

ATTN: MARSHA

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON WEDNESDAY, AUGUST 26, 2015, 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 Blaine Lutz, Centerville Finance 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. This agenda is also posted on the City's Website: www.centervilleut.net and on NovusAgenda at the following link: <http://centerville.novusagenda.com/agendapublic>

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

- 7:00 A. **WELCOME AND ROLL CALL**
- B. **PLEDGE OF ALLEGIANCE**
- C. **PRAYER OR THOUGHT – Commissioner Scott Kjar**
- D. **MINUTES REVIEW AND ACCEPTANCE – July 8, 2015 & July 22, 2015**
- E. **COMMISSION BUSINESS**

- 7:10 1. **PUBLIC HEARING | MARK L. NELSON DENTAL BLDG | 782 W PARRISH LN**
 Consider proposed Conceptual Site Plan for the Mark L. Nelson Dental Building on property located at 782 West Parrish Lane (Island Parcel - North of Iggy's), for the purpose of constructing a new office building. Brett Kearney, JZW Architects, Agent

- 7:30 2. **PUBLIC HEARING | LEGACY TRAIL APARTMENTS | 1250 W & PARRISH**
 Consider amending the Planned Development Overlay Approval and Conceptual Plan for the Legacy Trail Apartments Development on property located at 1250 West & Parrish Lane, for the purpose of allowing an alternative commercial architectural design. Fred Hale, Applicant

- 7:45 3. **TRI-CITY POLARIS | 461 SOUTH FRONTAGE ROAD**
 Consider proposed Final Site Plan amending the site plan approval for Tri-City Polaris on property located at 461 South 800 West, for the purpose of a new fenced yard. Bob Mason, Mason Family Partnership, Applicant

- 8:05 4. **PUBLIC HEARING | PORTER WALTON TOWNHOMES | 564 W PORTER LN**
 Consider proposed Conceptual Subdivision for the Porter Walton Townhomes Planned Residential Unit Development on property located at 564 West Porter Lane, for the purpose of platting the approved multi-family project. Taylor Spendlove, Applicant

8:35

5. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- PC Meeting September 9, 2015:
Elysian Auto CUP for Used Car Sales in I-H Zone, Huffaker Dental Duplex Rezone & Lot Split at 134 S Main Street
- *Discuss with Commissioners recently adopted Resolution No. 2015-15 approving compensation in the amount of \$35 for any Commissioner that attends land use (or other applicable training) of a least 2 hours*

8:40

F. **ADJOURNMENT**

Posted August 21, 2015 by Community Development



PLANNING COMMISSION MINUTES OF MEETING

Wednesday, July 8, 2015

7:00 p.m.

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

MEMBERS PRESENT

Cheylynn Hayman
David Hirschi, Chair
Gina Hirst
William Ince
Logan Johnson
Kevin Merrill

MEMBERS ABSENT

Scott Kjar

COUNCIL MEMBERS PRESENT

Paul Cutler, Mayor
Ken Averett
Tamilyn Fillmore
Stephanie Ivie
John Higginson

COUNCIL MEMBERS ABSENT

Lawrence Wright

STAFF PRESENT

Corvin Snyder, Community Development Director
Lisa Romney, City Attorney
Kathy Streadbeck, Recording Secretary

VISITORS

Interested citizens

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Hayman

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held June 24, 2015 were reviewed and amended. Commissioner Hirst made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Hayman and passed by unanimous vote (6-0).

PUBLIC HEARING | TRUMP RESIDENTIAL LOT | 540 SOUTH 400 WEST -
Consider proposed Final Site Plan for an unplatted residential building lot on property
located at 540 South 400 West, for the purpose of constructing a new dwelling. Scott &
Susan Trump, Applicants.

Cory Snyder, Community Development Director, reported the Planning Commission previously accepted the conceptual site plan for the proposed single family home. The applicant has addressed the conditions of approval from the conceptual acceptance and is now ready for a final site plan review. The applicant will still be required to pay all applicable fees, submit all necessary utility provider sheets, and receive final approvals from the City Engineer. In addition, a current title report will still need to be submitted to the City Attorney for review. Overall, the final site plan is in harmony with the previously approved conceptual site plan. A building permit is required prior to any construction taking place and will need to meet all applicable standards found within the Zoning Ordinance.

Chair Hirschi opened the public hearing. Seeing no one wishing to comment; he closed the public hearing.

Commissioner Hirst questioned if all utilities are available to this site and if any connections will need to be adjusted. Mr. Snyder said all utilities are available to the site and staff will ensure all connections are appropriate during the building permit process. He said all utility companies have been contacted; the applicant is awaiting responses.

Scott Trump, applicant, reviewed the site plan explaining its unique layout. The hammerhead driveway will ensure fire safety access and turn-around. He also explained his hopes to utilize this property for some small farming activities, including small animals.

Chair Hirschi made a **motion** for the Planning Commission to approve the final site plan for the Scott and Susan Trump Residential Lot, located at 540 South 400 West, with the following conditions:

Conditions:

1. All professional service fees, development fees and related impact fees shall be paid.
2. A bond for all public improvements must be posted prior to the issuance of a building permit.

3. The submitted grading and utility plan shall be reviewed and approved by the City Engineer prior to a building permit being issued.
4. Applicant shall provide appropriate public utility easements and submit to the City. All easements shall be accepted by the City Council and recorded with the Davis County Recorder's Office.
5. A current title report shall be submitted to the City Attorney for review prior to issuance of a building permit.

Reasons for Action (findings):

1. The applicant has clearly shown how the property may be developed [Section 12-21-110(d)(2)].
2. The applicant has submitted a full final site plan application [Section 12-21-110(e)(2)].
3. Proposed utility easements are required on all developed lots [Section 12-21-110(e)(2)(iii)(d), 15-5-106(8)].

The motion was seconded by Commissioner Merrill and passed by unanimous roll-call vote (6-0).

WORK SESSION I SOUTH MAIN STREET CORRIDOR PLAN & PUBLIC COMMENTS REVIEW - The City Council and the Planning Commission will discuss the South Main Street Corridor Plan and review all the public comments received from various meetings.

The Planning Commission and City Council reviewed and discussed several aspects of the South Main Street Corridor Plan (SMSC), including the many public comments that have been made over the past several meetings. Mayor Cutler explained the City Council recently reviewed the proposed density cap as recommended by the Planning Commission and after a lengthy discussion the issue was ultimately tabled for further review and discussion. In addition to density caps the Commission and Council also discussed viability, mixed-uses, building heights and framing, and public spaces.

City staff reviewed conditional use permits and how this tool is used to allow additional development options if negative impacts are appropriately mitigated. Staff also reviewed the Planned Development Overlay (PDO) tool, which also provides an option for additional density but also ensures an overall better developed project. Staff explained there may be some ways to take a more conservative approach to density including a density cap. Several Council and Commission members agreed each tool can be useful but that each tool also presents its own challenges with respect to the SMSC. A majority of the members present agreed a density cap is an appropriate safeguard for the SMSC.

1 Chair Hirschi said density and viability go hand in hand; the viability of commercial uses
2 depends on residential roof tops. He said if residential density is too restricted then commercial
3 uses will struggle. He said residential density should promote both commercial and retail uses.
4 He said commercial is important and should be encouraged along Main Street in addition to
5 appropriate residential uses. He said there have been many comments made that residential only
6 is the way to go. He is not sure this is best for Main Street. He said single-family uses are more
7 difficult to control. He questioned if the city really wants single-family homes with yards and
8 structures that cannot be specifically regulated along Main Street. He also questioned if people
9 would really be interested in raising a family on a busy Main Street. He believes the mixed-use
10 concept is still the best option for Main Street. He said he is also concerned with the idea of a
11 single-family PDO on Main Street. He said this could potentially put a fence along Main Street
12 with single-family homes facing interior. He does not believe a "wall" on Main Street is a good
13 idea. He is also concerned with "down zoning" Main Street from commercial to residential only.
14 He said this is unfair to current property owners who have been paying commercial taxes for
15 many years.

16
17 Councilwoman Fillmore said the SMSC uses form base standards to help unify
18 development along the frontage of Main Street, but does not address the rear parcels very well;
19 perhaps some clarification may be appropriate for rear residential uses. She believes the mixed-
20 use concept is still the best option for Main Street. She said economic viability is very important.
21 There needs to be enough return so a property owner is able to demolish an old building and
22 build a new high quality project. However, she is concerned comments made regarding viability
23 may be just that, comments. She believes viability needs to be studied more thoroughly to know
24 for sure if this is an issue. Councilwoman Fillmore stated that she had received today an email
25 from Jeff Cook, a business owner on Main Street, which said: "I have concerns about some of
26 the proposals for zoning ordinance changes in this corridor. The current ordinance which was
27 adopted only a few years ago is and will continue to be instrumental in retaining the small local
28 business atmosphere on Main Street, which is an important part of our history and our future."
29 Councilwoman Fillmore noted that a majority of the property/business owners on Main Street
30 are local Centerville residents, which allows them to live and work in Centerville. She said the
31 SMSC is appropriate because it provides flexibility. She said current property owners have
32 expressed a desire for flexibility so they can find the best redevelopment option for their
33 situation. Councilwoman Fillmore read again from what Jeff Cook had sent her, stating that he
34 has discussed this issue with several small business owners that want to express their concern as
35 citizens and property owners. This is a statement Jeff believes summarizes their feeling: "We
36 express our desire that the zoning in this area, which allows for mixed use development of
37 commercial and residential remain. The ordinances that are currently in place are the results of
38 more than a year of public input, study, professional consultation and compromise. A substantial
39 change would in fairness require that the same process be followed as when the current
40 ordinance was adopted. We believe that a moderate change such as a medium density cap would
41 be more fair and balanced." She said Main Street is intended to be primarily commercial. She

1 suggested keeping commercial as the primary use and residential or mixed-use as secondary, and
2 writing in language to that point. She is concerned a density cap could be detrimental for smaller
3 properties and may hinder their ability to redevelop. She believes a required commercial use or
4 mixed-use will help control density. She said the majority of the comments made in the past few
5 meetings have been concern over density, not necessarily negatives toward the SMSC plan. She
6 believes eliminating commercial on Main Street will intensify residential uses and density. She
7 supports a density cap as appropriate for larger parcels, but is worried that if set too low could
8 encourage blight because there is no incentive for redevelopment. She believes it is important to
9 maintain the synergy of the SMSC and encourage consistent redevelopment.

10
11 Commissioner Merrill said single-family lots are not as sought after with rising
12 generations. Research has shown that generations to come prefer smaller mixed-use homes with
13 little to no maintenance and services within walking distance.

14
15 Mayor Cutler said flexibility is important and questioned if there is a need to promote
16 townhomes or other forms of multi-family housing on Main Street. Commissioner Johnson said
17 he likes the flexibility of either residential, commercial, or mixed-use. Commissioner Hayman
18 agreed flexibility is best, but does not believe residential only is the best or viable option. She
19 said townhomes could be appropriate with a suitable density cap and green space requirement.
20 She questioned if a lower density cap could be set with incentivized increases? She too is
21 concerned with blight, but also wants to find a balance in keeping Centerville's unique small
22 town feel. Councilwoman Fillmore stated that multi-family housing is what she has heard the
23 most concern over, so promoting townhomes would be opposite of the public's input.

24
25 City staff discussed possible density caps (i.e., 4, 6, and 8). Staff believes there are pros
26 and cons to each density cap option. Staff is willing to research possible incentive options and
27 tools. Staff also discussed the General Plan for Main Street explaining some changes to the
28 SMSC may also require a change to the General Plan. Staff explained it may be possible to cap
29 residential densities and/or size of parcel with some type of tiered density system. Staff
30 explained that a density cap will affect viability and the City needs to be careful not to negatively
31 impact property owners. Staff agreed the higher the density cap the more likely it will not
32 negatively affect smaller parcels.

33
34 Councilman Higginson agreed commercial uses should be encouraged along Main Street.
35 He said commercial uses should front Main Street with residential uses behind. He is not
36 concerned with catering to every demographic. He said Centerville is different and unique. He
37 said walkability is often discussed but is rarely a reality. He said there are walkable
38 developments but most people drive to them, then walk around. He said Main Street will not
39 likely ever become a true walkable area. He said he is in favor of a density cap and is also in
40 favor of keeping commercial uses on Main Street.

1 Councilman Averett questioned if the City is planning for the past or planning for the
2 future. He said retail is not viable on Main Street mostly due, he believes, to online sales. He said
3 current research shows that 1 in 5 Americans work from home at least once a week and trends
4 show that number will only increase in the future. He agrees live/work concepts are important
5 and should be encouraged. He agreed future generations want to live in smaller PDO type
6 developments with no maintenance. He said it seems the future is leaning toward mixed-use
7 options.

