commissioners discussed the proposed reduction in the Solid to Void requirement. Chief Bassett clarified that the bay doors would have two rows of windows.

CZC 12.48.100.a:

- (7) In the Traditional Main Street and City Center Subdistricts, entrances allowing public access from the sidewalk shall be provided, as follows:
 - Traditional Main Street Lot Type – Entrances shall be provided at intervals of at least 50 feet to maximize expanses of inactive building wall.
 - All Other Lot Types – Buildings shall have at least one at-grade entry door leading to Main Street and/or another fronting street (e.g. Corner Lots).
- (10) A portion of the building frontage may be setback beyond the required build-to range (RBR) up to an additional 20 feet if the space is utilized as a site plan approved courtyard or entryway that is open and accessible to the public sidewalk, limited to the following:
 - All Lot Types – This portion may be up to 40% of the actual building frontage and shall not be used for parking area, exception:
 - Civic/Cultural Lot Types – This portion may be up to 75% of the actual building frontage and shall not be used for public, or employee parking area, but for courtyards, greenspaces, and other approved design elements.
- (17) The street level and/or ground floor elevation shall be no more than the following:
 - All Lot Types – 12 inches above the fronting public sidewalk elevation within the RBL or no more than 12 inches if entrance is fronting an approved courtyard or other similar pedestrian design entry, exception:
 - Civic/Cultural Lot Types – 12 inches above grade of a sidewalk style pathway leading from Main Street to an entrance.

CZC 12.48.160.b:

- (6) New driveway accesses shall not be established onto Main Street. Exceptions shall be recognized and allowed as follows:
 - A. For an existing legally created lot where the side and rear of the lot are not adjacent to a street and there are no other opportunities to provide needed access to the property.
 - B. An existing legally created access is being moved to another location to meet the parking placements of this Chapter.

- 1 C. An existing legally created access or accesses are being combined together
2 to establish an access that meets the parking placements of this Chapter.
3 D. An existing legally created access or accesses are being expanded, pursuant
4 to obtaining a Utah Department of Transportation (UDOT) approval.
5

6 CZC 12.48.350:

- 7
8 ■ Amend the Civic/Cultural Lot Type Illustration, as follows:
9 ○ Reduce the Solid to Void requirement from 60% to 15%.
10

11 Reasons for the Action:
12

- 13 a. The Planning Commission finds that the SMSC Overlay Regulations were set to
14 recognize existing access points and encourage the sharing of access points to
15 maintain or improve the pedestrian use and safety.
16 b. The Planning Commission also finds that if the expansion is limited in nature, such
17 as “the apparatus bay parking for a fire department use” then it is less problematic
18 due to a much lower hourly use rate of the access point. The Planning Commission
19 likewise finds that other types of lower-use accesses could be “emergency access
20 lanes to buildings, security or restricted property owner entrance points, one-way
21 entrances or exits, or other limited use needs.
22 c. The Planning Commission finds that the SMSC Overlay Regulations were set to
23 establish a regular pattern of providing entrance points. This is particularly important
24 for retail and shopping uses traditionally located along main street of a town or city.
25 However, the Planning Commission also finds that civic or public use buildings are
26 more likely to be vulnerable with regards to security concerns. Consequently, the
27 Planning Commission finds that this should be a factor in the design standards for
28 civic uses or buildings that can be targeted for radical or nefarious purposes.
29 d. The Planning Commission finds that the purpose of the “at-grade” design standard
30 (max. 12 inches above sidewalk) is related to improving the design of the store-fronts
31 to create a pedestrian-friendly environment that contributes to the success of
32 “lifestyle centers” of shopping, eating, and entertainment. Nevertheless, the
33 Commission also finds that it is feasible to alter the design expectation when
34 considering a greater setback being proposed such as a courtyard or other entry
35 type element.
36 e. The Planning Commission finds that there is a distinction between the form and
37 layout of commercial “retail” or lifestyle centers verses how civic building and uses
38 are patterned.
39 f. The Planning Commission additionally finds that the adopted SMSC Overlay does
40 recognize these differences to some degree but the actual design standards are so
41 heavily focused on the commercial design land pattern, it falls short in the ability to
42 accommodate other potential use and building types.
43 g. Therefore, the Planning Commission is recommending text amendments, but
44 modifying the petitioner’s requested amendments, as stated in the Commission’s
45 motion.
46

**PUBLIC HEARING – CONCEPTUAL SITE PLAN – SOUTH DAVIS METRO FIRE
STATION – 300 SOUTH MAIN STREET**

The proposed project is located within the Commercial-Medium (C-M) Zone, and within the South Main Street Corridor Overlay District (SMSC). The SMSC Overlay carries the primary regulatory weight for seeking a development approval. The proposed Fire Station is a qualified land use for the C-M Zone. Mr. Snyder explained the request for Conceptual Site Plan approval, including concerns regarding parking and setback from Main Street.

