

# CENTERVILLE CITY PLANNING COMMISSION AGENDA

ATTN: MARSHA

**NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON WEDNESDAY, SEPTEMBER 23, 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](http://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 Logan Johnson**  
      D.    **MINUTES REVIEW AND ACCEPTANCE – September 9, 2015**  
      E.    **COMMISSION BUSINESS**
  
- 7:10        1.    **PUBLIC HEARING | ELYSIAN AUTO SALES LLC | 1140 WEST 725 NORTH**  
              **[Postponed from September 9, 2015 Meeting]**  
              Consider proposed Conditional Use Permit for used car sales in the I-H Zone, for property located at 1140 West 725 North. James Romer, Applicant
  
- 7:25        2.    **PUBLIC HEARING | HUFFAKER DENTAL DUPLEX | 134 SOUTH MAIN ST**  
              **[Postponed from September 9, 2015 Meeting]**  
              Consider the following proposed items:
  - 1.    Zone Map Amendment for the rear portion of the Huffaker Dental property located at 134 South Main Street from C-M (Commercial-Medium/SMSC Overlay) to R-M (Residential-Medium), and
  - 2.    Small Subdivision Waiver/Lot Split for the purpose of creating a flag lotJeff Cook, Cook Builders, Applicant
  
- 7:35        3.    **PUBLIC HEARING | RASBAND PROPERTY REZONE | 85 EAST CHASE LANE**  
              Consider proposed Zone Map Amendment for property located at 85 East Chase Lane from A-L (Agricultural-Low) to R-L (Residential-Low) Zone. Glade Jones, Calute Homes, Applicant
  
- 7:55        4.    **MARK L. NELSON DENTAL OFFICE BUILDING | 782 WEST PARRISH LANE**  
              Consider proposed Final 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, Applicant

- 8:15      5.      **PUBLIC HEARING | PORTER WALTON TOWNHOMES | 564 W PORTER LN**  
Consider proposed Preliminary Subdivision Plat 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, Brighton Homes, Applicant
- 8:35      6.      **PUBLIC HEARING | ZONING CODE TEXT AMENDMENTS | SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY ORDINANCE, CHAPTER 12-48**  
Consider proposed Zoning Code Text Amendments for the South Main Street Corridor (SMSC) Overlay Ordinance (Chapter 12-48); including changes to the City Center District, Traditional District, North and South Gateway Districts, adding a Public Space Plan for Main Street, and other related changes. Centerville City, Applicant
- 9:05      7.      **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**  
• PC Meeting October 14, 2015:  
*No scheduled projects at this time*
- 9:10      F.      **ADJOURNMENT**

*Posted September 18, 2015 by Community Development*



# PRELIMINARY DRAFT

## PLANNING COMMISSION MINUTES OF MEETING

Wednesday, September 9, 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  
Scott Kjar  
Kevin Merrill

### **STAFF PRESENT**

Corvin Snyder, Community Development Director  
Brandon Toponce, Assistant Planner  
Lisa Romney, City Attorney  
Kathy Streadbeck, Recording Secretary

### **PLEDGE OF ALLEGIANCE**

### **OPENING COMMENT/LEGISLATIVE PRAYER**

Chair Hirschi

### **MINUTES REVIEW AND APPROVAL**

The minutes of the Planning Commission meeting held July 8, 2015 were reviewed. Chair Hirschi made a **motion** to approve the minutes as amended by the City Council. The motion was seconded by Commissioner Merrill and passed by unanimous vote (7-0).

The minutes of the Planning Commission meeting held August 26, 2015 were reviewed and amended. Commissioner Hirst made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Kjar and passed by unanimous vote (7-0).

**PUBLIC HEARING | ELYSIAN AUTO SALES LLC | 1140 WEST 725 NORTH - Consider proposed Conditional Use Permit for used car sales in the I-H Zone, for property located at 1140 West 725 North. James Romer, Applicant.**

Cory Snyder, Community Development Director, said the applicant is not present and explained that staff and the applicant significantly disagree with aspects of this application and staff would not be comfortable proceeding without the applicant present to explain/defend his

# PRELIMINARY DRAFT

Planning Commission Meeting  
September 9, 2015

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1 position. The Planning Commission decided to move onto the next agenda item in hopes that the  
2 applicant would arrive shortly. At 7:43 p.m. the Commission once again returned to this item for  
3 discussion. Due to the applicant still being absent Commissioner Hirst made a **motion** to table  
4 the Elysian Auto Sales application. The motion was seconded by Commission Hayman and  
5 passed by unanimous roll-call vote (7-0).