8
9 The Planning Commission and City Council discussed density with regard to the Pages
10 Lane area which is set at a much higher density. Members present were not as concerned with
11 this area as it is different from the Core District and will bring a different type of redevelopment.
12 A majority of the members present agreed the Pages Lane area may still require a density cap but
13 at a much higher option in order to maintain flexible redevelopment options. The Planning
14 Commission agreed to research and discuss the Pages Lane area and provide a recommendation
15 for density to the City Council in the near future.

16 Councilwoman Ivie said she is not comfortable with any density over four (4) units per
17 acre along Main Street including the Pages Lane area. She said Centerville already has over 600
18 units within this small SMSC area, which is too dense. She said any additional density will only
19 negatively impact the area.

20
21 City staff discussed public open space options along Main Street, including sidewalk,
22 trees, street furniture, parking and lighting. Staff explained how UDOT is involved with these
23 decisions as Main Street is a State owned road. The City intends to complete a public space plan
24 for Main Street in the future. The public right-of-way is narrow and options are limited. Any
25 public space plan will require feasibility studies and coordination with UDOT. The Commission
26 and Council discussed requiring aesthetic public space improvements as part of redevelopment
27 plans thus placing the burden on property owners. Staff reminded those present that these types
28 of burdens are generally balanced with density increases. Chair Hirschi suggested creating a
29 PDO option for Main Street with bonus density provisions for public space improvements. This
30 possible PDO option could also maintain the SMSC building structure/framing and commercial
31 use requirements. The Planning Commission agreed to research and discuss possible public
32 space options in the near future.

33
34 The Commission and Council discussed building heights for Main Street. The building
35 height for all residential homes across the city is 35 feet. A majority of the members present
36 agreed a maximum building height of 35 feet is appropriate for Main Street and will help
37 encourage redevelopment. It was also mentioned that building height can be mitigated with
38 setbacks. City staff discussed the "framing" concept. If buildings are brought forward then
39 parking is pushed behind providing less vehicular accesses on Main Street and a buffer between
40 the commercial fronts and residential uses behind. It was mentioned that "framing" should

1 provide more commercial viability because the cost from UDOT to install an access on Main
2 Street is excessive.

3
4 The Commission and Council discussed street width. Concerns were raised regarding the
5 challenges that sub-standard street widths can produce (i.e., maintenance, fire access, density,
6 parking, etc.). City staff debated the challenges that can come when full-width streets are
7 required in private developments (i.e., parking lots, car ports, decreased circulation, speed, etc.)
8 Staff agreed to research possible options to increase street widths where possible.

9
10 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- 11
12 1. The next Planning Commission meeting will be Wednesday, July 22, 2015.
13 2. Upcoming Agenda Items
14 • Porter Lane Townhomes, Conditional Use Permit & Final Site Plan
15 • Youngblood Storage, Conceptual Site Plan
16

17 The meeting was adjourned at 9:45 p.m.
18
19

20 _____
21 David Hirschi, Chair

Date Approved

22
23
24 _____
25 Kathleen Streadbeck, Recording Secretary

PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, July 22, 2015

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 7:15 p.m.

MEMBERS PRESENT

Cheylynn Hayman

David Hirschi, Chair

William Ince

Logan Johnson

MEMBERS ABSENT

Gina Hirst

Scott Kjar

Kevin Merrill

STAFF PRESENT

Corvin Snyder, Community Development Director

Lisa Romney, City Attorney

Kathy Streadbeck, Recording Secretary

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Ince

MINUTES REVIEW AND APPROVAL

Chair Hirschi made a motion to **table** the review and approval of the July 8, 2015 Planning Commission minutes until more Commissioners are present and the City Council has had time to review and approve the work session portion of the minutes. The motion was seconded by Commissioner Ince and passed by unanimous vote (4-0).

PUBLIC HEARING | YOUNGBLOOD EQUIPMENT/STORAGE YARD - Consider proposed Conceptual Site Plan on property located at approximately 650 North 1250 West, for the purpose of an equipment/storage yard. Donald Youngblood, Property Owner & Applicant.

Brandon Toponce, Assistant Planner, reported the applicant's property has been involved in an ongoing enforcement regarding the use of the property without proper approvals. The property has been used for the storage of vehicles and storage containers filled with equipment and vehicles for racing. The applicant now desires to receive approval from the Planning

Commission. The Zoning Ordinance prohibits the use of automobile wrecking yards and junk/salvage yard. The Zoning Ordinance does not specifically call out outside storage as a primary use. The applicant will need to verify a primary use (approved by Zoning Administrator) for the property then the secondary use of outside storage may be utilized. The applicant will be limited to specific uses permitted on the Table of Uses unless the applicant seeks an amendment to the Zoning Code. The proposed plans appear to meet the goals and objectives of the General Plan as the applicant will be upgrading the lot from a vacant parcel of weeds to a storage area with landscaping and screening. In the future, the applicant plans to construct a building on the vacant lot in addition to the outdoor storage. The applicant will be required to meet all applicable landscape standards and submit a finalized landscape plan with the final site plan. The applicant plans to screen the site with a powder coated chain link fence with slats. The storm drainage plan will need to be verified by the City Engineer and a bond will be required for any improvements in the public right-of-way.

Donald Youngblood, applicant, said he has owned this property for 20 years and would like to use it for his personal hobby. He said his daughter races cars at the Salt Flats and he uses this site to service and store those vehicles. He said he plans to screen the entire site with chain link as discussed and will install landscaping and gravel/pavement as required. He plans to seek approval from the Zoning Administrator regarding a primary use as listed on the Table of Uses.

Chair Hirschi opened the public hearing.

Mark Gabriel asked if the landscaping will be watered. The applicant, Mr. Youngblood, said he has no intension of letting the landscaping die. It will be watered.

Seeing no one else wishing to comment; Chair Hirschi closed the public hearing.

Commissioner Johnson made a **motion** for the Planning Commission to accept the conceptual site plan for the Youngblood Outdoor Storage, to be located at 650 North 1250 West, with the following conditions:

Conditions:

1. The outdoor storage shall be utilized by Mr. Youngblood for the use of storage containers and working vehicles. The lot shall not be used as a junk and salvage yard, wrecking yard or a public storage facility.
2. A permitted use review or a Zoning Code Amendment shall be pursued by the applicant to establish a primary use on site, prior to receiving final site plan approval. Specific items to be stored on site shall be submitted as part of the "use" interpretation.
3. The applicant shall submit a Final Site Plan application meeting the standards found in Section 12-21-110(e) of the Zoning Ordinance.

4. A revised landscaping plan shall be submitted showing 10% of the property in landscaping and meeting all required tree counts.
5. A bond shall be posted for all landscaping improvements located along 650 North and 1250 West.
6. The storage area shall be completely screened from view with an opaque fence or wall.
7. The driveway leading into the storage area shall be constructed with concrete and meeting all City Standards. The City Engineer has stated that this shall be assessed prior to any development taking place.
8. Mr. Youngblood shall address the surfacing improvements within the storage area with a material that is acceptable to the Public Works Director and the City Engineer.
9. If the applicant fails to improve the land and abide by the conditions set forth, enforcement procedures concerning the unapproved storage will commence.
10. All storm drainage shall be properly addressed to meet all City Standards and shall be approved by the City Engineer.

Reasons for the Action (Findings):

1. The conceptual site plan submittal has adequately shown how the property may be developed [Section 12-21-110(d)(2)].
2. According to Table 12-35-1, outside storage is a permitted use as long as it meets all screening standards found in Section 12-51-110(b) of the Zoning Ordinance.
3. All required landscaping must be found on site [Section 12-51-070(d)(1)]
4. Applicable Development Standards for the I-H Zone have been reviewed [Chapter 12-35].

The motion was seconded by Commissioner Ince and passed by unanimous roll-call vote (4-0).

PUBLIC HEARING | PORTER LANE TOWNHOMES | 564 WEST PORTER LN - Consider (1) Conditional Use Permit to allow the density of eight (8) units per acre in the R-M Zone (postponed from June 24, 2015 Planning Commission Meeting); and (2) Final Site Plan for the Porter Lane Townhomes located at 564 West Porter Lane (400 South). Project includes a 46-unit townhome community, and one existing single-family dwelling. Taylor Spendlove, Brighton Development Utah, LLC, Applicant.

Cory Snyder, Community Development Director, reported the applicant proposes to develop a multi-family townhome style community. The proposed development will include 46 townhomes (10 buildings) and one large single-family home (existing), for a total of 47 dwellings on 6.16 acres (i.e., 7.62-units per acre). All dwellings will be served by a private internal roadway with two access points on Porter Lane. Staff suggests eliminating the internal sidewalk loop in order to lengthen the driveway depths and increase the external perimeter

1 sidewalk by linking the internal walks which in turn would provide access to the sidewalk
2 system from all units. The applicant has received approval from the Fire Marshal (see Fire
3 Marshal letter dated June 25, 2015) for the proposed development if the applicant is willing to
4 mark the curbs in red and post no parking signs. The Army Corps of Engineers holds a drainage
5 conservation easement on the north end of the property. The applicant proposes to landscape this
6 area and incorporate it into the open green space. The applicant needs only to honor the
7 easement, no official authorization from the Army Corps is needed for landscaping. The drainage
8 plan for the site has been reviewed by the City Engineer and some corrections will be required to
9 ensure proper storm water management.

10
11 Mr. Snyder explained there were a number of concerns raised during the conceptual site
12 plan process including open space, traffic, road width, etc. He reminded the Commission to
13 review the layout and design against current Zoning Ordinances. The applicant has submitted a
14 plan that substantially complies. He cautioned the Commission that some changes could produce
15 a design that is less desirable and/or less compatible with surrounding uses. For example,
16 requiring more open space and wider roads may push a developer to build 3-story townhome
17 buildings with carports and parking lots. He said larger buildings and centralized parking has a
18 much different feel than the proposed linear townhome development. Mr. Snyder said both these
19 types of developments (linear townhomes vs. townhome buildings) already exist in Centerville.
20 He shared pictures of both Florentine Townhomes (linear) and Pineae Village (buildings) and
21 asked the Commission which product may be most compatible for the Porter Lane area. Staff
22 believes the proposed project is a better product for the proposed area. Mr. Snyder explained a
23 traffic study was performed by the applicant as requested. The study concludes there is adequate
24 capacity on Porter Lane and on 400 West to accommodate the proposed development. The
25 intersection at Porter Lane and 400 West is currently classified as a level "C" which is a concern
26 to the City. The City may choose to conduct an additional traffic study in the future for the
27 purpose of installing a traffic signal at this intersection. Staff would like to reserve the right to
28 require the applicant, Brighton Homes, to contribute their minimal share to this future
29 improvement.

30
31 Chair Hirschi expressed concerns with the traffic study performed. He said the study did
32 not include impacts that may occur on the Frontage Road, the traffic sampling recorded was
33 limited and there were numerous typographical errors. He said it does not seem the study was
34 adequate or well produced. He said the study concludes this development will have "no impact."
35 He said this cannot be correct; any development, no matter how large or small, will have an
36 impact. Mr. Snyder said the City Engineer is currently reviewing the traffic study. He agreed the
37 proposed development will have an impact, but it is minimal compared to the current traffic
38 issues that exist due to the commercial uses in the area. He said the "no impact" statement likely
39 means traffic impacts from the proposed development will not raise above the level "C" that
40 currently exists.

1 Commissioner Hayman questioned if there are other developments within the city that
2 use red curbs and no parking signs and if these are followed. She also questioned what "aesthetic
3 impacts" means and what the Commission is looking for with regard to aesthetics. Mr. Snyder
4 said there are a few developments that use no parking signs. He explained the Fire Marshal is
5 only trying to provide the ability to clear the road if necessary. He agreed enforcement is not
6 easy or likely but these measures will provide the ability to legally tow vehicles in the case of an
7 emergency. Mr. Snyder explained that "aesthetic impacts" includes colors, architecture, roof-line,
8 materials, etc. He said this provision provides the Commission an opportunity to ensure a
9 development is compatible with surrounding uses.

