

CENTERVILLE CITY PLANNING COMMISSION AGENDA

Public meetings will be held electronically via Zoom and live streamed on the Centerville City YouTube channel in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19, issued by Governor Herbert on March 18, 2020. Centerville City Utah YouTube Channel link: <https://www.youtube.com/user/centervillecityutah/videos>. *Public meetings conducted via Zoom may be terminated at any time due to hackers or inappropriate content*

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON AUGUST 26, 2020 AT THE CENTERVILLE CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

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

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

The full packet of backups can be found at <http://centerville.novusagenda.com/agendapublic>.

A. ROLL CALL

1. Zoom Link Information
Time: Aug 26, 2020 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting
[https://zoom.us/j/92670473749?](https://zoom.us/j/92670473749?pwd=MVBZUHJQRXdMUUpIREdMSVVjYTZVQT09)
[pwd=MVBZUHJQRXdMUUpIREdMSVVjYTZVQT09](https://zoom.us/j/92670473749?pwd=MVBZUHJQRXdMUUpIREdMSVVjYTZVQT09)

Meeting ID: 926 7047 3749
Passcode: 168216
One tap mobile
+16699009128,,92670473749#,,,,,0#,,168216# US (San Jose)

Dial by your location

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Spencer Summerhays, Commissioner

D. COMMISSION BUSINESS

2. LEGISLATIVE DECISION - Public Hearing - Parrish Creek PDO Rezone Amendment - 1050 N 950 W

This item was previously Tabled by the Commission - Applicant has responded to the Commission's request for additional information and wishes to proceed forward.

3. LEGISLATIVE DECISION - Public Hearing - Grazie Rezone from A-L to R-L 1441 North Main Street - Rezone Application from Agricultural Low to Residential Low

4. LEGISLATIVE DECISION - Public Hearing - Zoning Text Amendment for Residential Buffering

Amend CZC 12.51 to Add Residential Buffering Standards between types of Residential Zoning Districts

E. MINUTES REVIEW AND ACCEPTANCE

August 12, 2020

F. ADJOURNMENT

Mackenzie Wood
Centerville Assistant Planner

CENTERVILLE

Staff Backup Report 8/26/2020

Item No. 2.

Short Title: LEGISLATIVE DECISION - Public Hearing - Parrish Creek PDO Rezone Amendment - 1050 N 950 W

Initiated By:

Scheduled Time:

SUBJECT

This item was previously Tabled by the Commission - Applicant has responded to the Commission's request for additional information and wishes to proceed forward.

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ 8-26-20 PC Staff Report Parrish Creek PDO Amendment
- ▢ Parrish Creek Amended Site Plan
- ▢ Picnic Area Rendering
- ▢ 7-21-20 RDA Draft Minutes
- ▢ 10-23-2019 Staff Report, Parrish Creek PDO Amendments
- ▢ 2019 Applicant Submittal
- ▢ Former City Manager Steve Thacker's E-mail

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

**STAFF REPORT
AGENDA: ITEM 1**

PROPERTY OWNER: TOM STUART CONSTRUCTION
360 N 700 W SUITE G
NORTH SALT LAKE, UT 84054
KEN@TOMSTUART.COM

APPLICANT: LOLO TENIFE
LOLO@TOMSTUART.COM

PROPERTY LOCATION: APPROX. 1030 N 950 WEST

ZONING DISTRICT: I-H/ PDO OVERLAY

APPLICATION: PDO ZONE PLAN AMENDMENT – *AMENDMENT IS TO
ALTER OR ELIMINATE CERTAIN EXPECTED PEDESTRIAN
PATHWAYS*

RECOMMENDATION: APPROVE PDO AMENDMENT TO THE CITY
COUNCIL

BACKGROUND

The Parrish Creek Development is continuing the process of developing a 16-acre business park, with a campus style layout including acres of wetlands, landscaping, view corridors, and pedestrian paths. This is approved as an Industrial-Planned Development Overlay (I-H/PD), approved by the City Council on March 21, 2017. The applicant desires to alter or eliminate certain portions of the approved project's original pedestrian pathway design scheme.

SUMMARY OF PROPOSED AMENDMENTS

The proposed design changes would amend the following (*see applicant's submittal attached as part of this agenda item*):

- **Proposed Pathway Elimination** – Remove from the plan the pedestrian pathway along the canal, which runs along the south property line, connecting to 1250 West.

Staff Comments – Due to the inability to construct the needed canal bridge to connect to 1250 West (which requires cooperation from Hogan Construction), the previous City Manager (*Mr. Thacker*) agreed to the idea to have, as part of the RDA plans, tax

increment generated from this project applied towards the needed 1250 West Pathway connecting to the Legacy Trail – *see attached e-mail dated February 2019.*

The applicant is working with the Centerville RDA to come to an agreement on how tax increment funds will be used. Staff recommends going forward with the amendment on condition of an agreement with the RDA. See the attached Draft Minutes of the July 21, 2020 RDA meeting.

- **Public Sidewalk Re-design** – The sidewalk re-design is located within the cul-de-sac radius. There are two locations where the sidewalk traverses the Barnard Creek wetlands. The original plan was to install boardwalks through both wetland sections. However, the applicant desires to install a back-of-curb sidewalk along the western side of the cul-de-sac, eliminate the boardwalks, eliminate the eastern sidewalk, and install a crosswalk connecting the east side to the west side. In addition to the change of the sidewalk configuration, the applicant proposes creating a picnic amenity on the west side of the cul-de-sac.

Staff Comments – Through discussions with the City Engineer and other City Staff, Planning Staff find this amendment to be compatible with the original intention of the PDO, while also curtailing future maintenance concerns.

CURRENT ZONING AND PLANNED DEVELOPMENT OVERLAY AMENDMENT PROCESS

The Parrish Creek Development is Zoned I-H/PD. The original Planned Development Overlay (PDO) approval and the originally approved layout design are the governing regulatory elements for the development project. Hence, the petitioners are seeking an amendment from the City.

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). 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.

APPLICABLE PDO APPROVED DESIGN SUMMARY

As to the amendment request for pedestrian pathway design changes, below is a summary of the applicable regulatory policies of the approved Planned Development Overlay provisions:

PDO Purpose & Intent, Section 12.41.010

According to Section 12.41.010, the purpose of the PDO provisions is to allow, “*industrial, ...projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, ... and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations.*”

12.41.070 Variations from Development Standards

Variations from applicable development standards of an underlying zone and CMC 15 (Subdivisions) may be approved as part of a rezone, subdivision, or site plan approval for a planned development pursuant to the provisions of this Chapter.

APPLICABLE PROVISIONS OF THE PARRISH CREEK PDO DEVELOPMENT PLAN

February 2017 - PDO Narrative (provided by Applicant)

“The landscape plan will also identify walkways for foot traffic allowing access throughout the project and the wetlands to provide a walker friendly amenity for the use of those who occupy the buildings. Developer would also commit to tying walk way in South West corner of the property into 1250 North [actually West] which has a sidewalk on the bridge crossing Legacy Parkway to allow foot traffic to access the legacy parkway trail.”

March 2017 PDO Approval by City Council

Condition #5 - The PDO is subject to the narrative and architectural concepts provided by Tom Stuart Construction on February 3, 2017. This includes details about landscaping design, wetlands preservation, and preliminary architectural concepts and sketches by An E Urbia architects and engineers.

Finding b - The [City] finds that the proposed request for the PDO Zone reflecting the proposed layout, integration of the wetlands and the built environment, and related amenities and architectural theme creates a viable and vibrant business park area, as originally envisioned in Goal #1 of the West Centerville Neighborhood Plan for enhancing the North Business Park area.

Finding e - The [City] finds that the general building and parking lot layout, the proposed uses, and integration of wetlands and landscaping can or will meet the intent of the general provisions of the PDO Zone and will be subject to further site and subdivision approvals to ensure compatibility of the I-H and PDO Zoning Ordinance provisions.

June 2017 – Final Site Plan by Planning Commission

Condition #5 - The expected Pedestrian pathways and connections shall be provided as stated in the developer's narrative, or as amended and approved by the Planning Commission. ... Any changes or related elements shall be deemed acceptable by City Staff.

August 2017 – Final Subdivision Plat by City Council

Condition #4 - The subdivision owners' association is responsible for maintaining all landscaping in the subdivision, including the landscaped median in public right of way, and all sidewalks per PDO and site plan approval by Centerville City and applicable CC&Rs, and shall be stated on the Final Plat.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: *“I hereby make a motion for the Planning Commission to recommend APPROVAL of the PDO Amendment for the property located at approximately 1030 N 950 W, with the following conditions.”*

1. The developer shall enter into an agreement with the Centerville Redevelopment Agency on how to use the tax increment to replace the originally slated canal pathway connecting to 1250 West.
2. The developer shall construct the sidewalk system around the cul-de-sac, as per the submitted drawings consisting of a back-of-cub sidewalk along the west side and installing a cross walk from the east to the west side.
3. The developer shall construct the picnic area as per the submitted drawings.
4. The developer shall amend the subdivision construction documents to be deemed acceptable by the City Engineer.
5. The subdivision owners’ association shall be responsible for maintaining all landscaping and sidewalks per the site plan approval, or as otherwise amended by the City.

Suggested Reasons for the Action (Findings):

(a) *The Planning Commission finds that the Planned Development Overlay (PDO) Zone allows industrial 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.*

(b) *The Planning Commission finds that the original PDO Narrative Argument justifying the request for the PDO was as follows:*

“The landscape plan will also identify walkways for foot traffic allowing access throughout the project and the wetlands to provide a walker friendly amenity for the use of those who occupy the buildings.

(c) *The Commission reaffirms the following original PDO findings*

Finding b - The [City] finds that the proposed request for the PDO Zone reflecting the proposed layout, integration of the wetlands and the built environment, and related amenities and architectural theme creates a viable and vibrant business park area, as originally envisioned in Goal #1 of the West Centerville Neighborhood Plan for enhancing the North Business Park area.