6  
7 **PUBLIC HEARING | HUFFAKER DENTAL DUPLEX | 134 SOUTH MAIN**  
8 **STREET - Consider the following proposed items: 1. Zone Map Amendment for the**  
9 **rear portion of the Huffaker Dental property located at 134 South Main Street from C-M**  
10 **(Commercial-Medium/SMSC Overlay) to R-M (Residential-Medium) Zone; and 2. Small**  
11 **Subdivision Waiver/Lot Split for the purpose of creating a flag lot. Jeff Cook, Cook**  
12 **Builders, Applicant.**

13  
14 Cory Snyder, Community Development Director, said that prior to this meeting a  
15 Commission member questioned the ability to hear this application given the current Temporary  
16 Zoning Regulation Ordinance (TZRO) or moratorium along the Main Street corridor. Mr. Snyder  
17 explained staff viewed this as an ongoing application since the conceptual site plan acceptance  
18 took place prior to the TZRO. Mr. Snyder said this may be inaccurate and deferred the question  
19 to legal counsel. He also clarified that this application is a separate application with a separate  
20 fee from the conceptual approval.

21  
22 Lisa Romney, City Attorney, agreed this may be an issue and may require review of the  
23 language of the TZRO. At 7:15 p.m. Chair Hirschi called for a recess to verify the TZRO  
24 language.

25  
26 At 7:30 p.m. Chair Hirschi reconvened the meeting. He explained that he, Ms. Romney,  
27 and the applicant spoke and agree the language of the TZRO raises question as to its applicability  
28 to this application and requires additional review and research. Chair Hirschi made a **motion** to  
29 table this matter until further review and research by the City Attorney can take place regarding  
30 how the TZRO may or may not affect this application. The motion was seconded by  
31 Commissioner Johnson.

32  
33 Lisa Romney, City Attorney, said the TZRO is set to expire on November 16, 2015. She  
34 explained the City Council is also currently looking at options to end the TZRO sooner. She  
35 assured the Commission and the applicant that the City will work to resolve this issue as soon as  
36 possible. Mr. Snyder agreed stating there are options that can be explored including deferred  
37 approval and/or special consideration from the City Council.

38

# PRELIMINARY DRAFT

Planning Commission Meeting  
September 9, 2015

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1 Jeff Cook, applicant, said he understands the issue and concerns. He said he is anxious to  
2 move forward before winter comes and would appreciate any efforts on his behalf.

3  
4 Chair Hirschi called for a vote on the motion. The motion passed unanimously with a  
5 roll-call vote (7-0).

## COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

- 6  
7  
8  
9 1. The next Planning Commission meeting will be Wednesday, September 23, 2015.  
10 2. Upcoming Agenda Items:  
11 • Porter Walton Townhomes, preliminary subdivision  
12 • South Main Street Corridor, edits & amendments  
13  
14

15 The meeting was adjourned at 7:54 p.m.  
16  
17

18  
19 \_\_\_\_\_  
20 David Hirschi, Chair  
21  
22

\_\_\_\_\_  
Date Approved

23 \_\_\_\_\_  
Kathleen Streadbeck, Recording Secretary

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

**STAFF REPORT  
AGENDA: ITEM 1**

**APPLICANT:** JAMES ROMER  
1252 WEST 2850 SOUTH  
SYRACUSE, UT 84075  
([elysian.auto@gmail.com](mailto:elysian.auto@gmail.com))

**PROPERTY OWNER:** MERRIL SHERIFF  
707 NORTH 1000 WEST SUITE #1  
CENTERVILLE, UT 84014  
([msci@readytek.net](mailto:msci@readytek.net))

**PROPERTY:** 1140 WEST 725 NORTH, UNIT "C"

**ZONING:** INDUSTRIAL-HIGH (I-H)

**APPLICATION:** CONDITIONAL USE PERMIT – VEHICLE SALES  
USED, LIMITED

**BACKGROUND**

The applicant, Mr. James Romer, has submitted an application for a Conditional Use Permit for the vehicle sales to be located in the West Centerville Neighborhood, as referenced above. The applicant desires to operate a business consisting of vehicle sales and detailing in one of the warehouse suites owned by Mr. Merrill Sheriff. The application indicates the following:

- Vehicle inventory for sale will be a maximum of seven (7) cars
- Parking of inventory will be three (3) in warehouse area with two (2) using outside (common use) stalls, and two (2) for business owner use
- Customer parking will be by appointment only
- Exterior cleanings generating wastewater will be performed at off-site car wash facilities

**ZONING ORDINANCE ALLOWANCE**

Table of Uses Allowed Chapter 12-36

The Ordinance's "Table of Uses Allowed," specifies that vehicle sales, limited is allowed in the Industrial-High Zone with an approval of a Conditional Use Permit. This specific use is defined in the Zoning Ordinance as, "An establishment engaged in the retail, sale or rental,

from the premises, of used motorcycles, automobiles, and/or light trucks, along with incidental service or maintenance" [Chapter 12-12].

### **CONDITIONAL USE PERMIT**

#### **Evidence [Section 12-21-100(e)(3)(A-D)]**

The City's General Plan states that in order for the City to generate revenue for local services "...Centerville City should provide for the establishment and viability of commercial and industrial services in designated areas of the community" [Section 12-430-1]."