10
11 Craig Call, Attorney for Applicant, said the Planning Commission has already accepted a
12 conceptual site plan for this development. He said this means the Commission has already agreed
13 that this development is compatible with its surroundings and complies with current ordinances;
14 therefore, this development is entitled to approval. He said at this point, the Commission is just
15 looking at possible negative impacts to decide how these impacts may be mitigated, not
16 eliminated. He said traffic is one of those impacts and the traffic study has shown there is
17 adequate service in the area to accommodate the proposed development. In addition, the
18 aesthetics are appropriate according to current ordinance. He said the courts have made it clear
19 that if a development is not illegal, then it should be allowed. With regard to the requested future
20 contribution for a possible traffic signal at Porter Lane and 400 West, Mr. Call asked if there is
21 an ordinance that requires this or a precedent for such.

22
23 Patrick Scott, applicant, said the project has not changed much from the conceptual plan
24 with the exception of eliminating two (2) units and consolidating the open space into a larger
25 more usable area with tot lot and gazebo. He said other open spaces within the project include a
26 dog park and the canal area (Army Corps easement) on the north property line. He explained
27 they added the interior sidewalk due to safety concerns raised at the last Planning Commission
28 meeting; however, they do not share these concerns and would prefer to eliminate the interior
29 sidewalk as suggested by staff in order to increase driveway depth and increase green space. He
30 said this is a better look and feel for the community. He also said it is more common in existing
31 townhome developments in Centerville to have sidewalk on only one side. Current ordinances do
32 not require sidewalks on both sides of a street. He also said they would prefer not to paint the
33 curbs red for aesthetic reasons. They would prefer to stencil red no-parking lettering on curbs
34 which is less glaring. Mr. Scott said it was his understanding that the majority of the traffic
35 concerns were related to 400 West and not the Frontage Road. This is why they asked their
36 traffic engineer to focus the study on 400 West and Porter Lane. He agreed the traffic in the area
37 is already a problem due to the impact of commercial uses in the area. He said their proposed
38 development will not significantly impact the traffic. He does not feel it is their responsibility nor
39 burden to contribute to a traffic signal which is warranted even without their development. He is
40 also concerned because there is no standard for how their portion would be calculated. He said
41 these types of improvements should be anticipated and required as part of zoning. Mr. Scott said

1 they have met with the Army Corps of Engineers regarding a dredging plan for the canal. He said
2 canal maintenance is allowed without permit or prior authorization as long as the materials
3 dredged are placed upland and not back into a wetland area. He said they have sufficient land to
4 properly dredge and relocate materials on site. According to the Army Corp this is considered an
5 allowed maintenance practice.

6
7 Commissioner Johnson said the traffic study shows this development will increase traffic
8 by 18%. In his view, this is more substantial than anticipated. He questioned what Centerville's
9 traffic impact fee is and/or how a fee may be calculated. Mr. Snyder said Centerville does not
10 have a traffic impact fee. He said the fee would be minimal taking into account impact
11 percentages.

12
13 Commissioner Ince said he likes how they have consolidated the open space but would
14 still like to see more. He said the development still seems crowded. Mr. Scott said there is a
15 balancing act when it comes to open space and housing. He said ordinances require 40%
16 landscaping and they are at 41%. He said they have already eliminate two (2) units to make the
17 open space possible.

18
19 Mr. Snyder offered a scenario. He suggested the existing single-family home (Mansion)
20 be demolished and another 4-unit townhome be constructed in its place. This would allow the
21 applicant to re-add the 2 eliminated units and move 2 other units in order to create a second
22 usable open space area within the project. Chair Hirschi agreed the Mansion is an issue and is
23 not compatible with the proposed development.

24
25 Mr. Scott said they have not considered this scenario but would not likely be interested in
26 demolishing the Mansion. He said this scenario would not be financially responsible. He also
27 explained that the backyard of the Mansion will be fully fenced and screened from view. The
28 front yard will be part of the homeowners association (HOA) and maintained.

29
30 Chair Hirschi opened the public hearing.

31
32 Andrea Richmond read written comments from Pam White, president of Centerville's
33 Florentine Towns HOA. Ms. White raised concerns with eliminating sidewalks, limiting green
34 space, narrow roads, and visitor parking. She claims the limited sidewalks in Florentine Towns
35 has made it difficult for residents to get outside safely. She said green space is crucial for
36 community events and activities. She also explained the frustrations of limited visitor parking.

37
38 Laura Dudley is a resident of Shaela Park (neighboring community). She is concerned
39 with the lack of balance in this development. She believes there should be less density and more
40 open space. She said the proposed development is not compatible with Shaela Park because it is
41 too dense. Shaela Park has 5.33-units per acre and only 4-unit buildings. She agrees there is not

1 enough visitor parking. She said the lack of street parking within the development will push
2 parking to Porter Lane. She is concerned with the accuracy of the traffic study. She said the
3 study was done on July 2, 2015 at 3pm which is not during any peak traffic hours. She said there
4 is significantly more traffic in the area during rush hour time frames, on a Sunday (street parking
5 on Porter Lane is significant near local church), or during the school year. She is concerned with
6 the wetland area and asked if the gates will remain. She expressed concern with the Mansion.
7 She said a contingency should be added that requires the demolition of the Mansion if it is not
8 sold within a reasonable time frame.

9
10 Dean Williams, a retired Fire Chief, said he is concerned with the private street width. He
11 explained in a fire emergency the fire department prefers to stack several engines and/or vehicles
12 in order to fight a fire. He said these narrow roads will not accommodate that need for fire
13 equipment if an emergency arises. He said the curbs may be painted red and signs posted but this
14 will not stop people from parking on the street and in an emergency there is no time to tow
15 vehicles. He explained the clearance needs for fire safety vehicles, stating fire service within this
16 development will be difficult. He said when he was growing up in Centerville there were no
17 sidewalks. He said when the City chose to install sidewalks the selling point was safety. He said
18 it is interesting that sidewalks are no longer consider a safety measure. He said no individual
19 should ever have to cross a street to get to a sidewalk. He said anyone that promotes limited
20 sidewalks has never witnessed a child being hit by a vehicle.

21
22 Irene Lysenko said Centerville is a great city. She said there is nowhere else that has a
23 small town community feel with easy accessibility to services and Salt Lake City. However, it
24 seems with recent projects that Centerville now has a mantra of pack in as many units as possible
25 on the limited land that is left. She said it seems everyone is aware that this project has problems
26 and yet it is still moving forward. She asked what advantage this project provides to the residents
27 of this community? She asked what advantage this project provides for the surrounding
28 neighbors? She asked what advantage this project provides for the city as a whole? She said it
29 seems the only thing this project is contributing is future problems with traffic, safety, and
30 congestion.

31
32 Rick Dudley expressed concern with the Mansion. He said this issue needs a lot more
33 discussion. He said this is a home that will prove difficult to sale. He said this home needs more
34 property attached to it for marketability. He said no one will want to live in a single-family
35 Mansion that is this close to a multi-family development. He said no one owning a single-family
36 home will want to drive through a multi-family development to access their property. He said
37 this just doesn't make sense. He also said the Mansion property should be separated from the
38 townhome property. This would in turn require less density because there would be less acreage
39 for the townhome portion of the development. He agreed a contingency plan should be
40 established to deal with the Mansion if left vacant for too long.

1 Dale McIntyre said the Mansion will likely be very expensive and if he were able to buy
2 a home of that value he would not want to live next to a multi-family community. He said it is
3 not reasonable to keep the home.

4
5 Bruce Madsen asked how much the proposed townhomes will cost. He said this
6 development seems similar to Foxboro in West Bountiful which has proven to have many
7 difficulties related to congestion, road width, limited sidewalks, and parking. He asked who is
8 responsible to make sure HOA's are functioning as they should. He said parking will be a
9 problem for this development and he agreed any overflow will negatively impact Porter Lane.
10 He is concerned these issues will diminish the value of the units. He said the project is too dense
11 and is not compatible with surrounding uses.

12
13 Kahl Gubler said the density is not being calculated correctly and that this development is
14 easily more than 8-units per acre.

15
16 Barbara Finn read a statement from Janice Frost, former Shaela Park HOA president,
17 who is concerned with parking and the narrow street. She said HOAs have a difficult time
18 compensating for these issues that should have been taken care of during development. She said
19 issues with parking, red curbing, and limited circulation cause contention with residents and
20 between residents. She said narrow roads also cause problems with garbage pickup. She would
21 not be surprised if the private garbage companies refuse to collect garbage on these narrow
22 roads. This will force the community to install dumpsters which are messy and unsightly. She
23 said narrow roads also cause problems with snow removal. She expressed concern with the
24 negative impact this development will have on traffic.

25
26 Heather Strasser shared pictures of narrow roads throughout Centerville communities
27 including Country Cottages, Bamberger Way, and Bellano Way. She pointed out the limited
28 circulation, parking, sidewalk, and safety concerns. She said the proposed development needs
29 wider roads and sidewalks on both sides of the street. She is concerned with the driveway length
30 stating 14-foot driveways are too short. She said there may be garages but these will likely be
31 used for storage of bikes, outdoor gear, etc. leaving only the driveways for vehicles. She said
32 residents should be able to park in their driveway without hanging over the sidewalk or into the
33 road. She shared a picture of Shaela Park pointing out the adequate road width, driveway depths
34 and sidewalk on both sides of the street.

35
36 Marti Money raised several concerns. She is concerned with traffic, the Mansion, safety,
37 design, green space, and drainage. She agreed the traffic study was lacking and was not
38 conducted at an ideal time to accurately measure the impacts. She said the Mansion does not
39 belong next to a multi-family development and should be eliminated. She said the density for the
40 townhomes should be calculated with only the acreage that the townhomes sit on and not
41 including the Mansions property. She said the General Plan requires public streets that are 24

1 feet wide, she agrees the proposed 20-foot roadway is too narrow. She said there should be
2 sidewalk on both sides of the street for safety. She said the Mayor is pro sidewalk and they
3 should not be eliminated. She suggested the developer build single-family homes and not
4 townhomes. She agreed the driveway depth should be increased. She believes the proposed
5 development is too dense to provide the basic amenities that make a community livable and
6 walkable. She said the green space should be larger and more useable. She agreed the new design
7 is better, but believes more can be done. She is concerned with the canal on the north boundary
8 line stating she would like to know the status of the "jurisdictional delineation." She is concerned
9 with water table and clean water issues.

10
11 Robyn Mecham said she is concerned with the impacts this development will have on
12 traffic. She said the Wasatch Front Regional Council did a study in 2012 which showed that a
13 typical residence in Centerville makes 12 vehicle trips per day. She said that would calculate to
14 526 trips per day for this proposed development. She said this is a significant traffic impact. She
15 shared an analogy. She said if a reservoir is already full of water it doesn't matter how big or
16 small an incoming stream is, it will still cause the reservoir to overflow. She said adding an
17 additional 526 trips to an already busy Porter Lane and 400 West is too great.

18
19 Brita Johnson said she does not like the Mansion. It does not make sense with the
20 proposed development. She agreed a contingency plan would be appropriate. She said an 18%
21 increase in traffic is significant. She agreed the traffic study was inadequate and the several
22 typographical errors make her doubt the integrity of the report. She does not feel the traffic
23 concerns have been properly mitigated. She too agrees the roads are too narrow and that
24 eliminating sidewalk is a safety issue. She also believes the project is too dense.

25
26 Seeing no one else wishing to comment; Chair Hirschi closed the public hearing.

27
28 Mr. Call asked in what way the proposed application does not conform to current
29 ordinance. He said there have been many issues raised which may be of concern for future
30 developments and which may require some changes to the City's ordinances, but according to
31 current ordinance this development complies. He said this development is consistent with the
32 conceptual site plan already accepted and meets density allowances. He said the potential
33 negative effects have been identified and mitigated. He said this is an optimal configuration for
34 the market and has adequate green space, roadways, landscaping, and parking.