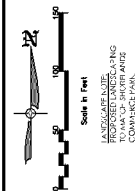
Finding e - The [City] finds that the general building and parking lot layout, the proposed uses, and integration of wetlands and landscaping can or will meet the intent of the general provisions of the PDO Zone and will be subject to further site and subdivision approvals to ensure compatibility of the I-H and PDO Zoning Ordinance provisions.

NO.	REVISIONS	BY	DATE

DESIGNER: SOT
PROJECT ENGINEER: SOT

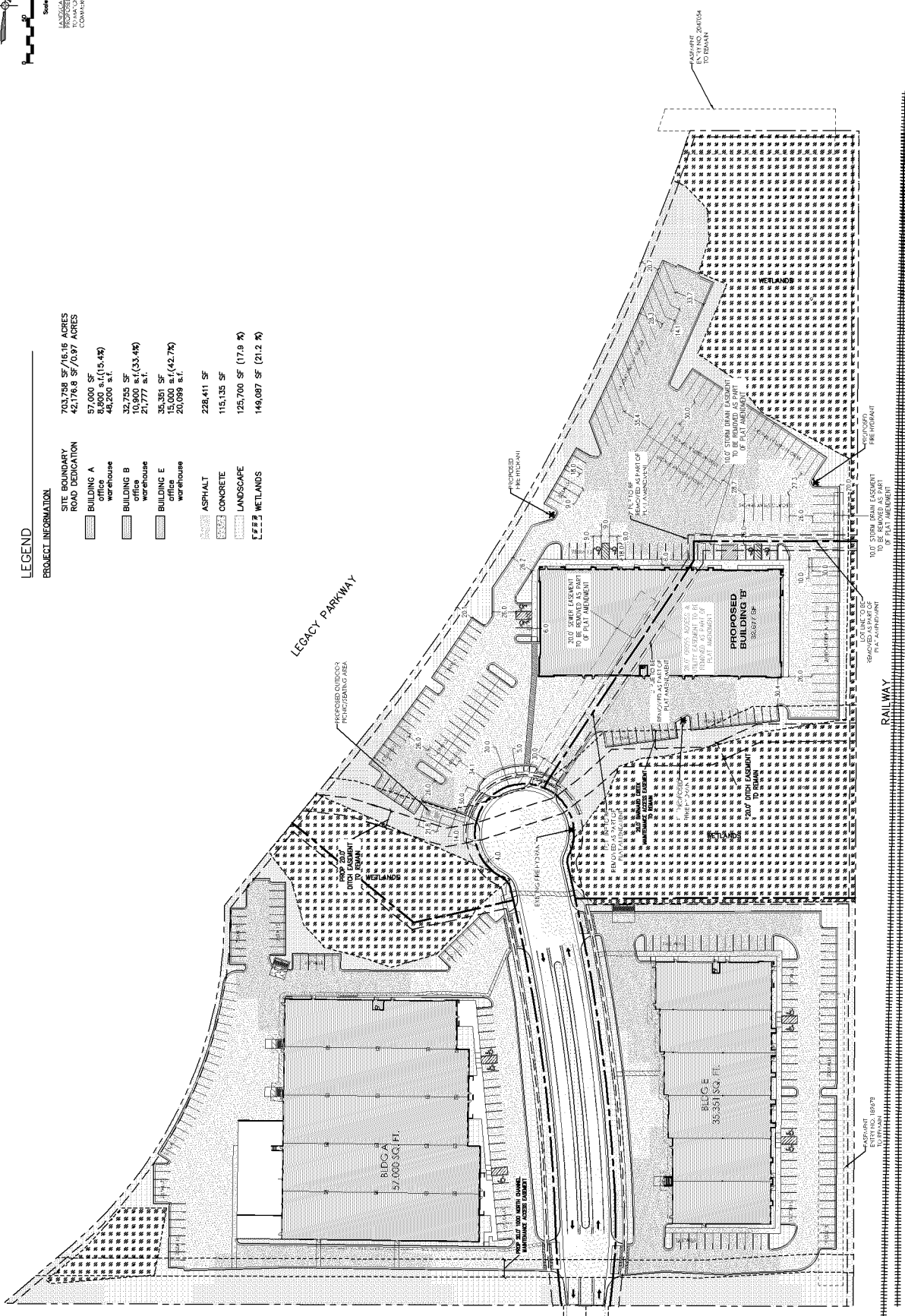
ENGINEERING, L.L.C.
3032 SOUTH 1030 WEST, SUITE 202
SALT LAKE CITY, UTAH 84119
801-949-8296

SITE PLAN
1050 NORTH 950 WEST, CENTERVILLE UT, 84014
PARRISH CREEK BUSINESS PARK BUILDING B



LEGEND

PROJECT INFORMATION	
SITE BOUNDARY	703,788 SF/16.16 ACRES
ROAD DEDICATION	42,176.8 SF/0.97 ACRES
BUILDING A	57,000 SF
office	8,800 s.f. (15.4%)
warehouse	48,200 s.f.
BUILDING B	32,755 SF
office	10,900 s.f. (33.4%)
warehouse	21,777 s.f.
BUILDING E	35,351 SF
office	15,000 s.f. (42.7%)
warehouse	20,358 s.f.
ASPHALT	228,411 SF
CONCRETE	115,135 SF
LANDSCAPE	125,700 SF (17.9 %)
WETLANDS	146,087 SF (21.2 %)



SHEET NO. C1
PROJECT # DATE
S1023-01 05/21/20
FILE NAME SCALE
P10-10 1"=50'





Minutes of the **Redevelopment Agency of Centerville** meeting held Tuesday, July 21, 2020 at 10:50 p.m. with participants present via Zoom and streamed on YouTube due to infectious disease COVID-19.

DIRECTORS PRESENT

Tamilyn Fillmore
William Ince
Stephanie Ivie, Vice Chair
George McEwan
Robyn Mecham
Clark Wilkinson, Chair

STAFF PRESENT

Brant Hanson, RDA Executive Director
Lisa Romney, City Attorney
Leah Romero, City Recorder
Jacob Smith, Administrative Services Director
Kevin Campbell, City Engineer
Cory Snyder, Community Development Director
Mackenzie Wood, Assistant Planner

OTHERS

Lolo Tenifa, Tom Stuart Construction
John Hollingshead, Community Foundation Chair

PARRISH CREEK BUSINESS PARK TAX INCREMENT

Mackenzie Wood, Assistant Planner, explained that on June 24, 2020, the Planning Commission reviewed and approved the Conceptual Site Plan Amendments proposed by the applicant, on condition of City Council approval of changes to site amenities. She said the first step in the process was to discuss tax increment funding with the RDA.

Cory Snyder, Community Development Director, explained that prior discussions regarding proposed elimination of a planned trail (required by the PDO) along the storm drain canal on the southern end of the property included discussion of compensation funds from the developer to be held by the RDA to apply to the cost of a connecting pathway/trail along 1250 West from Parrish Lane to the Legacy Parkway Trail. He asked for RDA feedback regarding interest in participating in such an arrangement. Kevin Campbell, City Engineer, suggested that TAP (Transportation Alternatives Program) funding may be available to fund the 1250 West pathway by 2023. Staff did not know the amount the City would be compensated for the loss of the canal trail. Mr. Campbell estimated \$50,000-\$100,000.

Lolo Tenifa with Tom Stuart Construction said reasons for not wanting to construct the canal trail included on-going maintenance, power lines, and needed cooperation with the neighboring property owner. Mr. Campbell commented that a pathway along 1250 West would get more use and provide a better amenity to the City. A majority of Directors indicated approval for holding compensation funds for a 1250 West pathway, with flexibility to apply the funds to a different amenity if the 1250 West pathway did not end up happening. Mr. Snyder said Staff would work with Mr. Tenifa to draft an agreement.

MINUTES REVIEW AND ACCEPTANCE

Minutes of the June 16, 2020 and July 7, 2020 RDA meetings were reviewed. Director McEwan **moved** to accept both sets of minutes. Vice Chair Ivie seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 11:15 p.m., Director McEwan **moved** to adjourn the RDA meeting and return to regular Council meeting. Director Ince seconded the motion, which passed by unanimous vote (5-0).

Brant T. Hanson, RDA Executive Director

Date Approved

Katie Rust, Recording Secretary

DRAFT

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

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNER: **TOM STUART
360 N 700 W SUITE G
NORTH SALT LAKE, UT 84054
TOM@TOMSTUART.COM**

APPLICANT: **ROY SWALBERG
ROY@TOMSTUART.COM**

PROPERTY LOCATION: **APPROX. 1030 N 950 WEST**

ZONING DISTRICT: **I-H/ PDO OVERLAY**

APPLICATION: **PDO ZONE PLAN AMENDMENT – AMENDMENT IS TO
ALTER OR ELIMINATE CERTAIN EXPECTED PEDESTRIAN
PATHWAYS**

RECOMMENDATION: **TABLE FOR FURTHER INVESTIGATION**

BACKGROUND

The Parrish Creek Development is a developing 16-acre business park, with a campus style layout including acres of wetlands, landscaping, view corridors, and pedestrian paths. Office and warehouse are the proposed primary uses. This was approved as an Industrial-Planned Development Overlay (I-H/PD), which was approved by the City Council on March 21, 2017. The petitioners desire to alter or eliminate the certain portions of approved project's original pedestrian pathway design scheme.

SUMMARY OF PROPOSED AMENDMENTS

The proposed design changes would amend the following (*also see applicant's letter and plan submittal attached as part of this report*):

- **Proposed Pathway Elimination** – Remove from the plan the pedestrian pathway along the canal, which runs along the south property line, connecting to 1250 West.

Staff Comments – Due to the inability to construct a bridge needed across the canal to connect to 1250 West (requires cooperation from Hogan Construction), the previous City Manager (*Mr. Thacker*) agreed to the idea to have, as part of the CDA

plans, tax increment generated from this project and apply it towards the needed 1250 West Pathway connecting to the Legacy Trail – *see attached e-mail dated February 2019*. However, the developer needed to obtain the necessary PDO amendment from the City.

It is the planning staff's position that additional detail is needed from both the Applicant and the City's RDA to determine if funds will be re-allocated towards the 1250 South Trail and implemented. This trail connection has not been approved or funded at this time. Also, there may be other worthwhile investments to be made, such as an improved enhancement to the wetlands within the development.