Furthermore, the West Centerville Neighborhood Plan states that "*preserving the economic viability is critical to the success of the neighborhood*" (see *Future Land Use, Goal 1, 12-480-6*). However, staff recognizes that language of Objective 1.H, largely focuses on manufacturing, professional services, and specialty retail types of uses for the City's Business Park.

Notwithstanding, the proposed use is to be located in an existing office/warehouse complex and appears to be limited in nature. Thus, staff believes that the proposed use could be deemed consistent with the goals and objectives of the General Plan. Finally, in the past, the City has approved several comparable vehicle sales uses in this same neighborhood.

#### **Factors to be Reviewed [Section 12-21-100(e)(5)(A-K)]**

##### **Suitability and Harmony with the Proposed Site and Adjacent Property (A-C, F)**

The proposed use will be located within an industrial area, which over the years has had several limited use auto dealerships very similar to what is being proposed. Other businesses within the area include; warehousing, car repair, manufacturing, and other like uses. Given the proposed use will be occupying an already existing building; the use will not incur additional impact on the built environment by way of added utility services or supportive infrastructure. Staff believes that the use and the site could be adequate for operating a small dealership, as evidenced by other similar circumstances.

##### **Impact on the Community and Safeguards to Minimize this Impact (D-E, G, I-K)**

It appears that the proposed use will not likely be creating a large amount of noise, or other harmful irritants to the surrounding community. Since the auto dealership will only receive a small number of customers, they will not likely be increasing the amount of traffic within the area.

Additionally from review of the application, the accessory uses proposed consist of, and limited to, interior detailing of the vehicles. Staff is assuming that this means the cleaning of the vehicles. A concern of staff is to ensure that "interior detailing" does not mean engine and/or transmission repair or other like major repairs. Such use would need additional review and consideration with approving a Conditional Use Permit.

Lastly, it is anticipated that since the vehicles are being marketed for purchase, the vehicles on display will likely be operable and in good aesthetic condition, meaning, that no junk vehicles, vehicles in need of repair, or wrecked vehicles would be stored on site. Staff believes that this issue can be mitigated with applying an approval condition to prevent such a problem.

**Adequate Access, Parking, Lighting, Fire Protection and Vehicular Circulation (H)**

A common recurring concern with auto sales, even more in this particular case, is how vehicles are delivered to the site. Every so often, vehicles can come by way of transport truck. This can become a problem when a loading and off-loading area is not provided. Due to the use is part of a larger shared complex of uses and without a full understanding of the proposed business operation, this could become problematic. Deliveries can block other user parking and access, or trucks may stay on the public roads and create a hazard or block other traffic. To mitigate such concerns, staff would recommend some of the following measures:

- Prohibit deliveries by transport truck
- Prohibit the use of public streets for unloading/loading operations
- Require applicant to provide an acceptable logistical plan for the unloading/loading of vehicles before approving the permit
- If deliveries by transport truck are allowed, City Ordinances require that all deliveries must take place between 6:00 a.m. to 9:00 p.m. to ensure compliance with the Noise Ordinance found in Title 07-09-020 of the Municipal Code.

Another concern of staff is the planned parking of inventory vehicles. The business operation is part of an existing complex of office/warehouse suites. The parking stalls for the complex are shared in common or all users of the site. Although a private lease agreement might spell out rights to a certain numbers of stalls, the City approved site plan was calculated to provide a minimum number for employees and customers. Thus, unless there is an excess number of parking stalls for the entire site, staff is not supportive of approving inventory parking that uses the common parking stalls for the complex.