35
36 Mr. Snyder verified the jurisdictional wetlands have been appropriately studied and the
37 easement covers all issues. Mr. Snyder reviewed the density calculation explaining how gross
38 density is applied according to current zoning ordinances. He agreed the Mansion may not be
39 marketable but said that single-family and multi-family have been mixed together in the past. He
40 said the applicant could come back in the future for an amendment if the home doesn't sell. He

1 explained the proposed layout is optimal for snow removal because of the open space to the
2 north. It is possible to push the snow all the way down the street and stack at the end.
3

4 Mr. Scott addressed the Mansion concerns. He said it is in their best interest at this time
5 to keep the home intact. He said the lot size for the Mansion is large enough to accommodate the
6 home and provide a private backyard. He verified the roadway is 24 feet wide and not 20 as
7 mentioned during the public comments. He said any gates located within the wetlands will likely
8 stay. They do not intend to construct anything in that area per the easement; it will only be
9 landscaped. He said the price point for the townhome units will likely fall in the mid \$200,000
10 range.
11

12 Chair Hirschi said it was asked who is responsible if an HOA is not functioning correctly.
13 He asked if a condition should be included stating the City will step in if the road is not properly
14 maintained or the Fire Code is not properly followed. Mr. Snyder said roadway maintenance is
15 subject to City Ordinances and enforcement. In addition, the CUP also governs many aspects of
16 the roadway and fire safety. He said it is possible for the City to step in if needed, but generally
17 most HOAs are successful. Mr. Snyder said he believes the loop road is actually a better design
18 for fire safety than a car port/parking lot scenario. He explained the proposed development is
19 over parked and over landscaped. He suggested a provision could be included in the HOA
20 regulations stating garages are to be used for parking and not storage.
21

22 Commissioner Johnson said he too is concerned with the traffic study and the small
23 sampling performed. He said 4-units an acre is permitted and the additional 4-units an acre is per
24 the CUP. He asked if the mitigation for traffic impacts includes the entire 8-units per acre or if it
25 is only applied to the 4-units per the CUP. This would calculate to a 9% increase in traffic, not
26 the entire 18%.
27

28 Lisa Romney, City Attorney, said the City does not impose any impact fees for streets or
29 transportation. However, if evidence within the record indicates an impact on traffic then the
30 City can require the applicant to provide their proportionate share of that traffic impact. The
31 difficulty with this situation is that the traffic study shows the majority of the traffic impact is
32 coming from other developments already in the area. If the City Engineer deems it necessary,
33 then the applicant may be asked to contribute. The City Engineer may choose to conduct a
34 separate traffic study in order to provide additional information. The Commission could include
35 a condition requesting a contribution from the applicant for traffic impacts if deemed necessary
36 by the City Engineer. If the applicant is opposed he can always appeal the decision to the Board
37 of Adjustment. She agreed the amount would be minimal and would only be applied to the
38 additional 4-units per acre per the CUP.
39

40 Commissioner Hayman asked for clarification on the driveway depths. She asked for
41 clarification regarding fire truck access. She asked if there are any other developments near an

intersection that were required to contribute to a traffic signal. Mr. Snyder said the driveways are 14 feet deep. If you add the 4-foot sidewalk width then you get 18 feet total. He explained this is why staff is suggesting the elimination of the sidewalk on the interior loop. Then the driveways can be extended to the 18-foot depth without any obstruction (i.e., sidewalk). Mr. Snyder explained there are Fire Code minimum requirements and practical behaviors. The fire department would prefer to stack as many engines and emergency vehicles as necessary during an emergency. The Fire Code minimum is a 20-foot wide road, red curbs, and signage. This development includes 24-foot wide roads and the applicant has stated they are willing to comply with the red curb and signage requirement. Mr. Snyder said there have been other multi-family developments located near intersections in the city but he is unsure how any traffic fees were applied, if any.

Chair Hirschi made a **motion** for the Planning Commission to approve the Final Site Plan for the Porter Lane Townhomes Project, to be located on property at 564 West Porter Lane, with the following conditions:

Conditions:

1. The project shall be developed in conformance with the submitted site and elevation plans dated July 1, 2015 (as also reviewed by the Planning Commission 7/22/2015), and as amended with this approval.
2. The final site plan density depicted shall be subject to the review and approval of a Conditional Use Permit Use Density between 5-8 units per gross acre.
3. The final site plan submittal shall be amended to accomplish the following:
 - a. Compliance with the South Davis Fire Marshal Letter dated June 25, 2015 and/or as deemed acceptable by the Fire Marshal in accordance with the applicable provisions of the adopted Fire Code.
 - b. All above ground utilities for the buildings shall be screened from view from any public right-of-way (see Section 12-51-110.d).
 - c. All use of interior development lighting shall comply with Section 12-55-140, Outdoor Lighting Standards.
 - d. The internal sidewalk system shall be revised, as follows:
 - Provide sidewalks along the outside roadway loop only
 - Adjust the driveway depths to accommodate an 18-foot parking depth and the sidewalk system without blocking the walkway with vehicles
 - Connect the interior area walks, through the common space, to the outside roadway loop with crosswalks
 - Outside sidewalk loop connects to the public sidewalk system on Porter Lane
4. The project shall be subject to the construction of roadway, utility, and service improvements and associated fees and bonding in accordance with applicable City Ordinances or laws and deemed acceptable by the City Engineer or other City staff.

5. The project shall secure and provide private refuse (i.e. garbage) service for each dwelling inside the development.
6. All signage requires separate permits and are to be approved by the Zoning Administrator as part of the sign permit application, and must meet the requirements found in Chapter 12-54 of the Zoning Ordinance.
7. The project shall be subject to obtaining a subdivision approval from the City prior to selling any parcel, lot, or tract within the development.
8. The policy of no parking on the streets and street maintenance as required by the Fire Marshal's letter and existing City Ordinances will be complied with.
9. The traffic study submitted by applicant will be reviewed by the City Engineer and if determined by the City engineer that further mitigation is necessary than the applicant shall be required to comply with that mitigation requirement.

Reasons for the Action (Findings):

- a) The final site plan submittal has adequately shown how the property may be developed [Sections 12-21-110.d & f].
- b) The development is consistent with the goals and objectives found within the Centerville City General Plan [Section 12-480-3].
- c) The final site plan substantially reflects the conceptual plan acceptance of June 24, 2015.
- d) The proposed final site plan, with the conditions listed, meets the applicable Development Standards for the R-M Zone, Off-Street Parking, and the Landscaping and Screening Standards of the Zoning Ordinance.

The motion was seconded by Commissioner Johnson.

Commissioner Johnson made a **motion to amend** to strike Condition #9 from the motion. He does not believe the level of impact is significant enough to warrant additional mitigation. The motion to amend died for lack of a second.

Commissioner Hayman agreed she does not want the applicant's traffic study to be the final say regarding possible traffic impacts. Mr. Snyder said the City Engineer will review the traffic study and may request clarification from the traffic engineer. The City Engineer will then decide if additional information is needed and will act accordingly. The applicant does have the ability to appeal any decision to the Board of Adjustment. Chair Hirschi agreed turning the matter over to the City Engineer is the best course of action.

Commissioner Johnson said the proposed project complies with current City ordinances and he does not believe the Commission has the grounds to deny this application. He agreed there may be some weaknesses in the ordinances with regard to road widths, sidewalks, and parking, but those are issues that will need to be addressed separately from this application.

Commissioner Ince said he does not believe the proposed development makes sense and he is frustrated that he feels obligated to approve it. Commissioner Hayman agreed. She also empathizes with the citizens who have raised concerns.

Chair Hirschi called for a vote on the motion. The **motion passed** by roll-call vote (4-0).

Commissioner Johnson made a **motion** for the Planning Commission to approve the Conditional Use Permit (CUP) application for the Porter Lane Townhomes Project, to be located on property at 564 West Porter Lane, with the following conditions:

Conditions:

1. This conditional use is limited and subject to the development of the property, as submitted and approved with the related final site plan of July 1, 2015, as amended.
2. The density use of the property shall not exceed 47 units and 7.62 units per gross acre.
3. The development shall comply with the Fire Marshal's Letter dated June 25, 2015 and/or applicable fire codes, which at a minimum are:
 - a. Marking the private roadway curbs in red, and
 - b. Posting the signs relating to the "no parking" restrictions
4. If it is further deemed necessary by the City Engineer, this project be subject to mitigate their direct portion of the traffic generated at the intersection of 400 West and Porter Lane.

Reasons for the Action (Findings):

- a) According to Table 12-32-1 for the R-M Zone, a use density of 5-8 dwellings may be established through an approved conditional use permit (CUP).
- b) A conditional use permit application to consider allowing multi-family density of up to 8 units per acre must address the standards found in Section 12-21-100(e) of the Zoning Ordinance.
- c) The property is generally flat and suitable for further development, while the multi-family use and development layout is consistent with the area's neighborhood plan.
- d) The City Engineer, with corrections and changes, has determined that proper drainage for the site is feasible.
- e) The traffic study concludes that adequate traffic capacity exists for allowing the proposed development (Level of Service "C").
- f) Compliance with the Fire Marshal's directives and the parking ratio of over 4 stalls per dwelling, there is sufficient capacity to mitigate the initial concerns regarding access, circulation, and parking.
- g) The use of garbage trucks, deliveries, lighting, and other normal residential-type activities are subject to various City Regulations and Noise Ordinances to prevent such activities from becoming a nuisance.

h) With the conditions listed and the development subject to the design and layout of the associated final site plan, the density use approved is deemed appropriate for the property.

The motion was seconded by Chair Hirschi.

Commissioner Hayman made a **motion to amend** condition #3a to allow the applicant the ability to consult with the Fire Marshal and use red letter stenciling along the curb instead of completely painting the curbs red. She agreed red curbs can be an eye sore and this may be a better option. The motion to amend was seconded by Chair Hirschi and passed by unanimous roll-call vote (4-0).

Commissioner Ince said there are too many issues associated with this development, i.e., sidewalks, parking, road width, driveway depth, etc. He said approving these issues is inviting future problems and he would prefer to table or deny this application. He does not feel the impacts have been properly mitigated. He is in favor of the permitted 4-units per acre only.

Ms. Romney reminded the Commission that any tabling or denial requires reasons from the record that state how the impacts are not appropriately mitigated. Mr. Snyder agreed stating the Commission must explain who is being injured and how.

Commissioner Hirschi said, other than traffic, he does not see any evidence that there is a violation of the ordinances. In his opinion, the traffic has been sufficiently mitigated by requiring further review and approval by the City Engineer. He said he too would deny this application if there was any substantial evidence showing an impact that has not been mitigated or an issue that did not meet current standards.

Chair Hirschi called for a vote on the motion as amended. The **motion as amended passed** by roll-call vote (3-1). Commissioner Ince opposed.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be Wednesday, August 12, 2015.

The meeting was adjourned at 11:05 p.m.

David Hirschi, Chair

Date Approved

Kathleen Streadbeck, Recording Secretary

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

**STAFF REPORT
AGENDA: ITEM 1**

OWNER: RUSS MACKEY
MACKEY INVESTMENTS CENTERVILLE LLC
2087 EAST 250 NORTH
LAYTON, UT 84040

APPLICANT: MARK L. NELSON
1551 SOUTH RENAISSANCE TOWNE DR #540
BOUNTIFUL, UT 84010
mlndds@hotmail.com

PROPERTY: 782 WEST PARRISH LANE (ISLAND PARCEL)

USE: DENTAL OFFICE (MEDICAL SERVICES)

ACREAGE: .56 ACRES

ZONING: COMMERCIAL VERY-HIGH (C-VH)

APPLICATION: CONCEPTUAL SITE PLAN ACCEPTANCE

RECOMMENDATION: APPROVE CONCEPTUAL SITE PLAN

BACKGROUND

In January of 2008, development on the island parcel adjacent to Market Place Drive, Parrish Lane and the Frontage Road was approved. The approval included an Iggy's Restaurant to the south, and a possible restaurant on the northern portion of the lot. It was determined in 2008, that the second building would be reviewed later by the City when an application was submitted. In 2013, Wasatch Running Center received conceptual acceptance to build a shoe store at this location, yet chose to open in an established location adjacent to Jo-Ann Fabric and Crafts. Recently, Brett Kearney, Agent for Mark L. Nelson submitted an application for a new office building at this location and now desires a conceptual site plan review by the Planning Commission.

CONCEPTUAL SITE PLAN REVIEW & PLANNING STAFF ANALYSIS

C-VH Zone Uses Allowed.

By Ordinance, a dental office is categorized under the definition of "Medical Services" (Chapter 12-12). According to the Table of Uses in Chapter 12-36 of the City's Zoning Ordinance, "Medical Services" is a permitted use in the C-VH Zone.

General Plan

The Centerville City General Plan indicates this area is within Neighborhood 4, Northwest Centerville [12-480-5]. In relation to commercial development, an appropriate boundary is established along Parrish Lane. It indicates that high to very-high intensity commercial uses must be located within 500 feet of Parrish Lane. Furthermore, the General Plan establishes Parrish Lane as the "dominant commercial center of Centerville" [12-430-2(3)]. Therefore, the General Plan is in support of a dental office in this location.