Chief Bassett stated it would be difficult to fit the calculated 34 parking stalls on the site. He said the proposed shed was included along the Main Street frontage in an effort to comply with frontage requirements. Chief Bassett explained that the proposed building setback is for safety – people would not have enough time to notice and react to emergency vehicles exiting the bay if the building were closer to the street. Mr. Gould stated the proposed shed could be moved to the back of the property. Mr. Snyder repeated that the proposed shed area could be used to create some kind of public space. Ms. Younger suggested it may be a good location for the planned Landmarks Commission Historic District sign. Mr. Gould stated he thinks the plans can be adjusted to accommodate the maximum building height.

Vice Chair Daly opened a public hearing at 9:48 p.m.

Gary O'Brien – Mr. O'Brien stated he owns the property directly south of the Station property. He asked about the building setback, and Mr. Snyder responded that the building will be setback 20-25 feet, with the apparatus bay set back 40 feet.

The public hearing was closed at 9:50 p.m. Commissioner Johnson made a **motion** to accept the Conceptual Site Plan for the SDMFD Fire Station, to be located at 300 South Main Street, with the following directives. Commissioner Hintze seconded the motion. Vice Chair Daly requested minor grammatical changes. The motion passed by unanimous vote (5-0).

1. This SDMFD Conceptual Site Plan Acceptance is subject to the City Council adopting the requested Zone Text Amendments proposed by the Fire District or as modified.
2. If the proposed Text Amendments are rejected, this Conceptual Acceptance becomes null and void and shall return to the Commission for further review and decision.
3. If the proposed amendments are adopted and/or modified, the applicant may proceed to Final Site Plan submittal and make the necessary adjustments as part of Final Site Plan Review.
4. The applicant shall prepare and submit a Final Site Plan submittal meeting the requirements for application and site plan documents and exhibits.
5. As part of the Final Site Plan preparation, the applicant shall address the following:
 - a. Provide the missing a dimensional tabulation for the Civic Use Lot Type
 - b. Comply with the entrance spacing requirement, or as amended
 - c. Comply with the RBL frontage width requirements, or as amended

- d. Address south side 15-foot side yard spacing or provide a “unified gather area.”
 - e. Comply with the street-level floor elevation shall be no more than 12 inches above the fronting sidewalk elevation, or as amended
 - f. Address missing the window design notation or expectation for the clear glass requirement
 - g. Comply with the “new driveway” limitations, or as amended
 - h. Provide the required 34 parking stalls or seek a “specific user” parking modification.
 - i. Comply with the Civic Lot Type height limitation of 40’ from grade of Main Street, as shown in 12.48.350
6. As part of the Final Site Plan preparation, the applicant shall prepare a professional landscaping plan for the site that also addresses the following:
- a. Compliance with the total site tree requirement
 - b. Compliance with the street frontage tree requirement
 - c. Compliance with the 50% building foundation landscaping requirement
 - d. Compliance with the required interior parking lot landscaping
 - e. Compliance with the buffering requirement of 15 feet next to a residential zone

Reasons for the Action:

- a. The Planning Commission finds that the Conceptual Site Plan Acceptance must be subject to amendments proposed by the applicant or as adopted and/or modified by the City.
- b. The Planning Commission finds that the proposed Fire Station is a qualified “Government Use” allowed as a “permitted use” within the Commercial Medium (C-M) Zone [Chapter 12-36] and the SMSC Overlay Plan.
- c. The Planning Commission finds that with the above directives to be addressed in Final Site Plan review process, the proposed development could likely meet the applicable General Development Standards [Chapters 12-43, 12-51, 12-52] and the South Main Street Corridor Overlay Zone [Chapter 12-48].

CITY COUNCIL REPORT

Mr. Snyder updated the Planning Commission regarding City Council actions.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the July 11, 2018 meeting were reviewed. Commissioner Wright requested amendments. Commissioner Hintze made a **motion** to accept the minutes as amended. Commissioner Johnson seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 9:59 p.m., Commissioner Hintze made a **motion** to adjourn the meeting.
Commissioner Johnson seconded the motion, which passed by unanimous vote (5-0).

Kevin Daly, Vice Chair

Date Approved

Katie Rust, Recording Secretary