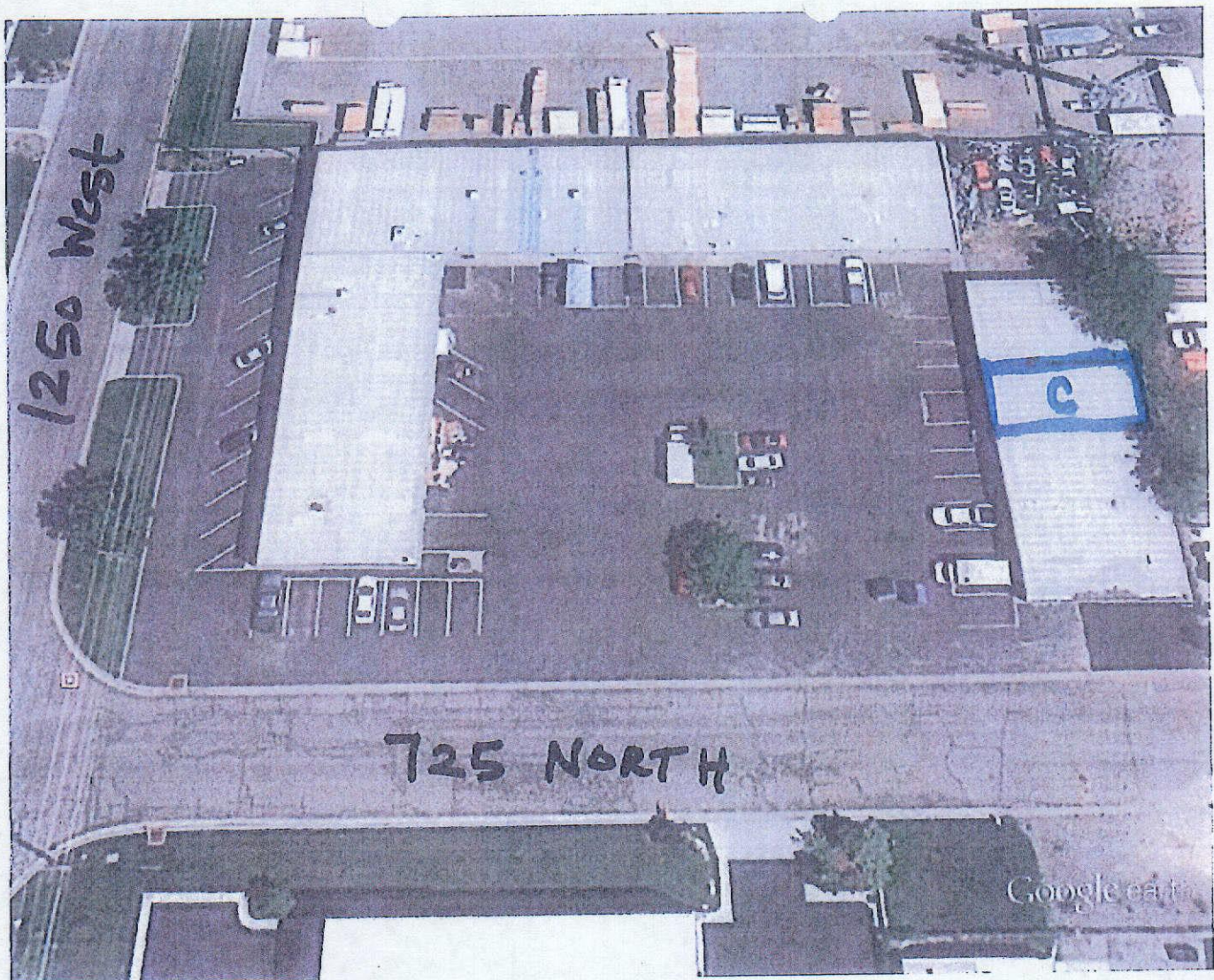
**PLANNING STAFF RECOMMENDATION**

Suggested motion for a Conditional Use Permit - I hereby make a motion for the Planning Commission to approve the Conditional Use Permit for Elysian Auto Sales LLC, located at 1140 West 725 North, Unit "C", with the following conditions:

1. This Conditional Use Permit shall apply only to the user space located at 1140 West 725 North, Unit "C."
2. This CUP approval is for vehicle sales, limited for the suite.
3. The accessory uses proposed shall consist of, and be limited to, interior detailing of the vehicles. "Interior detailing" does not mean the washing of vehicles or engine and/or transmission repair or other like major repairs.
4. All display vehicles shall be operable and in good condition, and the display of vehicles shall be limited to no more than three (3) vehicles and are to be located within the warehouse space for Unit "C."
5. All deliveries and transporting of vehicles shall occur between the hours of 6:00 a.m. to 9:00 p.m.
6. The delivery of inventory vehicles by transport truck is prohibited.
7. The applicant shall submit an Automobile Dealer License from the State of Utah to the Business License Coordinator and obtain a City Business License prior to occupying or operation of the business.
8. A sign permit application shall be submitted to City staff for approval of any proposed signage relating to the business.
9. All applicable application and professional service fees shall be paid.

*Suggested Reasons for the Action (Findings):*

1. The applicant has submitted a complete application for a Conditional Use Permit [Section 12-21-100.d.1].
2. The use of vehicle and equipment rental or sales is a permitted use within the Industrial-High Zone with a Conditional Use Permit [Chapter 12-36].
3. The use is consistent with the expectation of the City's General Plan [Section 12-430-1 & Future Land Use, Goal 1, 12-480-6].
4. The use does not appear to have any negative impacts to the existing property and the surrounding community that have not been mitigated by the conditions of approval [Section 12-21-100(e)(3)(A-D), 12-21-100(e)(5)(A-K)].



Google earth

feet 100  
meters 50



Plot Plan:

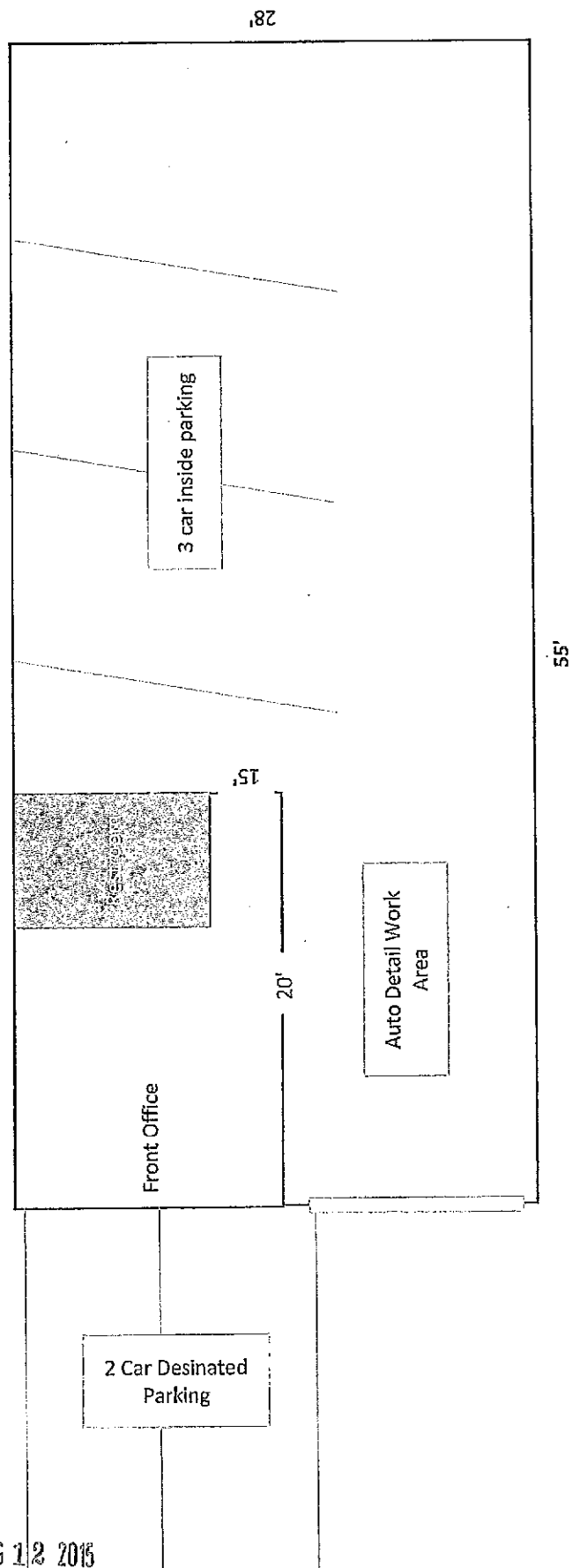
d. LAYOUT OF EXISTING BLDG

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2 of 3

**Plot Map: (1 of 3)**  
a. James Romer  
b. 1140 W. 725 N. Centerville Utah  
c. Office/Warehouse (with suggested auto parking/display layout)

RECEIVED AUG 12 2015



James Romer (1140 W. 725 N Unit C)

12-21-100(e)

The zoning for this business location (I-H) requires a conditional use permit due to the desire to obtain a MVED license and sale a limited number of used autos from the location. The business is a part time side business doing interior auto detailing and auto sales by appointment.

The following are proposed safeguards to minimize any adverse effects on the area.

- Exterior auto cleaning that produces waste water will be done off site at commercial car wash facilities.
- Vehicles being marketed for sale will be stored inside the properties private warehouse or in 2 dedicated parking spots directly in front of unit.
- Inventory of auto available for sale will be kept to a maximum of 7 vehicles, with a max of 5 being kept at the property and 2 for owner's personal use.
- Properties common area parking will only be utilized for customer parking during appointments to show vehicles.

RECEIVED AUG 12 2015

**ORDINANCE NO. 2015-05**

**AN ORDINANCE OF THE CENTERVILLE CITY COUNCIL ESTABLISHING TEMPORARY REGULATIONS PERTAINING TO LAND USE, ZONING, SUBDIVISION AND DEVELOPMENT OF REAL PROPERTY LOCATED WITHIN THE SOUTH MAIN STREET CORRIDOR OVERLAY DISTRICT ZONE GENERALLY CONSISTING OF PROPERTIES ALONG AND IN THE VICINITY OF MAIN STREET FROM PARRISH LANE TO PORTER LANE WITHIN CENTERVILLE CITY, UTAH, AS MORE PARTICULARLY DESCRIBED ON THE SMSC OVERLAY DISTRICT MAP**

**WHEREAS**, the City has previously adopted the South Main Street Corridor Overlay District Zone (SMSC Overlay Zone) as set forth in Chapter 12-48 of the Centerville City Zoning Ordinance and the South Main Street Corridor Plan as set forth in Section 12-480-7 of the Centerville City General Plan; and

**WHEREAS**, one of the major goals of the General Plan provisions for the South Main Street Corridor is to "Create a commercial district with a central core intersection that is designed to serve as the heart of the City and support and encourage local businesses" and to create a central commercial district within the Traditional and City Center Districts along Main Street that will be a counter-balance to the automobile-centric commercial developments along the interstate; and

**WHEREAS**, the City Council questions whether commercial uses are viable on Main Street given all of the commercial development along Parrish Lane and would like to research and study the viability of such commercial uses within the SMSC Overlay Zone; and