C-VH Zone Development Standards, Chapter 12-34

Development Standards for Commercial Very-High Zone			
Development Standards	Required	Actual	Compliance
Building Standards			
Distance Between Buildings	6 Feet	123 Feet	Yes
Maximum Height	45 Feet	Unknown	-
Setbacks			
Front	20 Feet	21 Feet	Yes
Street Side Yard	20 feet	20 Feet	Yes
Side	8	116 Feet	Yes
Rear	None	28 Feet	Yes
Floor Area per Building, Maximum	6,000 square Feet (amended Development Agreement)	5,000 Square feet	Yes

This site is unique, as it is surrounded on three sides by streets. The Ordinance does not define the "front of the building" as having a front door, it only requires specific setbacks. Therefore, staff has measured the northeast as being the front and the west as being the street side yard. All sides facing a street must maintain 20-foot setbacks from the property line, which the applicant has accomplished. The structure is a two-story building, yet for the final site plan applicant will need to verify the height of the structure. The property owner has discussed the square footage and is requesting an amendment to the Development Agreement be considered that reduces the total square footage back to the original 5,000 square feet, since parking is already extremely tight on the lot.

Commercial Development Standards

Parking, Chapter 12-52

Table 12-52-1 indicates that “Medical Services” requires one parking space per 175 square feet of gross floor area. The Mark L. Nelson Dental Office has 5,000 square feet of gross floor area, which requires a total of 29 stalls. The site plan indicates 25 stalls being provided, although short 4 stalls, the entire island parcel has shared parking and also has a parking agreement with MTC, which allows the dental office employees and Iggy’s employees to park at the MTC. Therefore, staff believes with these parking agreements in place, adequate parking has been provided.

Landscaping, Chapter 12-51

The applicant has submitted a site plan showing the general location of landscaping and has provided additional detail of the landscaping area and planting calculations. The applicant will need to submit a final landscaping plan with plant type and exact numbers as part of the final site plan.

Required Landscaping Summary, Chapter 12-51			
Guidelines	Required	Actual	Comply
Total Area Landscaping	15%	7,515 Square Feet 31.3%	Yes
Total Required Trees	1 Tree per 500 square feet of landscaping	31	Yes
Trees for Street Frontage	1 per 25 linear feet		
Building Frontage/Foundation	50%	90%	Yes
Total Interior Parking Lot Landscaping	7%	590 Square Feet 7.1%	Yes
Total Interior Parking Lot Trees and Shrubs	For every six required stalls: 1 tree	4	Yes
	For every six required stalls: 2 shrubs	Undetermined	Not Available

Screening, Section 12-51-110

According to Section 12-51-110 of the Zoning Ordinance, the dumpster area must be screened from view by a wall or fence that is at least 6 feet in height, provides complete visual screening and be compatible in material and color with the main building. The final site plan will need to indicate the how the dumpster will be screened.

Signs, Chapter 12-54

All signage require a separate permit and must be reviewed by staff for approval at the time a sign permit application has been submitted following Chapter 12-54 of the Zoning Ordinance. It appears the applicant is proposing wall signage only on the north and south walls. However, if the applicant desires more signage, this must be depicted on the final elevation plans.

PARRISH LANE GATEWAY DESIGN, Chapter 12-63

The General Plan has established Parrish Lane as the “dominant commercial center of Centerville” [Section 12-430-2(3)]. In order to enhance the economic and aesthetic value of the community, the Parrish Lane Gateway Standards have been established. The Zoning Ordinance

defines the Parrish Lane Gateway as being: "property that has frontage on Parrish Lane, is part of a larger project that has frontage on Parrish Lane, or has a significant visual presence on Parrish Lane, between Main Street and the Legacy Highway right-of-way" [Section 12-63-020(b)].

Architecture, Section 12-63-040

Articulation, Section 12-63-040(a)

"A building *should* reflect a human scale and be inviting to the public." This *must* include breaking up the mass of the building with the stepping of the building horizontally and vertically. In addition, the entrance must be accessible from the public sidewalk.

- **Staff Response:** The submitted sketches indicate the buildings mass has been stepped horizontally and vertically. The walls are covered with large glass windows giving a positive visual appearance on all four sides of the structure. A pathway has been provided from the sidewalk to the front entrance and connecting to the existing pathway to Iggy's Restaurant.

Public Amenities, Section 12-63-040(b)

The creation of public amenities to enhance the pedestrians comfort and experience *should* be encouraged.

- **Staff response:** The site plan shows the pathway and water feature, which will act as enhanced public amenities. Staff would suggest the applicant look at a few options such as benches in front of the dentist office and decorative lighting to add to the public amenities.

Colors and Materials, Section 12-63-040(c)

The color and material used *should* harmonize with the existing and surrounding development by providing *required* architectural upgrades for visual relief.

- **Staff Response:** Elevation drawings have been provided, indicating the structure to have a classical style with windows and other features to give architectural relief. The building does not mimic the surrounding architecture, yet with the usage of glass, metal and stone, it blends in with the surrounding development. The large glass windows create a harmony with the offices found to the east. The structure has similarities to the Wright Development Building at the Legacy Crossing project, which is located on Parrish Lane and 1250 West. According to Section 12-63-040(c)(1), a storyboard will be required as part of the final site plan approval, which indicates all colors and materials.

Screening, Section 12-63-040 (d)

Screening *must* be used in order to mitigate the visual impact of utility equipment, service areas and dumpster locations.

- Staff Response: The applicant has stated that a parapet wall will screen all roof-mounted equipment. Yet, any wall-mounted equipment will also need to be screened using landscaping or other architectural features. The applicant will need to show how this will be accomplished at the time of final site plan submittal. Dumpster screening will also need to be clarified as part of the final site plan application.

Landscaping and Features, Section 12-63-050

Overall Design Concepts, Section 12-63-050(a), Ground Cover, Section 12-63-050(d), Plant Material, Section 12-63-050(e)

Landscaping found on site *should* contribute to the overall character of the community. The landscaping *must* include pedestrian circulation and an overall design that adds variety and interest.

- Staff Response: The applicant has provided excellent detail on the conceptual landscaping plans and identifying the location of all trees and areas to be planted with vegetation. The concept will blend in well with the surrounding properties and be a positive asset to the community. The overall design of the landscaping should have a theme that carries throughout the development, including the parking lot. This could include rock features throughout all the planting beds, or the same type of plantings.

Great emphasis by the City has been placed within this location for pedestrian circulation. Staff strongly encourages the applicant to emphasize any area that may attract pedestrians to their establishment by using stamped-colored concrete where possible, and enhanced landscaping around pedestrian pathways. As stated in Section 12-63-050(e) of the Zoning Ordinance, vegetation should be selected as to give pedestrians a sense of comfort and safety while enhancing the community image.

When the island parcel went through previous conceptual approvals, a wall feature on the corner of Parrish Lane and Market Place Drive, and Market Place Drive and the Frontage Road was requested. In order to blend in with the rest of the development, this feature appears to have also been included in the form of a water feature along the north and west portion of the lot.

Site Grading, Drainage, Section 12-63-050 (b)(c)

Existing land features *should* be kept as part of the design with drainage being integrated in to other landscaping elements.

- Staff Response: The island parcel has already been mostly graded and no natural features will be salvaged. The applicant will need to ensure that all

proper drainage and required grading be accomplished, in accordance to all City Standards.

Water Features and Art and Furnishings, Section 12-63-050(f)(g)

A way to enhance the unique character of a development is to add water features, public art or street furniture, which *should* be encouraged on each development.

- Staff Response: As stated previously, the applicant has proposed a water feature on the northwest corner. This feature will be a positive aspect of the neighborhood and add to the overall enjoyment of the Market Place neighborhood. The feature appears to include a wall and waterfall feature into a small pond. More detail on this water feature should be included in the final site plan. Other elements to enhance the location aesthetically may be found in outdoor furnishings, wall lighting elements, and landscaping features such as decorative rock, and gravel.

Maintenance, Section 12-63-050(h)

Projects *should* demonstrate that maintenance factors have been considered in the landscaping design.

- Staff Response: All of the on-site landscaping must be maintained by the owner. The final landscaping plans must show an irrigation plan has been established.

Off Street Parking – Layout, Section 12-63-060

Surface Parking Lot Design and Overall Design Concepts, Section 12-63-060(a)(b)

Parking *should* be designed to provide sufficient and safe vehicular and pedestrian traffic with minimized curb cuts and enhanced internal landscaping.

- Staff Response: The location of parking stalls, drive-isles and parking lot islands have been identified and meet the requirements found within the Zoning Ordinance. One concern by the City Engineer is that of the parking lot being open in the southeast portion from the Marketplace entrance. The concern is that this will end up being used as a drive-isle and not designated parking. The Engineer has requested that a curbing system or parking stall blocks be added to ensure they remain parking stalls. This detail will need to be addressed on the final site plan and reviewed by the City Engineer.

Off Street Parking – Lighting, Section 12-63-070

Standards and Lighting Plans

Parking lot lighting *should* be designed to illuminate the parking and loading areas, but decrease the impact on surrounding development.

- Staff Response: When the applicant submits the final application, he will need to submit an overall lighting plan. This plan should include all proposed building and parking lot lighting.

Streetscape Standards, Section 12-63-070(a)-(i)

Although the development is located along Market Place Drive and the Frontage Road, it is still considered within the Parrish Lane Gateway and will still be *required* to meet all applicable streetscape improvements.

- Staff Response: The applicant has not indicated any detail on the streetscape standards and will need to show this information on the final plans. An undulating berm along Market Place Drive and along the Frontage Road is required. This berming must be at least 15 feet wide and no more than 2 feet wide. Staff suggests that the applicant look at Iggy's berm and match the style, height and design. Any pedestrian crossing through the parking lot area must be designated with stamped-colored concrete.

Other Development Issues

The following additional development concerns must be addressed as part of the final site plan application:

- All easements and utilities must be shown on the final site plan
- The applicant will need to work with the City Engineer and the Public Works Director to establish what development fees will need to be covered
- A bond must be established for all on-site improvements by the City Engineer and posted by the applicant prior to receiving a building permit
- The RDA must review the conceptual design to approve a change in the use on the island parcel

Conclusion

A conceptual site plan is merely to show how the property may be developed and staff believes the applicant has accomplished this. In addition, the applicant has also identified how they desire to accomplish all necessary guidelines for development along Parrish Lane.

PLANNING STAFF RECOMMENDATIONS

Conceptual Site Plan - Suggested Motion for the Conceptual Site Plan Acceptance:

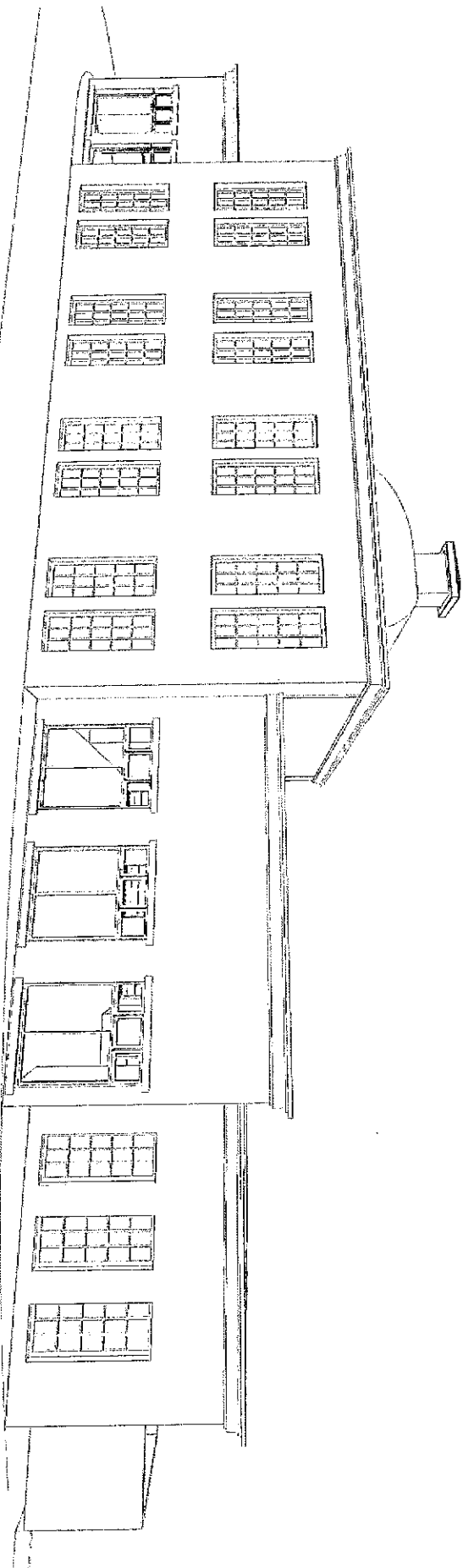
PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the conceptual site plan for the Mark L. Nelson Dental Office, to be located at 782 West Parrish Lane, and render the following directives:

1. A final site plan application shall be submitted following the criteria found in Section 12-21-110(e)(2) of the Zoning Ordinance.
2. A storyboard depicting the final colors and materials shall be submitted with the final site plan application.
3. Clarification on the structures total height shall be identified on the final sketches.