- **Public Sidewalk Re-design** – The sidewalk re-design is located within the cul-de-sac radius. There are two locations where the sidewalk traverses through the Bernard Creek wetlands. The original plan was to install “boardwalks” through the area. However, the applicant desires to now install “painted” sidewalks within the asphalt space and eliminate the ‘boardwalks.’

Staff Comments – There has been preliminary discussions with the City Engineer about ongoing the design and maintenance. According to the recorded subdivision plat there is a plat note requires the developer to maintain all sidewalks. However, the planning staff has not received official communication from the City Engineer.

Staff is also concerned about the changes which are eroding the design purpose of the approved PDO and believes there are other worthwhile alternatives that should be considered first (*see Option #1 recommendations*). Therefore, at this time, planning staff does not support the re-design proposal to re-stripe the asphalt area into a pedestrian pathway.

CURRENT ZONING AND PLANNED DEVELOPMENT OVERLAY AMENDMENT PROCESS

The Parrish Creek Development is Zoned I-H/PD. The original Planned Development Overlay (PDO) approval and the originally approved layout design are the governing regulatory elements for the development project. Hence, the petitioners are seeking an amendment from the City.

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.

APPLICABLE PDO APPROVED DESIGN SUMMARY

As to the amendment request for pedestrian pathway design changes, below is a summary of the applicable regulatory policies of the approved Planned Development Overlay provisions:

PDO Purpose & Intent, Section 12-41-010

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

“The Planned Development Overlay (PDO) Zone allows residential, commercial, industrial, and 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. To achieve these purposes, this Chapter requires a planned development to be designed and approved as an integrated project that implements goals of the General Plan, has an overall architectural design theme, and allows a variety of uses to be established in a mutually compatible manner.”

12.41.070 Variations from Development Standards

Variations from applicable development standards of an underlying zone and CMC 15 (Subdivisions) may be approved as part of a rezone, subdivision, or site plan approval for a planned development pursuant to the provisions of this Chapter.

APPLICABLE PROVISIONS OF THE PARRISH CREEK PDO DEVELOPMENT PLAN

February 2017 - PDO Narrative (provided by Applicant)

“The landscape plan will also identify walkways for foot traffic allowing access throughout the project and the wetlands to provide a walker friendly amenity for the use of those who occupy the buildings. Developer would also commit to tying walk way in South West corner of the property into 1250 North [actually West] which has a sidewalk on the bridge crossing Legacy Parkway to allow foot traffic to access the legacy parkway trail.”

March 2017 PDO Approval by City Council

Condition #5 - The PDO is subject to the narrative and architectural concepts provided by Tom Stuart Construction on February 3, 2017. This includes details about landscaping design, wetlands preservation, and preliminary architectural concepts and sketches by An E Urbia architects and engineers.

Finding b - The [City] finds that the proposed request for the PDO Zone reflecting the proposed layout, integration of the wetlands and the built environment, and related amenities and architectural theme creates a viable and vibrant business park area, as originally envisioned in Goal #1 of the West Centerville Neighborhood Plan for enhancing the North Business Park area.

Finding e - The [City] finds that the general building and parking lot layout, the proposed uses, and integration of wetlands and landscaping can or will meet the intent of the general provisions of the PDO Zone and will be subject to further site and subdivision approvals to ensure compatibly of the I-H and PDO Zoning Ordinance provisions.

June 2017 – Final Site Plan by Planning Commission

Condition #5 - The expected Pedestrian pathways and connections shall be provided as stated in the developer's narrative, or as amended and approved by the Planning Commission. Any related easements shall be noted on the site plan/subdivision plat. Any changes or related elements shall be deemed acceptable by City Staff.

August 2017 – Final Subdivision Plat by City Council

Condition #4 - The subdivision owners association is responsible for maintaining all landscaping in the subdivision, including the landscaped median in public right of way, and all sidewalks per PDO and site plan approval by Centerville City and applicable CC&Rs, and shall be stated on the Final Plat.

PLANNING STAFF RECOMMENDATIONS

Option #1 – Recommend to **TABLE ACTION** regarding the proposed pedestrian pathway amendments, as submitted by the applicant and direct the applicant to consider the following matters:

Directive #1 – Obtain written recommendations from the City Engineer and Public Works Director regarding whether the feasibility of either the proposed street painting scheme or should it be eliminated.

Directive #2 – Review with the City Engineer the feasibility of installing a bridge system over the wetland areas and consider using the costs of the eliminated connection 1250 West and potentially tax increment from the RDA to fund the bridge system.

Directive #3 – Obtain written recommendation from the City's RDA regarding the feasibility of transferring tax increment towards a future 1250 West Trail connecting to the Legacy Parkway.

Directive #4 – Obtain a written response from the City Engineer or Public Works Director on the potential timeframe for development of a north/south Trail along 1250 West, **OR**

Directive #5 – In lieu of providing the expected pathways, have a discussion with the City's RDA and City Engineer consider the possibility of a "Wetlands Enhancement Plan" within the Development and discuss with the City's RDA the feasibility of tax increment assistance funding coupled with the costs associated within the eliminated pathways to implement the plan.

OR

Option #2 – Recommend **DENIAL** of the proposed pedestrian pathway design amendments, as requested.

Suggested Reasons for the Action (Findings):

(a) *The Planning Commission finds that the Planned Development Overlay (PDO) Zone allows residential, commercial, industrial, and 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. To achieve these purposes, this Chapter requires a planned development to be designed and approved as an integrated project that implements goals of the General Plan, has an overall architectural design theme, and allows a variety of uses to be established in a mutually compatible manner.”*

(b) *The Planning Commission finds that the original PDO Narrative Argument justifying the request for the PDO was as follows:*

“The landscape plan will also identify walkways for foot traffic allowing access throughout the project and the wetlands to provide a walker friendly amenity for the use of those who occupy the buildings. Developer would also commit to tying walk way in South West corner of the property into 1250 North [actually West] which has a sidewalk on the bridge crossing Legacy Parkway to allow foot traffic to access the legacy parkway trail.”

(c) *The Commission reaffirms the following original PDO findings*

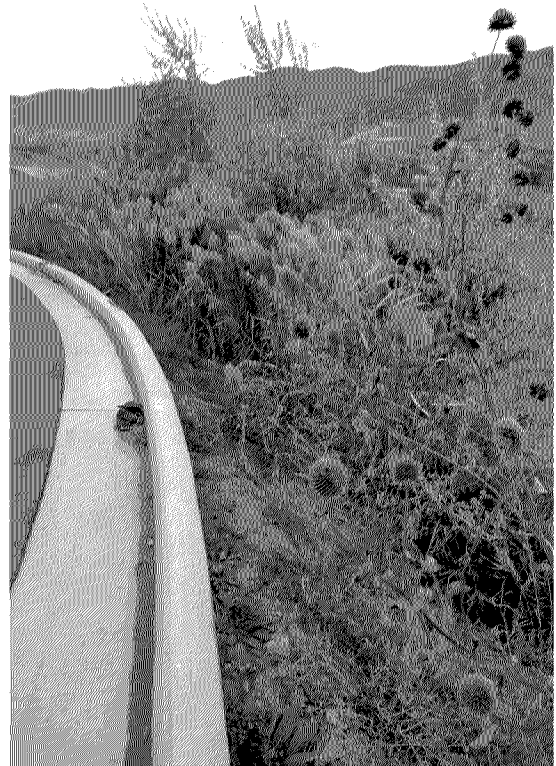
Finding b - The [City] finds that the proposed request for the PDO Zone reflecting the proposed layout, integration of the wetlands and the built environment, and related amenities and architectural theme creates a viable and vibrant business park area, as originally envisioned in Goal #1 of the West Centerville Neighborhood Plan for enhancing the North Business Park area.

Finding e - The [City] finds that the general building and parking lot layout, the proposed uses, and integration of wetlands and landscaping can or will meet the intent of the general provisions of the PDO Zone and will be subject to further site and subdivision approvals to ensure compatibility of the I-H and PDO Zoning Ordinance provisions.

Overall Condition of Wetlands



Conditions East Side of Cul-de-sac



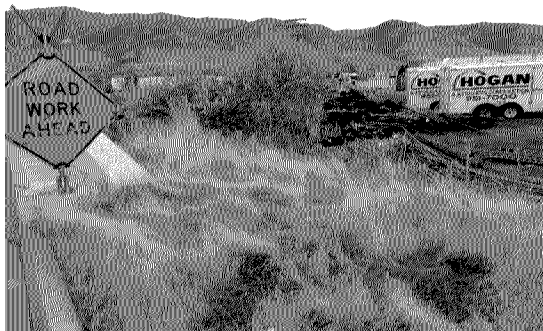
Conditions West Side of Cul-de-sac

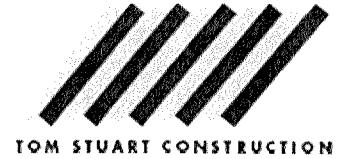


Drainage Canal Conditions



1250 West Pathway Obstruction





Dear Centerville City Staff,

Enclosed is an amended site plan application and revised site plans for the Parrish Creek project located at 1050 North 950 West, Centerville Utah 84014. Since the approved Public Development Overlay (PDO) for this project, Ken Stuart from Tom Stuart Construction & Rimini Properties reached out to Steve Thacker about some tax increment assistance for the project. Prior to his retirement, Steve responded with an offer to relieve us from doing some site improvements which turned out to be more complicated than planned for. Steve also mentioned he would waive the fees for this application.

The attached plans shows that the pathway near 1250 North and the bridge crossing the 1000 North canal have been deleted as proposed in this application. Also proposed is the clouded area on both sides of the circle at the end of the col de sac road deleting the board walk bridges installed over wetland areas outside the pavement areas. We would like to propose painted pedestrian walkways through half the circle connecting the sidewalks in lieu of the outside board walk over wet land areas.

Please let me know what questions you have and when we can meet with city staff to discuss.