**WHEREAS**, the City Council desires to research and study whether solely residential development within certain districts of the SMSC Overlay Zone would be desirable and more compatible with existing residential uses adjacent to the SMSC Overlay Zone; and

**WHEREAS**, the City of Centerville anticipates further growth and development within those portions of the City located west of Interstate 15 and south of Parrish Lane; and

**WHEREAS**, given the significant contemplated changes to the SMSC Overlay Zone and inherently different direction of proposed uses and development within the SMSC Overlay Zone, there is a need for additional planning and analysis regarding the South Main Street Corridor Plan set forth in the General Plan and the SMSC Overlay Zone as set forth in the Zoning Ordinance and other relevant ordinances of the City to ensure appropriate land use and development, to provide for adequate and safe traffic and pedestrian circulation, and to address commercial and residential uses in the SMSC Overlay Zone; and

**WHEREAS**, the City Council finds that it is necessary and essential to protect the public health, safety and welfare to undertake a thorough review and update of the City's South Main Street Corridor Plan and/or the City's ordinances relating to land use regulations, traffic and development requirements within the SMSC Overlay Zone as more particularly described in

**Exhibit "A,"** attached hereto and incorporated herein by this reference, hereinafter referred to as the "Study Area"; and

**WHEREAS,** the City Council and staff need time to appropriately review and study the current South Main Street Corridor Plan and the SMSC Overlay Zone and City ordinances affecting the Study Area and to recommend any appropriate amendments to the existing South Main Street Corridor Plan, the SMSC Overlay Zone, and/or other City ordinances; and

**WHEREAS,** the City is authorized by law to enact ordinances establishing temporary zoning regulations for any part or all of the City prohibiting, restricting or regulating subdivision or other development approvals, or the issuance of building permits pursuant to Utah Code Ann. § 10-9a-504, as amended; and

**WHEREAS,** the City Council finds that there are compelling, countervailing public interest reasons which make it necessary to enact temporary regulations for the Study Area as more particularly set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1.    Enactment.** The following Ordinance is hereby enacted and adopted to read in its entirety as follows:

**Title.** This Ordinance shall take effect without codification and may be cited as the "2015 South Main Street Corridor Zoning Regulations Ordinance" of Centerville City.

**Findings.** The Centerville City Council hereby finds that the health, safety, welfare, convenience and compelling, countervailing interest of the public and the residents of Centerville City will be promoted and enhanced by adopting this Ordinance imposing temporary regulations governing land use, zoning, subdivision, development and construction within the Study Area. The City Council hereby finds that such restrictions are necessary and desirable to promote proper land use and development within the Study Area and to allow for adequate and necessary study to address the needs created by the recent conclusion that commercial uses may not be viable on Main Street and that mixed use or solely residential development along Main Street within the SMSC Overlay Zone may be appropriate, and to review and analyze other relevant development, planning, design, transportation and economic impacts occurring within the boundaries of the Study Area with regard to the following:

a.    Review of existing General Plan, zoning ordinances, subdivision regulations and building regulations regarding the SMSC Overlay Zone.

b.    Evaluate the effectiveness of those elements of the City Ordinances and General Plan in relation to current commercial uses, growth patterns, mixed use development, traffic and pedestrian circulation, relationship of uses, potential opportunities for residential development, and the needs of the City within the Study Area.

c. Review and consider adopting appropriate ordinances and regulations to provide for the orderly growth and planning of the Study Area and to ensure appropriate uses and development within the Study Area.

In order to accomplish the foregoing objectives and matters related thereto, it is essential and mandatory that adequate time be provided to complete study, evaluation, planning and review with regard to the General Plan, zoning ordinances, subdivision ordinances, building regulations and other development regulations and procedures of the City for the Study Area.

**Temporary Regulations.**

a. Restriction on General Plan and Zoning Map Amendments. No new applications for General Plan and/or Zoning Map amendments to any property or area within the Study Area shall be accepted, considered or acted upon by the City during the term of this Ordinance.

b. Restriction on Subdivision Approvals. No new applications for subdivision approval or amendments for any property or area within the Study Area shall be accepted, considered or acted upon by the City during the term of this Ordinance.

c. Restriction on Site Plan and Conditional Use Permit Approvals. No new applications for site plan or conditional use permit approval for any property within the Study Area shall be accepted, considered or acted upon by the City during the term of this Ordinance.

d. Completed Applications. Any completed application for General Plan amendment, rezone, subdivision, site plan, conditional use permit, building permit or development approval for any property within the Study Area which has been submitted, received and deemed complete by the City as of the date of this Ordinance shall be excluded from the effects of this Ordinance.

e. Term. This Ordinance shall remain in effect for six (6) months from its effective date unless sooner terminated by action of the City Council.

**Section 2. Conflict.** In the event of any conflict between this Ordinance and any other Centerville City ordinances, resolutions or regulations, the provisions of this Ordinance shall be controlling. This Ordinance is not intended to amend or repeal any other Centerville City ordinances, resolutions or regulations.