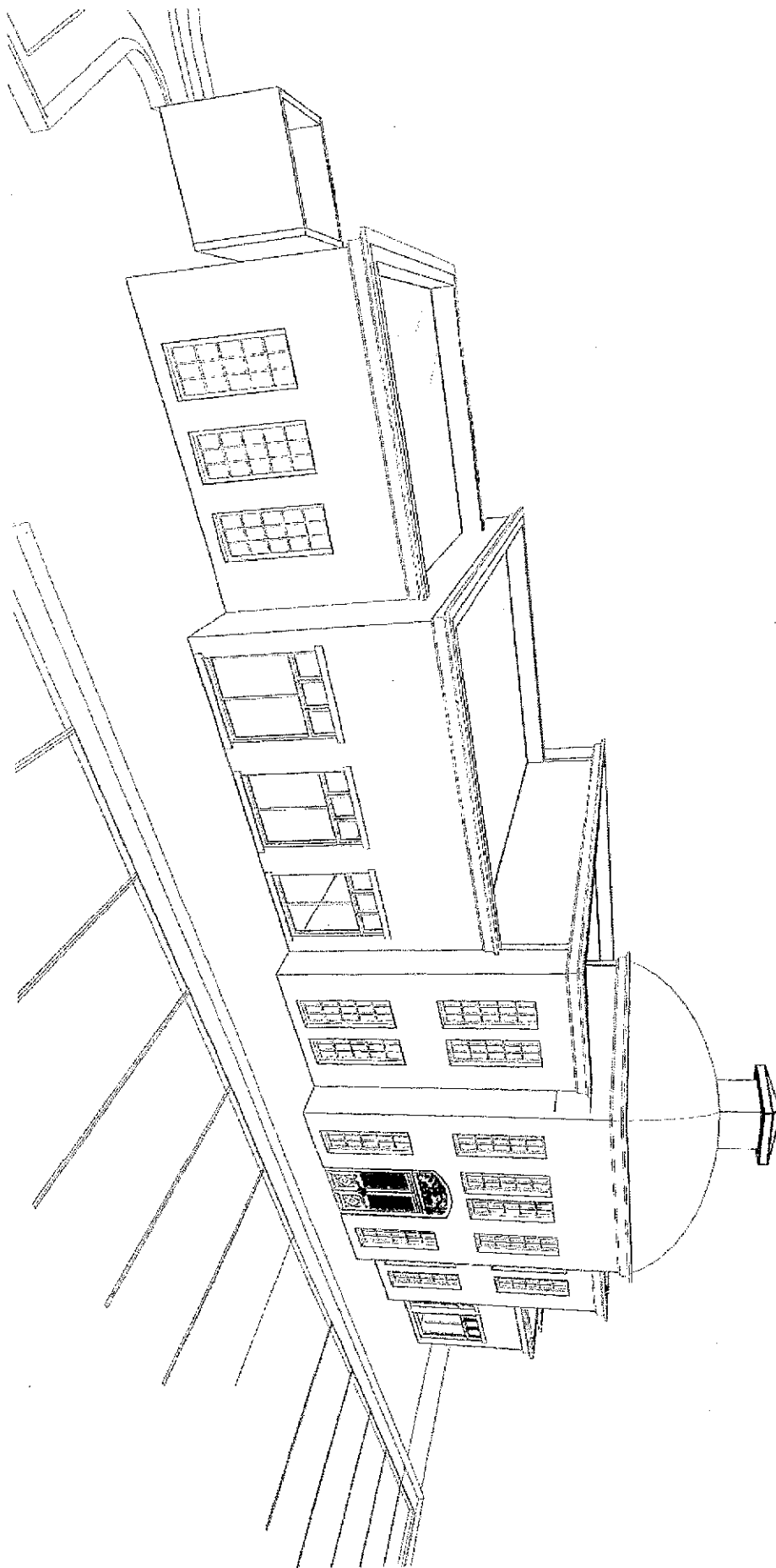
4. Proposed sign locations on the final plans shall be indicated.
5. A lighting plan shall be submitted indicating all parking lot and wall-mounted lighting.
6. All easements and utilities shall be shown on the final site plan.
7. The applicant shall work with the City Engineer and Public Works Director concerning curbing or other device within the southeast parking lot.
8. A final landscaping plan shall be submitted following all applicable standards found in Chapter 12-51 and 12-63 of the Zoning Ordinance and shall address the following:
 - a. Location and type of all vegetation
 - b. The total number of trees and shrubs
 - c. An irrigation plan
 - d. Depiction of a landscaping theme throughout the site that may include, rock features, types of gravel, or specific shape of planting beds. This theme shall have similarities to Iggy's, so it will blend with the rest of the island parcel
 - e. Vegetation around all walkways should be emphasized
 - f. Streetscape Standards such as street trees, pedestrian lighting and berming features shall be depicted on the final site plan
9. The dumpster screening and any wall-mounted equipment shall be indicated on the final site plans.
10. The design of the water feature shall be submitted for final review.
11. The applicant shall work with the City Engineer and Public Works Director to establish what development fees may still be required.
12. A bond must be established for all on-site improvements by the City Engineer and posted by the applicant prior to receiving a building permit.
13. The RDA must review the conceptual design to approve a change in "use" on the island parcel.

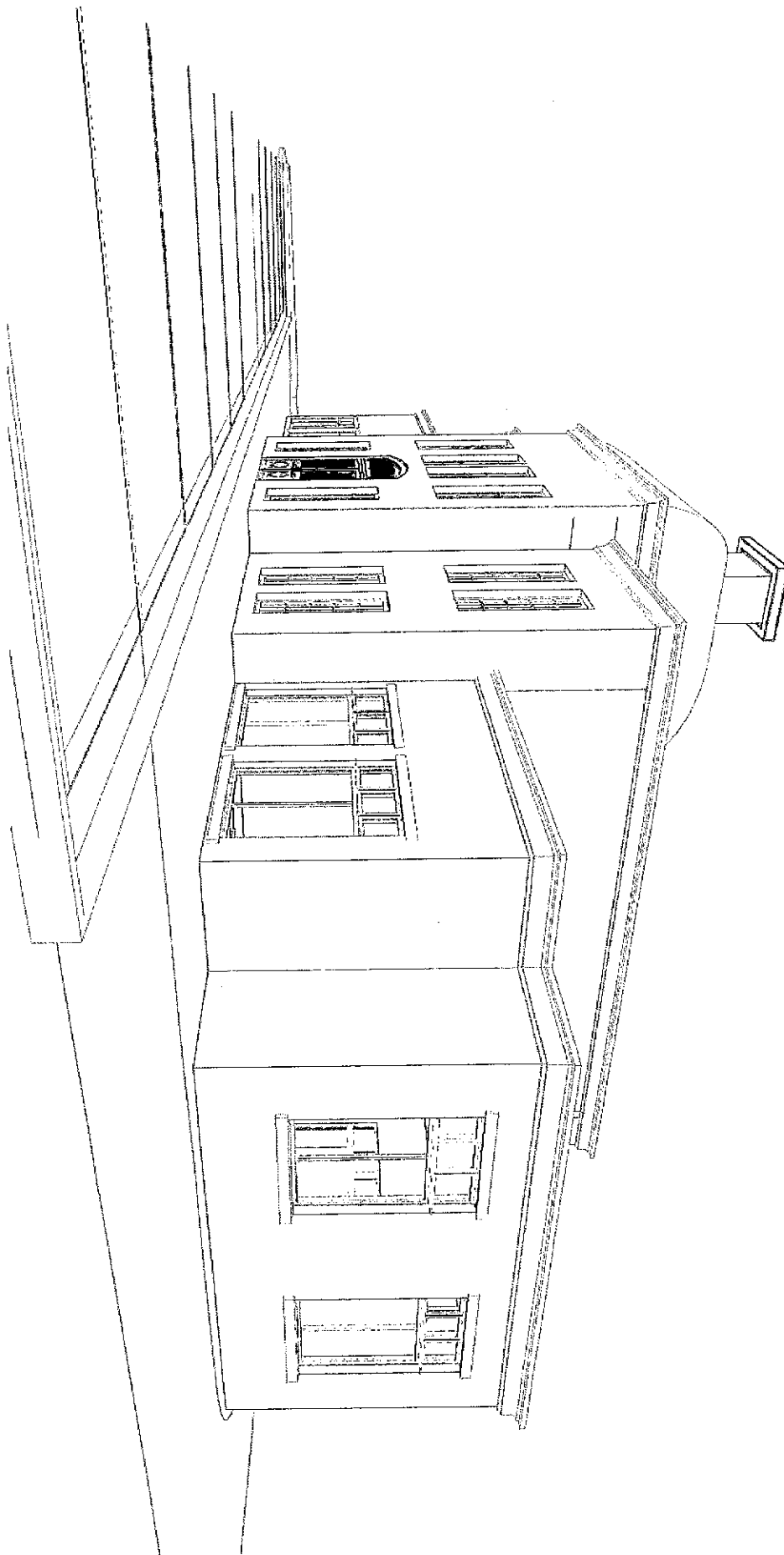
SUGGESTED REASONS FOR THE ACTION:

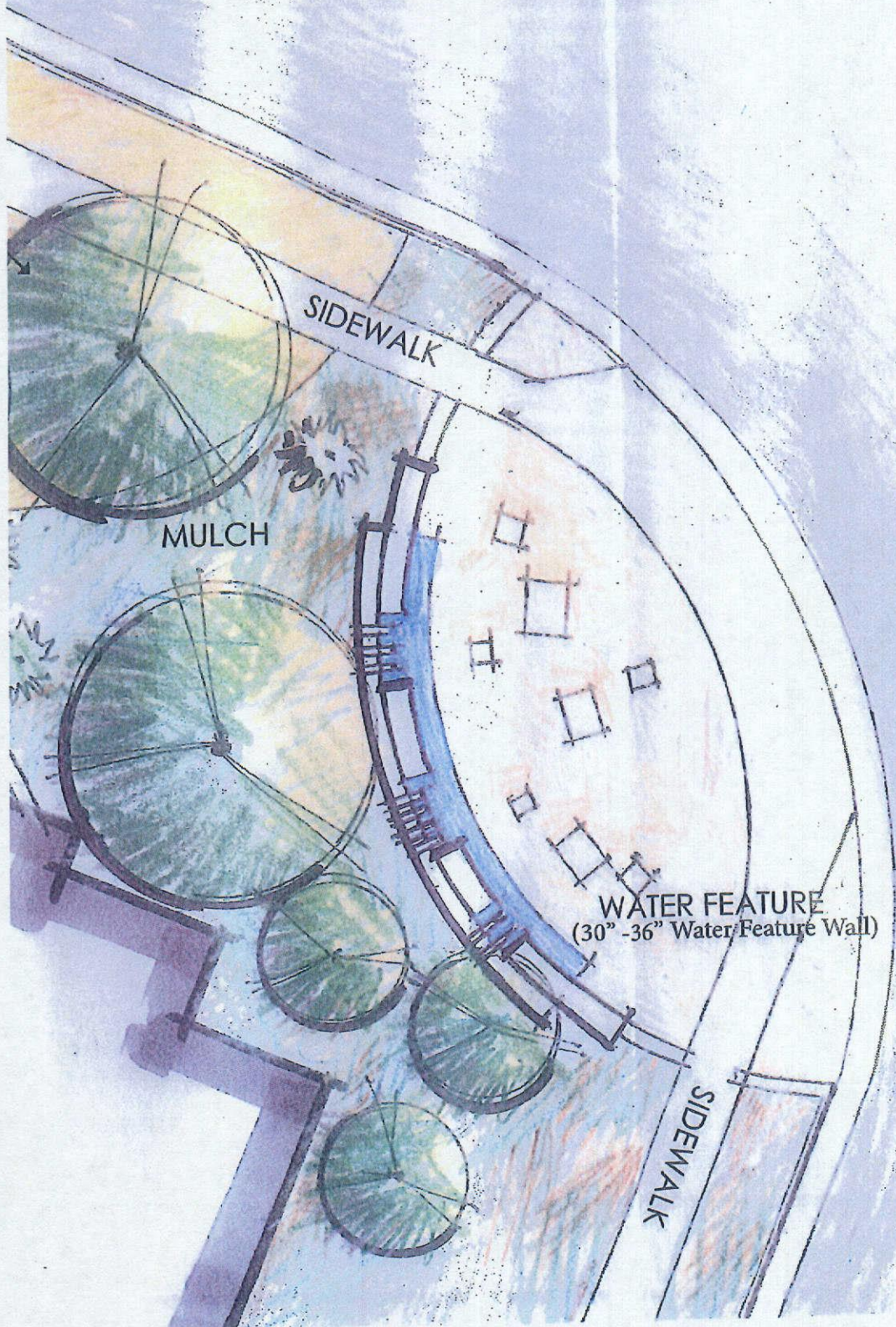
1. A complete conceptual site plan application has been submitted [Section 12-21-110(d)(1)].
2. A conceptual site plan is not intended to permit actual development of property, merely to represent how the property may be developed and does not create any vested rights to develop [Section 12-21-110(d)(5)].
3. The use of "Medical Services" is allowed within the C-VH Zone [Chapter 12-36].
4. This location is found within the Parrish Lane Gateway and must address all applicable standards of Chapter Section 12-63 of the Zoning Ordinance.
5. The proposed location is part of the island parcel and an RDA designated area, which may be subject to additional governing documents.