Best Regards,

Roy Swalberg, PM

Tom Stuart Construction

RECEIVED 10/23/2019

NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	07/27/19
2	ISSUED FOR PERMIT	07/27/19
3	ISSUED FOR PERMIT	07/27/19
4	ISSUED FOR PERMIT	07/27/19
5	ISSUED FOR PERMIT	07/27/19
6	ISSUED FOR PERMIT	07/27/19
7	ISSUED FOR PERMIT	07/27/19
8	ISSUED FOR PERMIT	07/27/19
9	ISSUED FOR PERMIT	07/27/19
10	ISSUED FOR PERMIT	07/27/19

3032 SOUTH 1030 WEST SUITE 202
ENGINEERING, L.L.C.
CIR

PARRISH CREEK SUBDIVISION
 1050 NORTH 950 WEST, CENTERVILLE UT, 84014
 OVERALL SITE PLAN

SHEET NO.
C1.0
 PROJECT (B) DATE:
 10/23/21 05/24/22
 FILE NAME: 1030-1031-1-2019

Scale = Feet
 0 50 100 150

SEE COVER SHEET FOR PROJECT DETAILS
SHEET LEGEND
 ADA ROUTE

PARKING INFORMATION (Required)

BUILDING A	4 stalls (14.0)
warehouse	44 stalls (14.0)
office	4 stalls (14.0)
Total Provided: 52 stalls	

BUILDING B	100 stalls (107.2)
warehouse	0 stalls (0)
office	0 stalls (0)
Total Provided: 100 stalls	

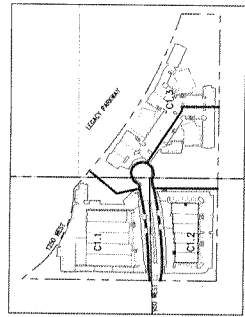
BUILDING C	87 stalls (86.88)
warehouse	0 stalls (0)
office	0 stalls (0)
Total Provided: 87 stalls	

BUILDING D	86 stalls (85.30)
warehouse	0 stalls (0)
office	0 stalls (0)
Total Provided: 86 stalls	

BUILDING E	75 stalls (74.25)
warehouse	0 stalls (0)
office	0 stalls (0)
Total Provided: 75 stalls	

ASPHALT	211,933 SF
CONCRETE	100,823 SF
LANDSCAPE	130,911 SF (18.6 %)
WETLANDS	148,087 SF (21.2 %)

NOTE: AREA CALCULATIONS ARE ESTIMATES
 BASED ON FIELD CONDITIONS. CONTRACTOR
 RESPONSIBLE TO VERIFY AREA
 CALCULATIONS



PROJECT INFORMATION

SITE BOUNDARY	703,728 SF (16.16 ACRES)
ROAD LOCATION	42,176.8 SF (0.97 ACRES)
warehouse	22,246 SF
office	0 SF
Total Provided: 22,246 SF	

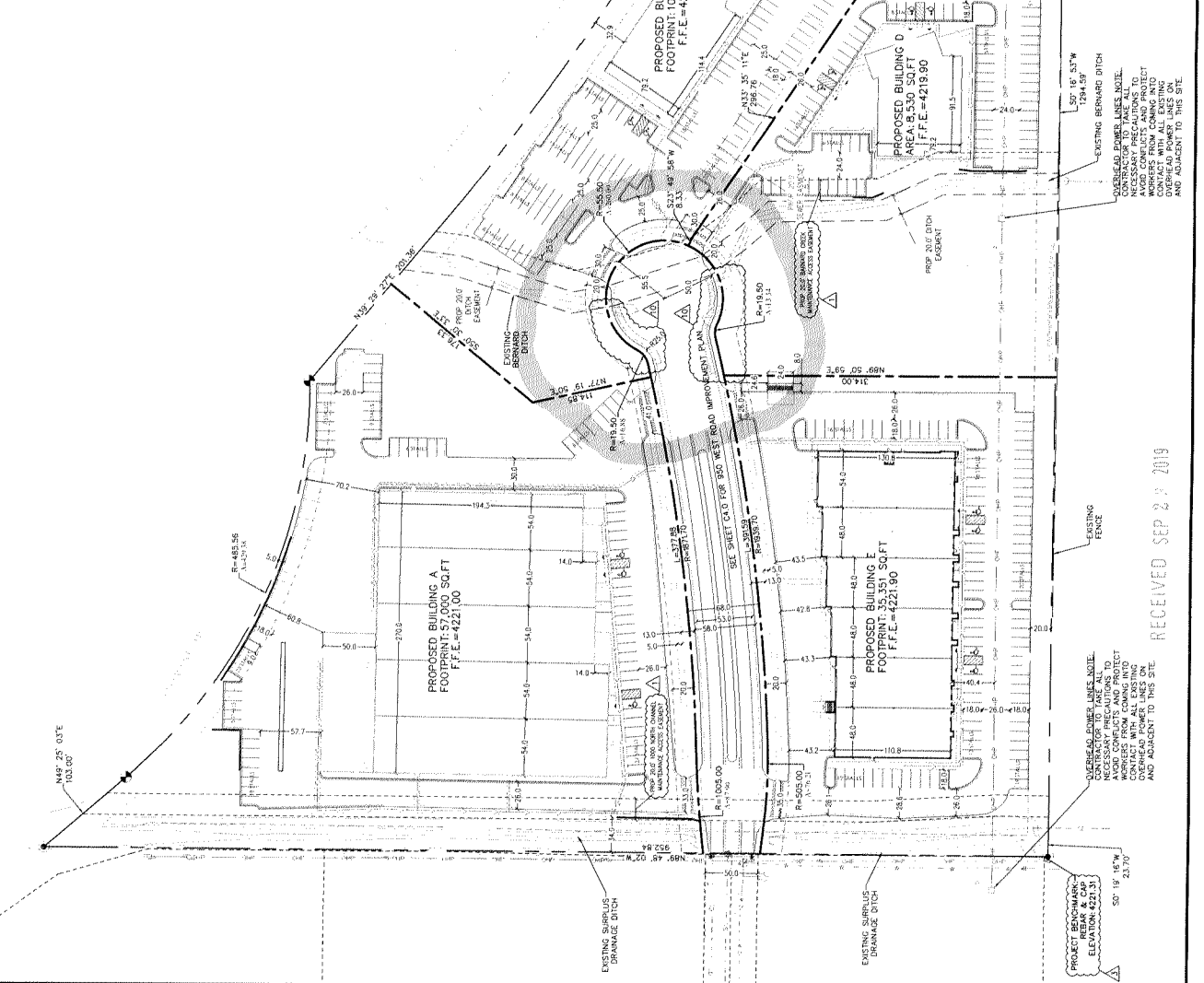
BUILDING A	22,246 SF
warehouse	0 SF
office	0 SF
Total Provided: 22,246 SF	

BUILDING B	17,388 SF
warehouse	0 SF
office	0 SF
Total Provided: 17,388 SF	

BUILDING C	17,080 SF
warehouse	0 SF
office	0 SF
Total Provided: 17,080 SF	

BUILDING D	15,000 SF (142.75)
warehouse	0 SF
office	0 SF
Total Provided: 15,000 SF	

BUILDING E	15,000 SF (142.75)
warehouse	0 SF
office	0 SF
Total Provided: 15,000 SF	



OVERHEAD POWER LINES NOTE:
 CONTRACTOR TO TAKE ALL
 NECESSARY PRECAUTIONS TO
 AVOID CONTACTS AND PROTECT
 WORKERS FROM COMING INTO
 CONTACT WITH ALL EXISTING
 OVERHEAD POWER LINES ON
 AND ADJACENT TO THIS SITE.

OVERHEAD POWER LINES NOTE:
 CONTRACTOR TO TAKE ALL
 NECESSARY PRECAUTIONS TO
 AVOID CONTACTS AND PROTECT
 WORKERS FROM COMING INTO
 CONTACT WITH ALL EXISTING
 OVERHEAD POWER LINES ON
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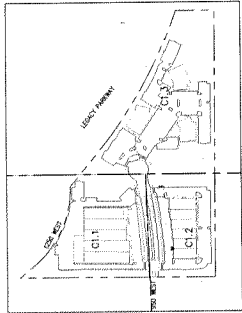
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 AND ADJACENT TO THIS SITE.

RECEIVED SEP 2 2019

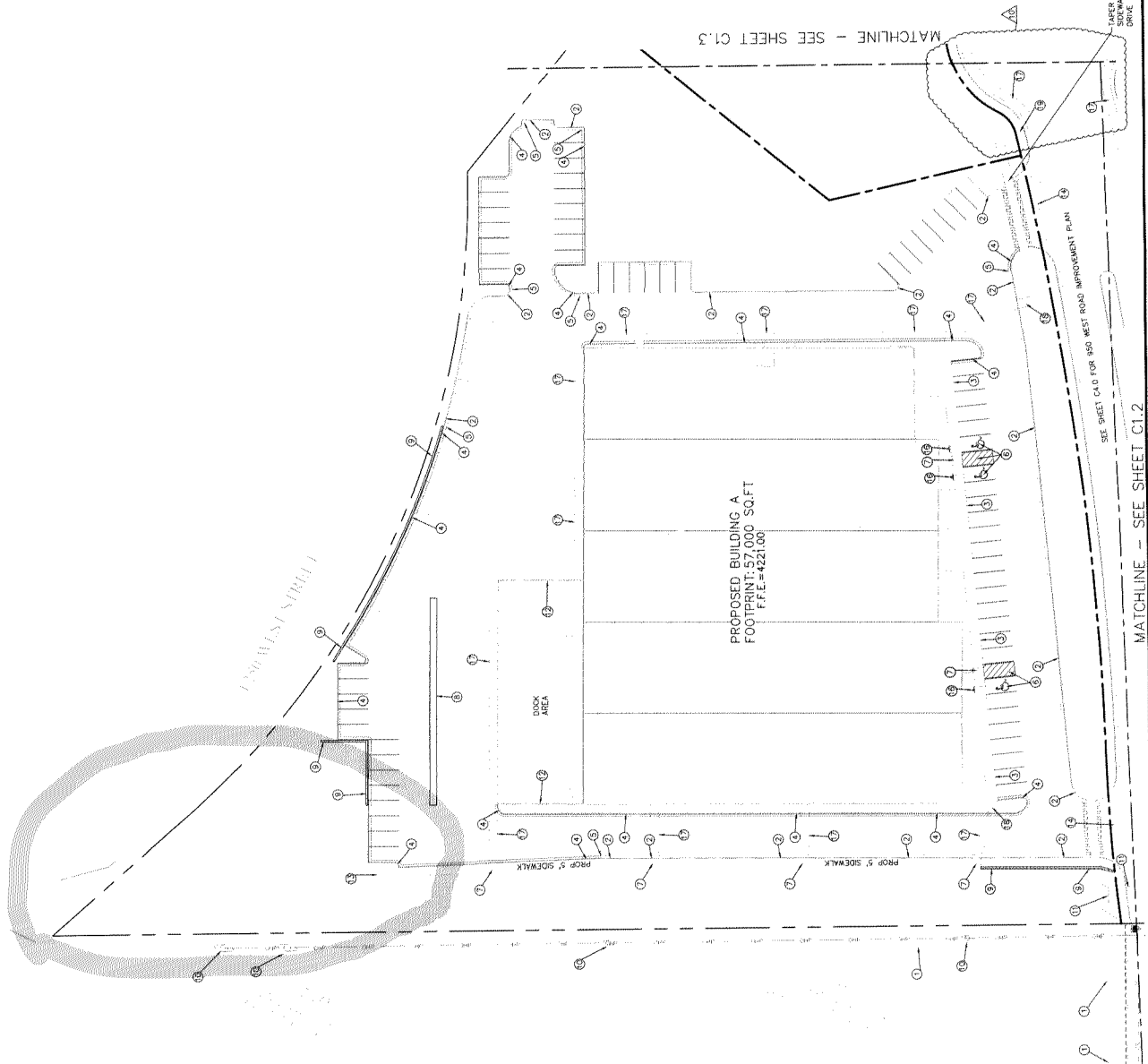
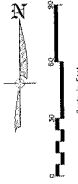
CIR
ENGINEERING, L.T.C.
5032 SOUTH 1030 WEST, SUITE 202
S.L.C. Utah 84119 - 801-949-6206