**Section 3. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 4. Effective Date.** This Ordinance shall take effect immediately upon publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,  
STATE OF UTAH, THIS 19 DAY OF MAY, 2015.

CENTERVILLE CITY

By: [Signature]  
Mayor Paul A. Cutler

ATTEST:

[Signature]  
Marsha L. Morrow, City Recorder

Voting by the City Council:

|                         | "AYE"    | "NAY" |
|-------------------------|----------|-------|
| Councilmember Averett   | <u>X</u> | _____ |
| Councilmember Fillmore  | <u>X</u> | _____ |
| Councilmember Higginson | <u>X</u> | _____ |
| Councilmember Ivie      | <u>X</u> | _____ |
| Councilmember Wright    | <u>X</u> | _____ |



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

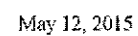
[Signature]  
MARSHA L. MORROW, City Recorder

DATE: 5/15/15

RECORDED this 15 day of May, 2015.

PUBLISHED OR POSTED this 15 of May, 202015.

## **BOUNDARIES OF SOUTH MAIN STREET CORRIDOR TEMPORARY ZONING REGULATIONS**



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

**STAFF REPORT  
AGENDA: ITEM 2**

**APPLICANT:** **JEFFERY D. COOK**  
**380 SOUTH MAIN STREET**  
**CENTERVILLE, UT 84014**

**EMAIL:** **jeff@cookbuilder.com**

**PROPERTY OWNER:** **LIAHONA ONE, LLC**  
**577 NORTH 100 EAST**  
**CENTERVILLE, UT 84014**

**PROPERTY:** **134 SOUTH MAIN STREET**

**ACREAGE:** **0.9 ACRES**

**ZONING:** **COMMERCIAL-MEDIUM (C-M)/SOUTH MAIN STREET  
CORRIDOR OVERLAY ZONE – TRADITIONAL MAIN STREET  
DISTRICT**

**APPLICATION:** **SMALL SUBDIVISION WAIVER/LOT SPLIT – FLAG LOT  
REZONE WEST LOT TO RESIDENTIAL- MEDIUM (R-M)**

**RECOMMENDATION:** **APPROVE THE SMALL SUBDIVISION WAIVER/LOT SPLIT –  
FLAG LOT AND RECOMMEND APPROVAL FOR THE  
REZONE OF THE WEST LOT TO R-M**

**BACKGROUND**

The Huffaker Dental property has an excess of land on the northwest portion of the lot, which the applicant desires to utilize for development. The proposal is to construct a duplex on the northwest corner, and divide the property to create two lots. The new lot would need to be rezoned to R-M (Residential-Medium) to allow for a residential use. This staff report will address the division of land and the rezone of the proposed lot to R-M. This rezone request will need to go before the City Council for final approval and finally, the applicant will need to receive an amended final site plan approval for the dental office lot.

**SMALL SUBDIVISION PROCESS, SECTION 15-2-107**

**General Plan**

According to the Centerville City Zoning Map, the location of the Huffaker Dental Office is found within the Commercial-Medium (C-M) Zone. The General Plan calls out this location as Neighborhood 2, Southwest Centerville and within the Main Street Transitional Fringe [Section

12-480-3(1)(d)1]. The goal for this area indicates that medium to high density uses may be appropriately developed as long as the use is compatible with the surrounding neighborhood. In addition to residential policies, this section also refers to commercial policies that encourage the use of convenience and specialty shopping areas. It appears the dental office and the proposed duplex will conform to the goals of the General Plan.

#### Small Subdivision Waiver, Section 15-2-106

A small subdivision is defined as a subdivision of not more than two (2) lots or when the subdivision includes the use of a flag lot [Section 15-1-104(45)]. Since the property located at 134 South Main Street is being divided into a flag lot, it qualifies for the Small Subdivision Waiver, as long as it meets the criteria found in Section 15-2-107 of the Subdivision Ordinance.

#### Criteria

- (a) The small subdivision does not require dedication of land for a street or other public purpose;

➤ **Staff Response:** No land in association with the division will require the dedication of any property to be used for a street. The two lots facing Bamberger Way will have adequate street frontage, and Lot A has an adequate stem width of 25.5 feet. Bamberger Way is already a dedicated public right-of-way with a paved street and a constructed sidewalk.

- (b) The small subdivision is not traversed by the mapped lines of a proposed street or a street to be widened, as shown on the master street plan;

➤ **Staff Response:** According to the Master Street Plan, Bamberger Way is considered a minor local street [Section 12-450-1], and will not require any widening in the near future. Additionally, the Master Street Plan does not indicate any new roads being proposed to run through any portion of the proposed lots.

- (c) The lots are not part of a small subdivision approved less than three years earlier.

➤ **Staff Response:** The proposed lot is not part of any previous subdivision and with the approval of a Small Subdivision Waiver/Lot Split, the properties will be legal according to Centerville City's Ordinance.