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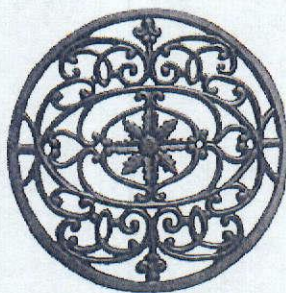
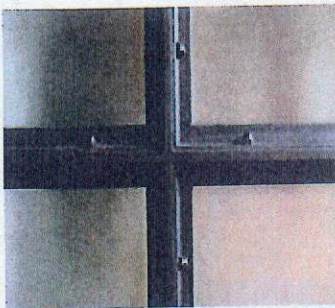
Dr Mark Nelson Dental Office Conceptual Site Plan

Building Materials and Color Scheme:

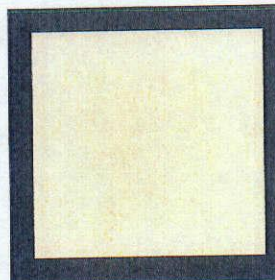
- EIFS

Mirage	Crystal White	Egg Shell
28 (56)	50 (79)	73 (76)
Base 200	Base 100	Base 100

- Metal Window Frames, Medallion, Metal Panels



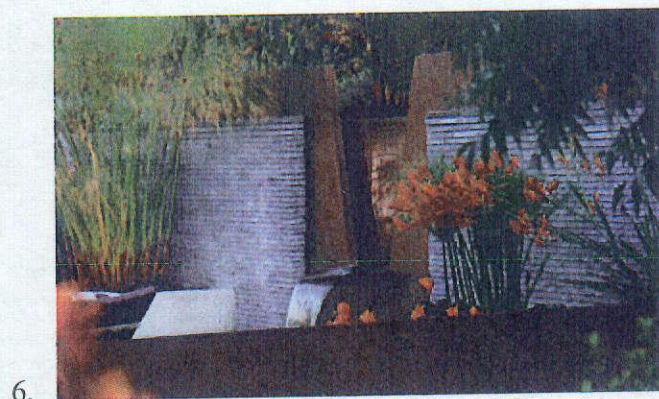
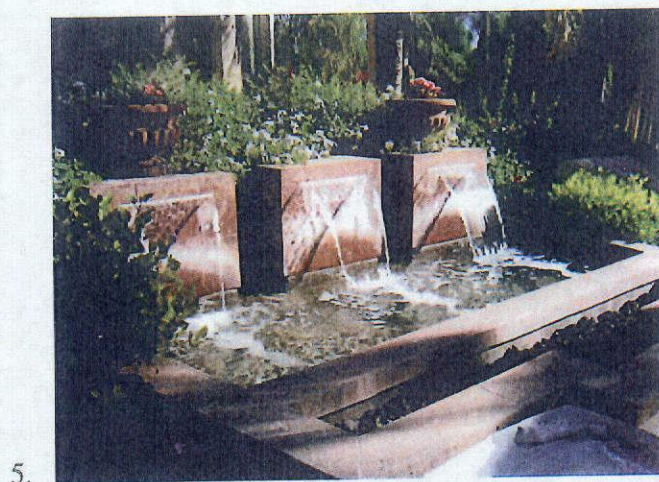
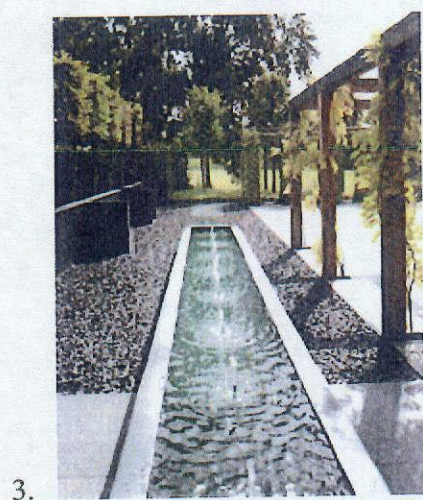
- GFR Stone

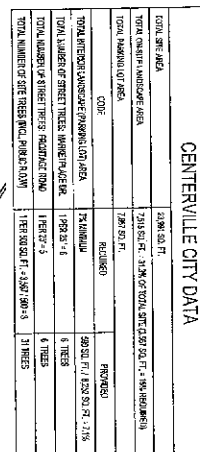


Color: Buff

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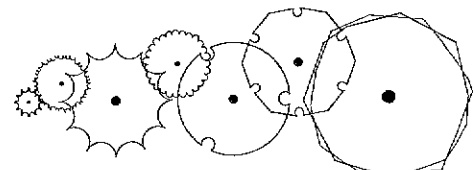
Site Water Feature:





BOTANICAL NAME

CONCLUSION



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[illegible]SCALE: $r = .99$

CENTERVILLE, UTAH



6418 Louis Ravelly Parkway, Suite 200, Sandy, Utah 84070 801.253.7700 info@engineering.com
Civil Engineering • Consulting & Landscape Architecture
 Structural Engineering • Land Surveying & MDS

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REVISIONS		
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PROJECT NO: 15478
 DRAWN BY: MH
 CHECKED BY: SS
 DATE: 04-17-18

CONCEPTUAL
 PLANTING
 PLAN

L2.01

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

**STAFF REPORT
AGENDA: ITEM 2**

**PROPERTY OWNER/
APPLICANTS:**

**H&S LLC
FRED HALE/CHAD SALMON
1778 WEST 1180 SOUTH
WOODS CROSS, UT 84087
chad@salmonelectric.com
fredh@colonialbuilding.com**

PROPERTY: **SOUTHWEST CORNER/ 1250 WEST PARRISH LANE
(AKA: LEGACY TRAIL DEVELOPMENT)**

ACREAGE: **12 ACRES**

ZONING: **COMMERCIAL VERY-HIGH/(PD)**

APPLICATION: **PDO ZONE PLAN AMENDMENT – ALLOWING AN
ALTERNATIVE COMMERCIAL ARCHITECTURAL
DESIGN**

RECOMMENDATION: **CONSIDER APPROVING THE PROPOSED
AMENDMENT**

BACKGROUND/STAFF COMMENT

The petitioners desire to amend the approved project's architectural design schemes and add an alternative commercial design (gas station & two office lots) for the Legacy Trail PDO Master Conceptual Plan. The proposed design change would allow the following:

- *Allow commercial buildings to utilize a flat-roof design to accommodate roof-mounted utility and equipment installation*
- *Allow use of heavy timber design features and elements for commercial buildings*

As the Planning Commission may recall, Lot 1 has previously received conceptual plan acceptance with a directive that the applicant must receive a planned development amendment to allow for their proposed building design (i.e. flat roof and heavy timber elements) for the Maverik Store. Additionally if the amendment is approved, such design could be available for use by Lots 2 & 3, the two commercial lots along 1250 West that frame the roundabout intersection.

STAFF REVIEW AND ANALYSIS

PDO Amendment Procedure, Section 12-41-080(g)

Amendments to a PDO approval are subject to the original procedure used for obtaining a preliminary plan approval (*i.e. conceptual approval associated with the PDO rezone*), as stated in Section 12-41-080.g. Thus, the process to amend the PDO Conceptual Plan (*i.e. preliminary plan*) is to review the changes, notice and hold a public hearing, debate the merits of the request, and make a recommendation to the City Council, whom repeats the same decision-making process.

PDO Purpose & Intent, Section 12-41-010

According to Section 12-41-010, the purpose of the PDO provisions is to allow:

“mixed residential/commercial projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations.”

Original PDO Approval - Architectural Design

[Original Language Approval] The Commercial and Residential Architectural Concepts, as depicted on the Conceptual Plan, shall accomplish the following:

- a. The building design expectation is a village-style design
- b. Buildings with full pitched roofs
- c. Use of dormers, gables, box windows, and canopies for windows and entryways
- d. Garages, balconies and entry portals for residential buildings
- e. Pedestrian amenities such as patios, plazas, and enhanced entries for the commercial uses
- f. Colors and materials that are consistent with the Conceptual Design Plan, and may also include colors or materials compatible with the Legacy Crossing Development or from the template of the Shorelands Commerce Park Design Guidelines
- g. All buildings to have a substantial architectural material base using rock, brick, or other similar maintenance free design material (*see provision Section 12-63-040.c.2*).

See Figure 1 - Original Commercial Architectural Design Concepts on Page 3



Figure 1- Original Commercial Architectural Design Concepts

Revised PDO Approval - Architectural Design

[Alternative Commercial Concept Design] The Alternative Commercial Concept, as depicted for the amendment, would accomplish the following:

- a. The building design expectation would allow a flat roof design with parapets to screen roof-mounted equipment
- b. Allow a heavy timber and/or hanging awning features for building entry points
- c. Reduce the architectural material base using rock, brick, or other like material and allow use of stucco-style materials for the base wainscot
- d. Introduce colors not found in the Legacy Crossing Development or allowed in the Shorelands Commerce Park color palette



Figure 2 - Proposed Alternative Commercial Architectural Design Concepts

STAFF RECOMMENDATION

(Suggested Motion for an amendment in regards to the original PDO Approval). I hereby make a motion for the Planning Commission to recommend to the City Council, to approve the petition to amend the Legacy Trails Development's PDO Approval, as follows:

1. The Alternative Commercial Design Plan Concepts are:
 - a. The building design shall consist of a flat roof design with parapets to screen roof-mounted equipment.

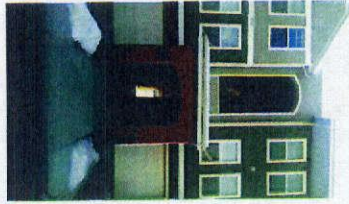
- b. Provision of heavy timber and/or hanging awning features for building entry points.
- c. The use of colors and materials shall be consistent with the development's originally approved Architectural Conceptual Design Plan, and may also include colors or materials compatible with the Legacy Crossing Development or from the template of the Shorelands Commerce Park Design Guidelines.
- d. All buildings to have a substantial architectural material base using rock, brick, or other similar maintenance free design material (*see provision Section 12-63-040.c.2*).
- e. All other related or associated conditions of the Legacy Trail Development PDO Approval remain in effect with this amendment.

Suggested Reasons for the Action (Findings):

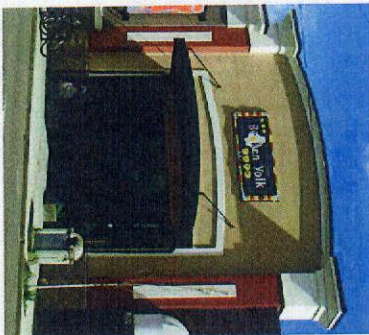
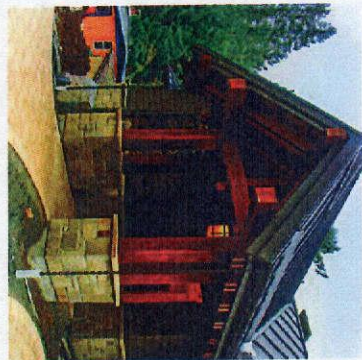
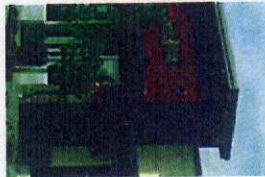
- a) The Commission finds that amendments to a PDO approval are subject to the original procedure used for obtaining a preliminary approval.
- b) The Commission finds that according to Section 12-41-010, the purpose of the PDO provisions is to allow:
"mixed residential/commercial projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations."
- c) The Commission finds that Section 12-41-070 allows for "variations from development standards" from both the Subdivision and Zoning Ordinances.
- d) The Commission finds that allowing an alternative commercial design plan facilitates the screening of needed utility and equipment for service to buildings.
- e) The Commission finds that the conditions of approval of the Alternative Commercial Design Plan are consistent and compatible with the originally approved Architectural Design Plan of the Legacy Trails Development.