SITE PLAN NOTES:

- 1 EXISTING CURB & GUTTER. SEE DETAIL 17/5/0.
- 2 EXISTING 24" CURB & GUTTER. SEE DETAIL 17/5/0.
- 3 PROPOSED OPEN FACE SIDEWALK. SEE DETAIL 5/2/0.
- 4 PROPOSED 24" REV. PAV. CURB & GUTTER. SEE DETAIL 3/5/0.
- 5 PROPOSED 24" REV. PAV. TRANSITION FROM CURB & GUTTER TO 24" REV. PAV. SIDEWALK. SEE DETAIL 17/5/0.
- 6 ALL HANDICAP STALLS SHALL HAVE SLOPES OF LESS THAN 2% IN ALL DIRECTIONS.
- 7 ADA RAMP SHALL BE TO BE INSTALLED PER CITY AND ADA STANDARDS AND SPECIFICATIONS. SEE DETAIL 4/3/0.
- 8 PROPOSED 1/2" REIN. RETAINING WALL. SEE SHEET C21 FOR ELEVATIONS AND SHEET C21 FOR DETAILS.
- 9 EXISTING PAVEMENT FOR COLLECT AND RETURNALL.
- 10 EXISTING 24" CURB & GUTTER.
- 11 SIDEWALK RETAINING WALL TO BE CONTINUED SOUTH AND WEST TO CORRESPOND TO 1/2" REIN. CONTRACTOR MAY HAVE WRITTEN PERMISSION TO DISCONTINUE RETAINING WALL.
- 12 PROPOSED APPROACH FOR HANDICAP CITY STANDARD DETAIL SHEET 16 OF 18, "COMMERCIAL ENTRANCE DETAILS" SEE DETAIL SHEET 16 OF 18.
- 13 PROPOSED 16" WOODEN WALKWAY SPINDERS/DOOR WETLAND AREAS TO BE INSTALLED TO MINIMIZE DISOBRANCE TO WETLANDS AS MUCH AS POSSIBLE.
- 14 PROPOSED HANDICAPPED PARKING SIGN. SEE DETAIL 14 AND 15/5/1.
- 15 PROPOSED PAINTED PEDESTRIAN WALKWAY.
- 16 ADA RAMP SHALL BE TO BE INSTALLED PER CITY AND ADA STANDARDS AND SPECIFICATIONS. SEE DETAIL 5/2/0.
- 17 EXISTING 24" CURB & GUTTER.
- 18 EXISTING 24" CURB & GUTTER.
- 19 PROPOSED 24" REV. PAV. TRANSITION FROM CURB & GUTTER TO 24" REV. PAV. SIDEWALK. SEE DETAIL 17/5/0.



Scale in Feet
SEE COVER SHEET FOR PROJECT DETAILS



From: Steve Thacker
To: ken@tomstuart.com
Cc: Cory Snyder; Cassie Younger; Lisa Romney
Subject: Use of tax increment for Parrish Creek Business Park
Date: Saturday, October 28, 2017 2:22:59 PM

Hello Ken:

As a follow up on our earlier conversation about the potential use of tax increment from your development, I met with Cory Snyder and Cassie Younger (Community Development Department staff) this past week. We agreed that instead of requiring you to construct a sidewalk and creek crossing on the south side and reimbursing you with future tax increment from your property for those improvements, it would be more beneficial to a larger area and more users to use tax increment from your property to fund a sidewalk along 1250 West. So we would support an amendment of your site plan to delete the south side sidewalk and creek pedestrian crossing. I would also be willing to waive the fee normally associated with filing an amendment because this idea is being initiated by city staff.

If you would like to pursue this amendment, please contact Cory Snyder, Community Development Director, to discuss how to proceed. This will require an amendment to be approved by the Planning Commission.

I also discussed with Cory and Cassie the possibility of using some tax increment to improve the quality of the wetlands on your property. We are willing to explore the possibility of a cost-sharing approach to accomplish this, so we can pursue that discussion also at some point. Ultimately, the RDA Board (i.e. City Council) would have to approve any use of tax increment generated by the development on your property.

Regards,
Steve Thacker
City Manager

CENTERVILLE

Staff Backup Report

8/26/2020

Item No. 3.

Short Title: LEGISLATIVE DECISION - Public Hearing - Grazie Rezone from A-L to R-L

Initiated By:

Scheduled Time:

SUBJECT

1441 North Main Street - Rezone Application from Agricultural Low to Residential Low

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ 08-26-2020 PC Staff Report for Grazie Rezone from A-L to R-L
- ▢ Grazie Rezone Application Submittal

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

**PLANNING STAFF REPORT
ITEM 2**

PROPERTY OWNERS: **ERIC DEFRIES**
 975 WINDSOR LANE
 BOUTIFUL, UTAH 84010
 eric.defries@gmail.com

GRANDON BRIMLEY
821 CRAIG DRIVE
KIRKWOOD, MISSOURI 63122
gradybrim@gmail.com

PROPERTY: **1441 NORTH MAIN STREET**

PARCEL: **02-015-0002**

ACREAGE: **0.92**

CURRENT ZONING: **AGRICULTURAL-LOW (A-L)**

APPLICATION: **ZONE MAP AMENDMENT, REZONE FROM**
 AGRICULTURAL-LOW (A-L) TO RESIDENTIAL-LOW
 (R-L)

RECOMMENDATION: **RECOMMEND THE REZONE TO THE CITY COUNCIL**

BACKGROUND

The applicants are requesting a rezone of the subject property from Agricultural-Low (A-L) to Residential-Low (R-L). Currently, there is an existing developed single-family home. The applicant's desire is to eventually subdivide the parcel to allow the development of another single-family home (*see applicant's application submittal*).



REVIEW AND ANALYSIS OF THE REQUEST

Factors to be considered, CZC Section 12.21.080(e)

1. Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?

- **Staff Response:** These parcels of land are located within Neighborhood 4, Northwest Centerville. The first goal of this section is to ensure compatible land use patterns and transitions. Two competing goals in this section are to preserve semi-rural properties for current owners and to preserve viability of the area for future development. Finally, the General Plan discourages lots of one acre, "because [they are] too small for true agricultural, too big for purely residential purposes, and too small to subdivide...."

This area of the City is primarily a community of single-family residences. The proposal would not change the single-family or low-density character of the area. In the past, several applicants in Neighborhood 4 have tried to rezone and were unsuccessful due to the creation of zoning islands. Staff believes the current application does create zoning islands due to the surrounding lands already having been rezoned to R-L.

Staff believes the proposed map amendment is consistent with the goals and objectives described in the General Plan.

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property? AND,

3. What is the extent to which the proposed amendment may adversely affect adjacent property?

- **Staff Response:** Based on the abundance of area zoned R-L, low-density single-family development appears to be the created type of housing within the immediate area. Staff believes the proposed map amendment will be in harmony with the area.

4. What is the adequacy of facilities and services intended to serve the subject property?

- **Staff Response:** The subject property fronts Main Street, which will enable a connection to City services. However, Main Street is a UDOT managed roadway and will require that development to apply for permits from UDOT to access any needed additional utility connections. A drainage study will also be needed at time of development to ensure adequate storm water management facilities for any new lots.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: *“I hereby make a motion for the Planning Commission to recommend APROVAL of the Zone Map Amendment for the property located at 1441 North Main Street, known as Parcel 02-015-0002, from Agricultural-Low (A-L) to Residential-Low (R-L).”*

SUGGESTED REASONS FOR THE ACTION:

- a. *The proposed Zone Map Amendment meets the goals and objectives of the General Plan concerning Neighborhood 4 [CMC 12-480-5].*
- b. *The proposed amendment is deemed consistent or adequate with the review requirements listed in CZC 12.21.080(e), as reviewed in the applicable Staff Report.”*



CENTERVILLE CITY ZONING MAP AMENDMENT PETITION FORM
FOR AMENDING THE ZONING MAP

I / We the undersigned property owner(s) do respectfully request that the Centerville City Zoning Map be amended as follows:

Date Submitted: 7/14/2020 Parcel Identification Number(s): 62-015-0002
Petitioner: Eric DeFries Phone #: 801-698-9728
Petitioner Address: 957 Windsor Ln City, St, Zip: Bountiful, UT, 84010
Proposed Use of Rezoned Property: Residential - Low

REZONING: FROM: Ag-Low TO: Res-Low ACREAGE? 1.93

Owner(s) of Property: Eric DeFries, Grandon Brimley

Mailing Address: 957 Windsor Ln City, St, Zip: Bountiful, UT, 84010

Property Address: 1441 W Main St Centerville UT

Petitioner Is: ☒ Owner () Owner's Agent () Prospective Buyer
() Other, please specify _____

Dated this 14 day of July, 2020

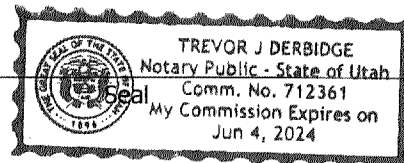
[Signature] Petitioner's Signature [Signature] Owner's Signature [Signature]

STATE OF UTAH }
COUNTY OF DAVIS } SS.

On the 14th day of July, 2020, personally appeared before me
Eric DeFries + Grandon Brimley the signer(s) of the above instrument who

duly acknowledged to me that they executed the same.

Trevor J Derbidge
Notary Public



Reasons for Zoning Map Amendment

Current zoning of the property is Agricultural-Low. We bought the property last year and do not intend or want to keep small animals on the property. All of the contiguous lots are zoned as Residential-Low and most are around .25 acre lots. This lot is .92 acres with 200 feet of frontage. We think it makes sense to have the zoning the same as the surrounding properties. If the zoning change is approved we would like to move forward with subdividing the lot. It is our intention to request to split the lot from one lot to two lots to allow for future building of a single family residence.

Legal Description

BEG ON W LINE OF A HWY 876.3 FT E & 128 FT S, M/L, FR CENTER SEC 6-T2N-R1E, SLM; TH W 200 FT; TH N 7^21' W 200 FT; TH E 200 FT; TH SE'LY ALG SD HWY 200 FT TO BEG. CONT. 0.92 ACRES.

Parcel ID 020150002

Conformity to Master Plan

1441 Main St, Centerville is in Neighborhood 4 as it is on the west side of Main St

SECTION 12-480-5. NEIGHBORHOOD 4, NORTHWEST. 11

Overview The Northwest Neighborhood is located between Lund Lane, Main Street, Parrish Lane, and I-15. Most of the Northwest Neighborhood has already been developed, and consists of a variety of uses, including: single-family residential, multi-family residential of various densities and types, commercial, and professional office. The only substantial undeveloped areas are near Lund Lane, on the northern boundary of the City, and the Pineae Nurseries, near Parrish Lane.

Issue: Semi-rural Residential areas. A couple of areas north of Jennings Lane have developed over time as semi-rural residential, with characteristics such as ½ to 1 acre lots, and the keeping of some domestic farm animals. These areas don't qualify as true rural residential, which typically requires a minimum of 5 acres per dwelling. Historical planning practices show that 1 acre zoning is not advisable because it is too small for true agricultural, too big for purely residential purposes, and too small to subdivide when the current owners no longer want to maintain the property and/or move.

- Goal: Preserve existing areas of semi-rural residential for current property owners.

" Policy: Amend zone text to create a zone or set of standards that regulates the keeping of domesticated farm animals in residential areas.

" Policy: Amend zone text to create overlay or other designation establishing a boundary for areas to be preserved as semi-rural residential.

- Goal: Preserve viability of area for potential future development.

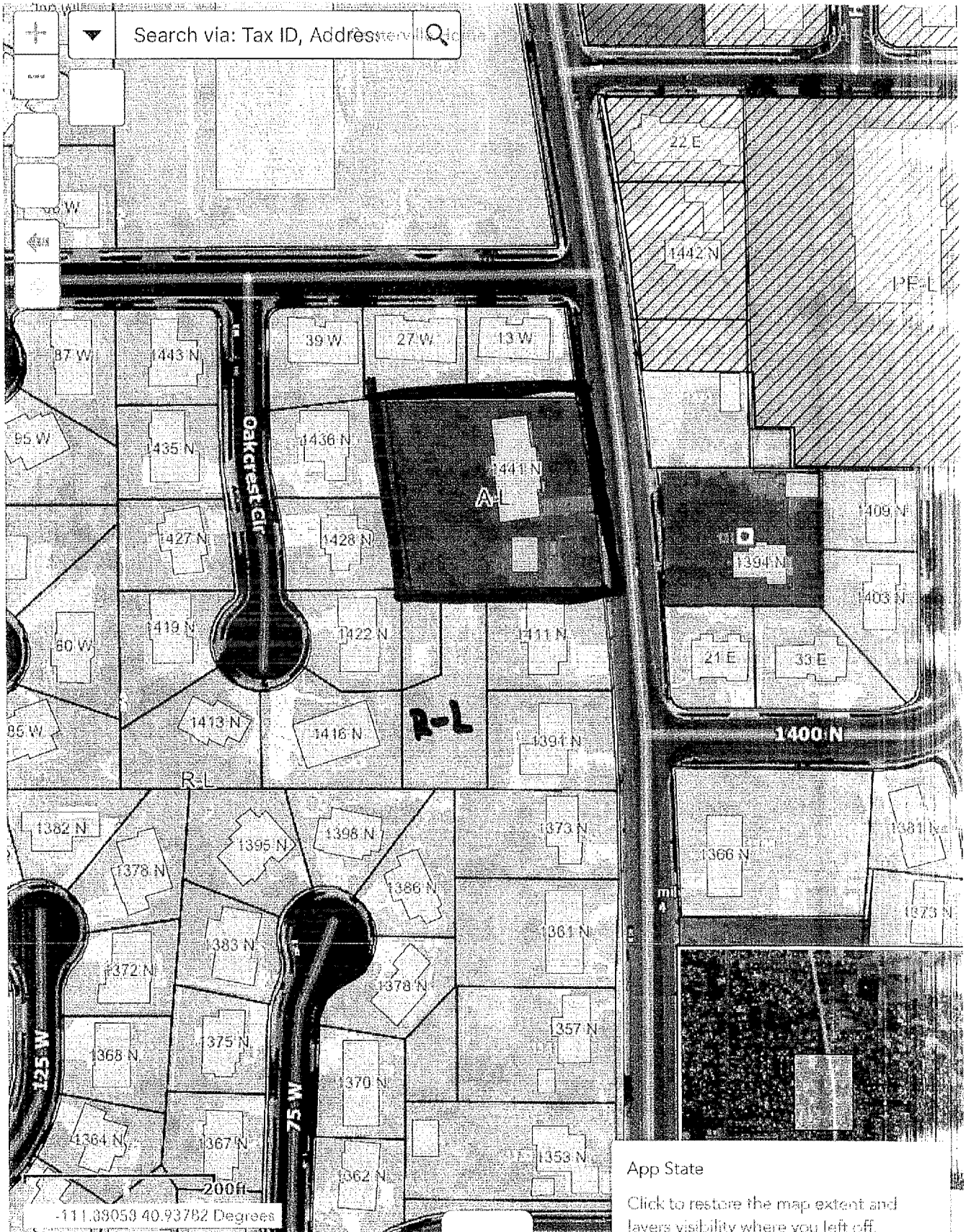
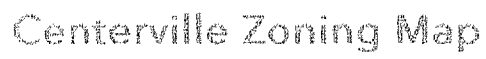
" Policy: Require all new lots to have frontage equivalent to twice that required in the R-1-10 Zone.

" Policy: Anticipate future ordinances allowing accessory dwelling units and/or small PUDs in these areas.

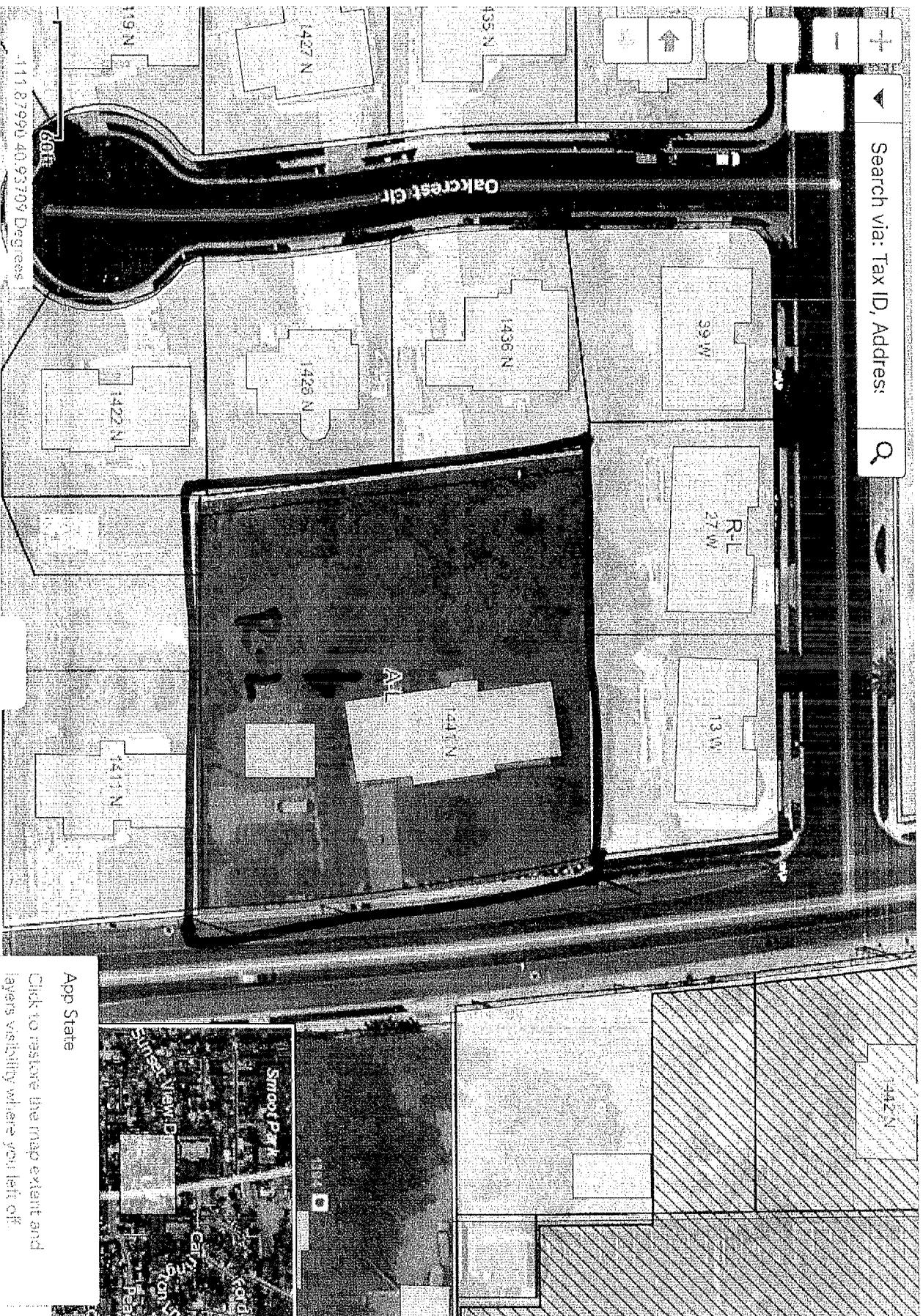
1441 Main St, Centerville is across the street from Neighborhood 3 East side of Main is 3, West side of Main is 4

SECTION 12-480-4. NEIGHBORHOOD 3, NORTHEAST CENTERVILLE.