COMMERCIAL ARCHITECTURAL CONCEPTS



RESIDENTIAL ARCHITECTURAL CONCEPTS



ALTERNATIVE COMMERCIAL ARCHITECTURAL CONCEPTS

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 Architectura Belgica, Inc. commercial • residential Phone 801.465.1234 Fax 801.465.1234 www.architectura-belgica.com		Legacy Trail Development 250 W Parrish Ln. Centerville, Utah		Sheet Title Architectural Terre Académica	Date July 20, 2015	Sheet Number 1 of 1
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**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 3**

APPLICANT/OWNER: BOB MASON
MASON FAMILY PARTNERSHIP
PO BOX 518
CENTERVILLE, UT 84014

APPLICANT EMAIL: Bob.mascoinc@gmail.com

PROJECT: TRI-CITY AMENDED SITE PLAN

PROPERTY: 461 SOUTH 800 WEST

ACREAGE: .69 ACRES

ZONING: COMMERCIAL-HIGH (C-H) ZONE

APPLICATION: AMENDED FINAL SITE PLAN

RECOMMENDATION: APPROVE THE AMENDED FINAL SITE PLAN

BACKGROUND

On February 11, 2015, Mr. Mason received a conceptual site plan acceptance from the Planning Commission for an amended site plan for his property located at 461 South 800 West. The proposed project includes an amendment of the Tri-City parcel for an off-road vehicle display just east of his existing building. By receiving this amendment, it will end an enforcement found on the unapproved parcel south of the existing building that Mr. Mason has been utilizing. The lot with the existing structure and the lot to the east for the new display area will be combined to have one parcel ID number.

PREVIOUS CONDITIONS OF APPROVAL

1. An amended final site plan shall be submitted, meeting the standards found in Section 12-21-110(e) of the Ordinance.
 - **Staff Response:** An application was submitted on May 13, 2015 and was found to be complete and ready for review by the Planning Commission.

2. The applicant shall combine the east and west lot at the Davis County Recorder's Office to create one parcel. This information shall then be submitted to City staff as part of the final amended site plan application.
 - **Staff Response:** Mr. Mason is in the process of combining the lots and will need to submit this information for his file. Staff is comfortable with not having this information as part of the application, since both properties are owned by Bob Mason. However, it will need to be submitted prior to receiving any further permits on the site.
3. Information concerning Best Management Practices (BMP) in relation to drainage and the containment of oils and silts shall be submitted to City staff for review on the final amended site plan.
 - **Staff Response:** The final site plans shows a proper inlet/control box for the protection to the stream channel of all silts and oil. This box has been reviewed by the City Engineer and found to be acceptable. Additional information may be required when improvements of the lot take place such as planting, pavement, curb and gutter, etc. All Best Management Practices shall be reviewed by the Public Works Director and City Engineer.
4. Landscaping detail, including total square footage and a total percentage shall be submitted with the final plans. This landscaping detail shall also ensure that all applicable criteria found in Chapter 12-51 of the Zoning Ordinance has been met.
 - **Staff Response:** The final plans indicate that 2,724 square feet of landscaping has been designated on site, which is a total of 15.5% overall landscaping. A total of 5 trees will also be planted along Porter Lane in front of the display area. It appears with the proposed improvements, that the landscaping requirements have been satisfied.
5. A depiction of the opaque screening around the storage area shall be submitted as part of the final amended site plan.
 - **Staff Response:** Mr. Mason has chosen to forgo the idea of a storage area and only have an area for display. Therefore, he does not require an opaque screening fence.
6. A decision on the total storage area, total display area and any parking shall be submitted by the applicant with the final amended site plan.
 - **Staff Response:** As stated above, the entire area will be considered display and will not require a screened fence. Also, no additional parking will be located on the site.
7. The applicant shall install any public improvements or show evidence of a deferral agreement delaying such installation.
 - **Staff Response:** The applicant will be responsible for any public improvements. No previous deferral agreement was found by City staff to be part of this property. Yet, the City Engineer and Public Works Director have indicated that this area may be part of a larger future project of burying the culvert and adding a curb and gutter and possibly a sidewalk. The time frame of this project has not

been determined and they would look at working with the property owners that may be affected. The City Engineer also stated that he will determine any dedication of future right-of-way or easements that may be required for this project and address this with the applicants engineer.

FINAL SITE PLAN REVIEW

The proposed final site plan matches the layout of the conceptual plans. It appears all zoning standards for development within the Commercial-High (C-H) Zone have been addressed and satisfied. The proposed amendment is for a display area and will therefore not require the use of public utilities, or other such improvements. The applicant is required to post a bond for all public improvements, storm drainage and landscaping, as determined by the City Engineer. Finally, the City Engineer has requested that a deferral agreement be created as to allow Mr. Mason to complete the required landscaping and the curb and gutter after the culvert has been constructed. This agreement shall be created by the City Attorney, with a time frame determined by the City Engineer and Public Works Director of the culvert construction.

PLANNING STAFF RECOMMENDATION

Staff recommends the Planning Commission approve the amended final site plan for the Tri-City property located at 461 South 800 West, with the following conditions:

1. The amended site plan shall be for a display area on the east portion of the lot only. This display area shall not include the storage of machinery, parts, equipment or storage containers of any kind.
2. The applicant shall combine the east and west lot at the Davis County Recorder's Office to create one parcel. This information shall be submitted to City staff as part of the final amended site plan application.
3. A bond shall be posted by the applicant for all public improvements including; curb gutter and landscaping.
4. A deferral agreement for all related public improvements along Porter Lane shall be created with the assistance of the City Attorney with the time period being determined by the City Engineer and Public Works Director in relation to the culvert construction taking place.
5. All equipment, storage and other material shall be removed from the south portion of the unauthorized property, so as to close all previous enforcement matters and as part of the final approval for the east display area.

Suggested Reasons for Action (findings):

- a. An amended final site plan requires the applicant to go through the same procedural requirements as the original approval [Section 12-21-110(i)(2)].
- b. The applicant has clearly shown how the property may be developed [Section 12-21-110(d)(2)].
- c. Complies with all applicable Ordinances for development found within the Commercial-High Zone [Chapter 12-34].

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

**STAFF REPORT
AGENDA: ITEM 4**

PROPERTY OWNER: BRIGHTON DEVELOPMENT UTAH LLC
NATHAN W. PUGSLEY
215 N. REDWOOD RD SUITE #8
NORTH SALT LAKE, UT 84054

APPLICANT: TAYLOR SPENDLOVE
BRIGHTON HOMES UTAH LLC
215 NORTH REDWOOD ROAD #8
NORTH SALT LAKE, UT 84054
(TAYLOR@BRIGHTONHOMES-UTAH.COM)

PROPERTY: 564 WEST PORTER LANE

ACREAGE: 6.1 ACRES

ZONING: RESIDENTIAL-MEDIUM (R-M)

LOT COUNT: 47 PLANNED RESIDENTIAL DWELLING SITES

APPLICATION: CONCEPTUAL SUBDIVISION ACCEPTANCE

RECOMMENDATION: CONSIDER ACCEPTANCE OF THE CONCEPTUAL
SUBDIVISION

BACKGROUND

Recently, the City approved a 46 multi-family with one (1) single-family townhome style community, also known as Porter Walton Townhomes Development. The applicant is now seeking a conversion of the project into a "planned residential unit" subdivision to allow each dwelling unit to be purchased and owned by future residents of this community. Thus, the applicant has submitted a "Conceptual Subdivision" application for review by the Planning Commission. This conceptual review is the first step of a three-phase process, which will also include two other steps, which are preliminary (*approval by Planning Commission*) and final subdivision (*Planning Commission recommends a decision to the City Council*). Afterwards, the applicant then records the subdivision plat with the County Recorder's Office.

PROPOSED SUBDIVISION LAYOUT

The proposed subdivision consists of 47 build pad areas for each dwelling within the project. There will be two types of limited common spaces. One limited common type for the driveways for the units. The other limited common type for private use yard areas. The rest of the land area is to be considered in common for use by all residents, which generally consists of roadway, sidewalks, and open space.

SUBDIVISION REVIEW – TITLE 15 OF THE MUNICIPAL CODE

Section 12-2-105 indicates that the Planning Commission is the reviewing body for *Conceptual Subdivision Acceptance*. Such an acceptance *does not constitute an approval or disapproval of a subdivision*, but is *intended to provide general feedback* to the applicant's proposal.

http://www.centervilleut.net/downloads/administration/title_15_08-20-2013-small_sub_flag_lots_final_.pdf

1. Conceptual Acceptance (Section 15-2-105.3)

The conceptual subdivision review gives the applicant an opportunity to receive guidance from the City in relation to subdivision regulations and the layout. It also allows the public an opportunity to express their concern regarding the proposed subdivision of land in relation to compliance with City Ordinances.

2. Conceptual Subdivision Review (Section 15-2-105.1)

a) **General Plan** - The project site is located in the Southwest Neighborhood Plan Area. The neighborhood plan indicates that the area from 500 West to the commercial area on the Frontage Road may be appropriately developed with low to medium density residential. In addition, the plan encourages the use of "planned development" type use to act as a buffer between the commercial uses to the west and the single-family use areas in the neighborhood (*see Section 12-480-1.a*). The proposed subdivision will be developed in a "planned style," allowing for the individual purchase of each townhome unit. Staff believes this is consistent with the expectations of the neighborhood plan.

<http://www.centervilleut.net/downloads/communitydevelopment/12-480-1-5.gp.current.8-8-2012.pdf>

b) **Zoning Ordinance** – The proposed subdivision is located in a Residential-Medium Zone. On July 22, 2015, the City approved a townhome style development with a conditional use density of 7.62 dwellings per acre. The project consists of 46 townhomes and one (1) single-family dwelling. The applicant is now pursuing "planned unit development" for subdividing the property.

<http://www.centervilleut.net/agendasminutes.pc072215.html>

c) **Drainage, Utilities, Roads, etc.** – These issues were previously addressed during the related site plan and conditional use approvals. Thus, an approval of any subdivision would be conditioned upon compliance with the related approved site plan and conditional use permits.

3. Requirements for "Planned Unit Development" (Chapter 15-6)

A Planned Unit Development design is to be in harmony with the applicable neighborhood plan and with the design standards recommended by the Planning

Commission and approved by the City Council, as part of the Subdivision review and approval. Additionally, streets are to take advantage of open space vistas and create drives with a rural or open space character. Additionally, a PUD subdivision must address the use and maintenance of approved open spaces and common areas. It is expected that along with recording the subdivision plat, the developer will prepare and record the related conditions, covenant, and restrictions (i.e. CC&Rs) that address these matters.

The earlier site plan and conditional use approvals considered and implemented the provision of open spaces and use of rolled curb & gutter rather than the standardized high-back curb typical of most streets. Both east and west streets have a terminal view to a large passive open space area that separates the subdivision from the commercial area to the north. Additionally, the two entry-drives into the development are framed by open spaces (i.e. play area/pavilion and detention basin) with street frontage landscaping between the two entries, as per the approved site plan for the project.

http://www.centervilleut.net/downloads/administration/title_15_08-20-2013-small_sub_flag_lots_final_.pdf

PLANNING STAFF RECOMMENDATION

Suggested Motion for the Conceptual Subdivision Acceptance: I hereby make a motion for the Planning Commission to accept the Conceptual Subdivision Plat for the proposed Porter Walton Townhomes Development, located at approximately 564 West Porter Lane, subject to the following:

1. The applicant shall prepare and submit a preliminary subdivision plat and associated construction drawings, as outlined in Chapter 15-3, Preliminary Plat of the Municipal Code.
2. The layout and design of the preliminary plat submittal must be consistent with the related City approved Final Site Plan and Conditional Use Permit.
The applicant shall prepare and submit plat related conditions, covenant, and restrictions (i.e. CC&Rs) that address matters regarding PUD Subdivisions, as outlined in Chapter 15-6 of the Municipal Code.

Suggested Reasons for the Action (Findings):

- a) The conceptual subdivision is in harmony with the relevant provisions of the General Plan [Section 12-480-1(a)].
- b) The new subdivision is in harmony with the provisions of the Residential-Medium Zone, as approved by the City for the related Final Site Plan and Conditional Use Permit.
- c) With the directives listed, the acceptance is consistent with the expectations for PUD subdivisions, as outlined in Section 15-6, Planned Unit Development.