Neighborhood 3 is that portion of Centerville located north of Parrish Lane (400 North) and east of Main Street. The neighborhood is composed primarily of many single family residential subdivisions. 1. Residential Policies Northeast Centerville has probably the most homogeneous land uses of all of Centerville's neighborhoods, with primarily low density single-family residential development.



All rights reserved

[illegible][illegible]

App State

Click to restore the map extent and layers extending where you left off.

CENTERVILLE

Staff Backup Report

8/26/2020

Item No. 4.

Short Title: LEGISLATIVE DECISION - Public Hearing - Zoning Text Amendment for Residential Buffering

Initiated By:

Scheduled Time:

SUBJECT

Amend CZC 12.51 to Add Residential Buffering Standards between types of Residential Zoning Districts

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▯ 08-26-2020 PC Staff Report for Residential Buffering Amendments

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

**STAFF REPORT
AGENDA: ITEM 3**

APPLICANT: **CENTERVILLE CITY COUNCIL
c/o MAYOR WILKINSON
250 NORTH MAIN STREET
CENTERVILLE CITY, UT 84014**

APPLICATION: **ZONING ORDINANCE TEXT AMENDMENT**

APPLICANT REQUEST: **AMEND THE ZONING CODE REGARDING
RESIDENTIAL BUFFERING STANDARDS**

RECOMMENDATION: **CONSIDER RECOMENDING THE PROPOSED CHANGES
TO THE CITY COUNCIL**

BACKGROUND

As a result of recent comments regarding a proposed multi-family development project, the Council directed the Planning Commission and staff to review and recommend potential buffering standards between types of Residential Zone Districts. Staff has prepared edits to CZC 12.51-Landscaping and Screening with regards to the desired Buffering Standards by adding a subsection listing the proposed buffer depths for types of residential development.

Additionally, the edits also include a change to the “*commercial medium depth*” for consistency. However, the only commercial medium area located in the City is along Main Street. The additional depth may increase the burden on commercial redevelopment for some of the properties.

PROPOSED ZONING ORDINANCE TEXT/POLICY EDITS

CZC 12.51.070 Landscaping Requirements

(b) Buffer Landscaping between Residential and Non-Residential Development or a differing Residential Intensity District. Landscaped buffers shall be required alongside and rear property boundaries which abut a residential zone or is adjacent to a differing lower intensity residential zoning district.

1. Commercial Minimum buffer depth shall be as follows:

1. In medium intensity (M) zones: 20 feet; and
2. In high intensity (H) and very high intensity (VH) zones: 30 feet.

2. Residential Minimum buffer depth shall be as follows:
 1. In medium intensity (M) Zones: 20 feet; and
 2. In high intensity (H) Zones: 30 feet.

ZONE TEXT AMENDMENT POLICY

Factors to be Considered

The Planning Commission is to consider four (4) factors when making a recommendation and a final decision for a Zoning Ordinance Text and Map amendments. These required factors are in Section 12.21.080(e) of Centerville City's Zoning Ordinance. The proposed changes, if approved, would apply to any property located in the listed Residential Zones above. Nonetheless, Factors Two (2) through Four (4) are related specifically to map amendments rather than text or code changes. Thus, staff's review and conclusions are limited to Factor One (1) the General Plan guidance, as provided below:

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?**

CGP 12-435-1. Location Of Buffers. 1. Incompatible Use Areas Buffers should be used between incompatible land uses including, but not limited to, industrial, commercial, residential, and high density or low density uses. It is not desired that these uses occur in close proximity, but if they do, the adverse impacts of one use on the other shall be mitigated with distance, visual screening, access control, sound control, and other mitigation and buffering techniques.

Staff's Conclusion – From review of the General Plan, it is staff's position that the proposed amendments are consistent with and even further the objectives and policies of the City's General Plan.

SUGGESTED MOTION AND FINDINGS

[Suggested Motion] "I hereby make a motion to recommend APPROVAL of the proposed Zoning Ordinance Text Amendments regarding "residential buffering" depicted in red, blue, or underlined and strike out text as follows:

CZC 12.51.070 Landscaping Requirements

(b) Buffer Landscaping between Residential and Non-Residential Development or a differing Residential Intensity District. Landscaped buffers shall be required alongside and rear property boundaries which abut a residential zone or is adjacent to a differing lower intensity residential zoning district.

1. Commercial Minimum buffer depth shall be as follows:
 1. In medium intensity (M) zones: 20 feet; and
 2. In high intensity (H) and very high intensity (VH) zones: 30 feet.
2. Residential Minimum buffer depth shall be as follows:

1. In medium intensity (M) Zones: 20 feet; and
2. In high intensity (H) Zones: 30 feet.
3. An architectural buffer at least six feet in height shall be provided within the buffer zone. Such buffer may consist of either a block or concrete wall, fencing, or live plants sufficient to create the desired visual, noise, and aesthetic buffer in accordance with the requirements set forth herein and in accordance with the buffer screening guidelines set forth in the General Plan.
 1. If an architectural buffer consists of solid fencing or a wall, evergreen landscaping anticipated to grow to more than six feet in height shall be provided at distances sufficient to provide a visual and noise reducing barrier. Such landscaping shall consist of at least one tree for every 20 feet of fencing.
 2. If an architectural buffer does not consist of solid fencing or a wall, a sufficient quantity of evergreen trees and shrubs shall be provided which are reasonably anticipated to grow to approximately six feet in height to produce a solid landscape screen through all seasons of the year.
 3. Architectural buffers on corner lots shall be modified to comply with required sight and visibility standards set forth in CZC 12.55.230.
4. In addition to plant and tree requirements for architectural buffers, a minimum of one tree shall be provided for every 500 square feet of landscaped area.
5. Artificial plants and landscaping shall not be permitted in the required landscaped buffer areas.

Suggested Reasons for Action (findings):

- a. *The Planning Commission finds that the proposed text amendments are consistent with and even further the objectives and policies of the City's General Plan.*
- b. *Therefore, the Planning Commission finds that the proposed amendments can be deemed acceptable and/or consistent with review factors of Section 12.21.080(e) of Centerville City's Zoning Ordinance.*

CENTERVILLE

Staff Backup Report 8/26/2020

Item No.

Short Title: August 12, 2020

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

▣ August 12, 2020 PC Minutes

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, August 12, 2020

7:00 p.m.

A quorum being present electronically via Zoom and live streamed on the Centerville City YouTube channel due to Infectious Disease COVID-19, the meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

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

MEMBER ABSENT

Spencer Summerhays

STAFF PRESENT

Cory Snyder, Community Development Director
 Mackenzie Wood, Assistant Planner
 Lisa Romney, City Attorney
 Leah Romero, City Recorder

VISITORS

Jansen Davis, CenterPoint Theatre Executive Director
 Orlando Taylor, representing Bank of America
 Eric Malmberg, representing Bank of America
 Matt Salcedo, Bank of America
 Thomas Peters, Attorney for Deerwood Investments
 Justin Manning, Extreme Auto

OPENING COMMENTS/LEGISLATIVE PRAYER Commissioner Wilcox

PLEDGE OF ALLEGIANCE

PUBLIC HEARING – CONDITIONAL USE PERMIT EXTENSION – CENTERPOINT THEATRE

The applicant, Jansen Davis with CenterPoint Theatre, applied for an extension of the Conditional Use Permit received on June 24, 2020 for the Concert in the Park-ing Lot Series, to extend performance dates until October 26, 2020 due to continuing health regulations. Mr. Davis expressed the hope that after October 26th the Theatre would be able to move performances inside with safety precautions.

Chair Hayman opened a public hearing at 7:10 p.m., and closed the public hearing seeing that no one wished to comment. Councilmember Wright **moved** to approve the Conditional Use Permit extension request for CenterPoint Legacy Theatre at 525 North 400

West subject to the following conditions and reasons for action. Councilmember Kjar seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. This Conditional Use Permit shall apply only to the user space located at 525 North 400 West.
2. This Conditional Use Permit approval is for Recreation and entertainment, outdoor use.
3. All vehicles shall be parked within parking stalls and not in access lanes.
4. This Conditional Use Permit approval is for performances on Friday and Saturday nights, with possible Monday night performances.
5. All performances, noise, and lighting shall be terminated by 10:00 p.m. each night.
6. This permit shall expire on October 26, 2020.

Reasons for Action:

- a) The Planning Commission finds that the land use of recreation and entertainment, outdoors is a conditional use within the Public Facilities-High Zone [CZC 12.36 (Table of Uses)].
- b) The use is consistent with the expectation of the City's General Plan [Section 12-480-5].
- c) The Planning Commission finds that with the implemented conditions of approval, the criteria for issuance of the Conditional Use Permit have been satisfied, as described in the applicable staff reports.

FINAL SITE PLAN – BANK OF AMERICA

Cory Snyder, Community Development Director, spoke of possible impacts future changes to the Marketplace Drive/Parrish Lane intersection may have on the subject property, and explained accommodations on the Final Site Plan. He showed materials proposed for the Bank of America project, and answered questions from the Commission. He expressed the opinion that the proposed use of gray would be harmonious with gray tones used on surrounding properties. Responding to a question from Commissioner Wright, Mr. Snyder explained that placement of the sidewalk is regulated by UDOT. Orlando Taylor with Gensler, representing the applicant, explained that the gray tones were chosen to give a contemporary feel and to be harmonious with surrounding buildings.

Chair Hayman opened a public hearing at 7:28 p.m.

Thomas Peters, Attorney for Deerwood Investments, thanked City Staff and the Planning Commission for working so closely with representatives of Bank of America on the project.

Chair Hayman closed the public hearing at 7:29 p.m. She expressed the opinion that the proposed use of dark gray would not be harmonious with buildings in the area, and said she would prefer a warmer tan tone. Commissioner Wright referred to a previous application reviewed by the Planning Commission for a property along Parrish Lane, and commented that

1 the Planning Commission had denied significant use of gray for that application. Commissioner
2 Daly said he believed the Bank of America situation was different from the situation mentioned
3 by Commissioner Wright, and said he did not have a problem with the proposed color scheme.
4 He said he felt the color scheme would be harmonious with the nearby MTC building and the In-
5 N-Out building. Commissioner Wright and Chair Hayman suggested the image provided did not
6 accurately reflect how dark the gray would be. Commissioner Wright said she would be more
7 comfortable with a lighter cool tone than the Charcoal Slate proposed. Mr. Snyder commented
8 that a darker cool tone would provide a more aesthetically pleasing effect next to the proposed
9 rock material. Commissioner Wilcox said she personally preferred cool tones.

10
11 Mr. Taylor said he would be able to submit a different color palette if desired.
12 Commissioner Daly said he wanted to be sensitive to the applicant's timeline. The Commission
13 discussed possibilities for moving forward.

14
15 Chair Hayman **moved** to approve the Final Site Plan Application, submitted by
16 Deerwood Investment, Utah LLC, for the proposed Bank of America development, located at
17 782 West Parrish Lane (aka: Former Iggy's Restaurant), subject to the following conditions and
18 reasons for action. Commissioner Daly seconded the motion, which passed by unanimous vote
19 (5-0).

20
21 Conditions:

- 22
- 23 1. This Final Site Plan Approval shall be subject to the compliance with the Final Site
24 Plan documents (dated July 22, 2020) and as submitted and presented (August 12,
25 2020) to the Planning Commission, or as amended in accordance with this approval
26 or other applicable City Ordinances.
 - 27 2. All ground mounted utility equipment shall be screened from view, as viewed from a
28 public street.
 - 29 3. As part of the building construction plan submittal, the plans shall comply with the
30 building feature percentages of CZC 12.633.040(c), which shall be deemed
31 acceptable by the City's Zoning Administrator. Any compliance disagreements shall
32 go back to the Planning Commission for final resolution.
 - 33 4. The applicant's next step is to prepare and submit the final construction documents
34 to the City Engineer for acceptance in accordance with the adopted City
35 Specifications and Standards.
 - 36 5. The applicant shall prepare and submit to the City Recorder the required bonding
37 agreements for the changes to the public infrastructure and for the alterations of the
38 onsite landscaping.
 - 39 6. A sign permit is required prior to the erection, installation, or use of the proposed
40 signs, which is a separate and distinct approval from this Final Site Plan approval.
 - 41 7. The site is located within a redevelopment area enacted by the City and is subject to
42 other provisions and restrictions defined by the Redevelopment Agency. Therefore,
43 the proposed changes and alterations to this specific site must obtain a final approval
44 from the Redevelopment Agency.
 - 45 8. The final color scheme will be approved by the Planning Commission prior to
46 issuance of a building permit.
- 47

Reasons for Action:

- a) The Planning Commission finds that the Final Site Plan has been reviewed in accordance with CZC 12.21.110(e).
- b) The Planning Commission finds that the Final Site Plan has been reviewed considering the applicable provisions of the Centerville Zoning Ordinance, as outlined in the applicable Planning Staff Reports of the related Conceptual Site and Final Site Plan submittals.
- c) Lastly, the Planning Commission finds that any conditions of this approval limited to conditions needed to conform the Final Site Plan to the applicable development standards and ordinance requirements [see CZC 12.21.110(f)].

PUBLIC HEARING - CONCEPTUAL SITE PLAN – EXTREME AUTO

Mr. Snyder explained that the applicant desired to convert the existing site for the purposes of relocating his business operation involving Vehicle, Sales and Vehicle, Repair. Currently, the site did not have an approved operating business or land use. Generally, the site appeared to be unkempt and filled with abandoned vehicles, equipment, and miscellaneous materials and debris. The applicant expressed a desire to clean up the site and significantly remodel the existing buildings to accommodate his business. Mr. Snyder stated there were no records on City file for developing the site. However, Business License files show several licensing (1977 to 2008) of uses such as Taylor Contractors, a sign manufacturing company, a transport company, and former auto repair business. It appeared from these records that the last use known was closed in 2008.

The site appears to have been altered or modified in a manner not compliant with existing or past development regulations. Such alterations and uses are not legally recognized by the City. Nonetheless, the applicant may seek an alternative option by submitting to the Board of Adjustment to have the Board determine if there are legal nonconformities for these matters present for the site. Consequently, Staff believes that to reuse the site, the applicant would be required to comply with CZC 12.22.080 – Other Nonconformity. Since it was proposed the buildings be significantly remodeled for the new businesses, a new “certificate of occupancy” would need to be obtained for the proposed alteration and reuse of the existing buildings. This would require the applicant to bring the site into compliance, not only with the elimination/removal of unauthorized activities or uses, but also applicable building codes and with the required parking lot and parking stall regulations, along with compliance with the landscaping regulations [CZC 12.22.080(c)].

Justin Manning, applicant, explained plans to clean up the property and stated that significant work had already taken place. Mr. Manning spoke of plans for phasing, and explained timing constraints for his business and the project.

Chair Hayman opened a public hearing at 8:17 p.m., and closed the public hearing seeing that no one wished to comment. Commissioner Kjar said he would not be inclined to approve considering the absence of a clear development phasing plan. Lisa Romney, City Attorney, responded that Staff shared concerns regarding phasing, but pointed out that a phasing plan was not required for approval of a conceptual site plan.

Commissioner Wright suggested approving the Conceptual Site Plan with clear conditions to allow the applicant to continue moving forward. Commissioner Kjar agreed with the suggestion.

Commissioner Kjar **moved** to approve the Conceptual Site Plan, subject to the following conditions and reasons for action. Commissioner Wright seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. The applicant shall submit a Final Site Plan application meeting the submittal standards listed in CZC 12.21.110(e) of the Zoning Ordinance.
2. In conjunction with the Final Site Plan submittal, the applicant shall prepare and submit a Conditional Use Application for Vehicle Sales, Used or New, that meets the submittal standards of CZC 12.21.100(d).
3. The Final Site Plan submittal shall also address the following:
 - a. Provide a landscaping plan that addresses the following:
 - provide the total on-site tree requirements;
 - provide the required Street Frontage Trees;
 - provide the required 50% building foundation landscaping;
 - provide the required 5% internal parking lot landscaping;
 - provide final area and site percentage tabulation; and
 - the Landscaping Plan is to be designed and prepared by a certified Landscape Architect with adequate experience in Xeriscaping Design.
 - b. The applicant shall coordinate with the City Engineer and Public Works Director to prepare the civil plans for providing or upgrading needed utility services for the property, which shall be provided with the Final Site Plan submittal.
 - c. The applicant shall obtain City Engineer and Public Works Director approval for the proposed access points for the site.
 - d. The applicant shall prepare and submit a phased development site plan which shall show:
 - the planned development of the entire site; and
 - the timing and sequencing of improvements to be completed with each phase.
 - e. As part of the Final Site Plan submittal, the applicant shall provide or depict the methods and timing involved to bring the site into compliance with mentioned Zoning Ordinance violations described in the Planning Staff Report.

Reasons for Action:

- a) The Planning Commission finds that a conceptual site plan is not intended to permit actual development of property pursuant to such plan but is to be prepared and reviewed merely to represent how the property could be developed in accordance with applicable regulations.

- 1 b) The Planning Commission finds that all existing sites with non-conformities with
2 regards to site landscaping, screening, or other issues, shall be brought into
3 conformance upon the occurrence of a new certificate of occupancy, as described in
4 CZC 12.22.080(c).
- 5 c) The Planning Commission finds that according to CZC 12.23.070, the City may deny
6 or withhold all permits, certificates, or other forms of authorization pertaining to any
7 land or improvements when an uncorrected violation exists or instead of withholding
8 or denying an authorization, grant such authorization subject to the condition that the
9 violation be corrected.
- 10 d) The Planning Commission finds that, with the stated Directives of Acceptance, the
11 applicant is equipped sufficiently to proceed with a submittal of a Final Site Plan and
12 Conditional Use Application.

13
14 **PDO AMENDMENT – PARRISH CREEK BUSINESS PARK**

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16 This item was tabled to August 26, 2020 at the applicant's request.

17
18 **MINUTES REVIEW AND ACCEPTANCE**

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20 The minutes of the July 22, 2020 Planning Commission meeting were reviewed and an
21 amendment requested. Commissioner Daly **moved** to accept the amended minutes.
22 Commissioner Wilcox seconded the motion, which passed by unanimous vote (5-0).

23
24 **COMMUNITY DEVELOPMENT DIRECTOR REPORT AND COUNCIL UPDATE**

25
26 The Planning Commission was scheduled to meet next on August 26, 2020. Ms.
27 Romney reported on a recent Land Use Task Force meeting.

28
29 **ADJOURNMENT**

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31 At 8:34 p.m., Chair Hayman **moved** to adjourn the meeting. Commissioner Daly
32 seconded the motion, which passed by unanimous vote (5-0).

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37 _____
Leah Romero, City Recorder

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Date Approved

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42 _____
Katie Rust, Recording Secretary