#### Zoning Ordinance Requirements, Section 15-2-107(2)

This project is unique in the fact that currently the lot is found to be zoned Commercial-Medium, however, with subdividing the property, Lot A will be rezoned to Residential-Medium. Lot A will need to meet the requirements for development within the R-M Zone as a flag lot, yet this would be contingent on receiving approval for a rezone. The dental office was constructed prior to the South Main Street Corridor and would not currently meet the development standards found within the overlay zone. However, no changes are taking place on the dental office property and would, therefore, be considered legally nonconforming.

**Applicable Development Standards for the (R-M) Zone (Table 12-31-1)**

| <b>Lot A</b>                    |                 |                                |               |
|---------------------------------|-----------------|--------------------------------|---------------|
| <b>Development Standards</b>    | <b>Required</b> | <b>Actual</b>                  | <b>Comply</b> |
| <b>Building Standards</b>       |                 |                                |               |
| Distance Between Buildings      | 6 Feet          | 65 Feet                        |               |
| Maximum Height                  | 35 Feet         | Unavailable                    |               |
| <b>Lot and Parcel Standards</b> |                 |                                |               |
| Minimum Area                    | 10,800          | 14,810.4 Square Feet           | Yes           |
| Minimum Frontage                | 25 Feet         | 25.5 Feet                      | Yes           |
| <b>Setbacks</b>                 |                 |                                |               |
| Front                           | 16 Feet         | 72 Feet                        | Yes           |
| Rear                            | 16 Feet         | 20 Feet                        | Yes           |
| Side Yard                       | 16 Feet         | 78 Feet, East<br>20 Feet, West | Yes           |

**Improvements or Utility Easements, Section 15-2-107(3)**

The existing dental office property has all the necessary improvements, while the plans indicate additional utilities for the proposed duplex on Lot A. All utility provider sheets must be submitted prior to the subdivision being recorded. Staff has already received one letter from Questar Gas indicating they can service the new duplex. The plans indicate 3 public utility easements on each lot.

**General Requirements for all Subdivisions, Chapter 15-5**

It appears the new residential lot has been designed to meet the standards for development within the R-M Zone. The new proposed lot will be developable and able to be built upon and adequately meets the criteria for flag lots concerning configuration and area requirements. Finally, as stated earlier, both lots are in harmony with the goals and objectives of the General Plan.

**FLAG LOT REVIEW, SECTION 15-5-102 (9) – (10)****Creation, Section 15-5-102(9)(a)-(e)**

The proposed new flag lot was not part of a previous subdivision plat approval by the City. From the above review, the property also qualifies for approval of the Small Subdivision Waiver/Lot Split. The area within the northwest corner of the Huffaker Dental property is an ideal location for a residential duplex, since no roads are being stubbed into the property and a conventional subdivision would not work behind the commercial offices facing Main Street. Directly west of the proposed duplex is found condominiums and directly south are town homes, therefore the proposed development would be in harmony with the surrounding neighborhood.

---

Standards and Regulations, Section 15-2-102(10)(a)-(d)

(a) Flag Lot Configuration:

- **Staff Response:** This has been reviewed as part of the development standards.

(b) Flag Lot Yard Area Requirements:

- **Staff Response:** This has been reviewed as part of the development standards on page 3.

(c) Stem Pole Use and Maintenance:

- i. Driveway Access, Minimum Width: Stem/pole driveway must be in cement or asphalt pavement and be a width of 10 feet, intersect a public street and meet the City Standards for a drive approach. If a fire lane is required, it must have necessary pavement and shoulders with an unobstructed minimum width of 20 feet, as required by the fire code.

- **Staff Response:** The stem has been measured at 25 feet, with a shared pavement driveway measured at 22 feet (8 feet of pavement is found on Lot A).

- ii. Stem/Pole, Multiple Use (sharing):

- **Staff Response:** Both Lots A and B will share the existing drive-isle. The combined project area has a total of .90 acres.

- iii. Stem/Pole Addressing Area: An area fronting the public street is required to have a permanent address sign or marker. The sign may not be higher than 3 feet and no larger than 12 square feet. It must be visible, yet still meet the standards found in Section 12-55-230, Visual Obstruction Standards.

- **Staff Response:** This will still be required and be verified at the time the dwelling receives a final inspection after construction.

(d) Utilities and Related Services:

- i. Utilities and other services: All utilities, related services and easements must be provided in accordance to City Ordinances and any requirements recommended by the City Engineer.

- **Staff Response:** The site plan indicates all proposed utilities and easements.

- ii. Fire Access Protection: Fire hydrants, emergency access and turn-a-rounds shall be provided in accordance with the applicable fire code regulations, and other applicable Regulations and Ordinances adopted by the City, State, and any requirements recommended by the City Engineer, upon consultation with the Fire Marshal and the Police Chief.

- **Staff Response:** The property has been found to have adequate fire protection.

- iii. Storm Water Drainage and Control: Flag lots must comply with Section 15-5-105 in regard to storm water, or provide an alternative method of a storm drainage management system acceptable to the City Engineer.
  - **Staff Response:** All grading and drainage will be addressed prior to receiving a building permit.

### CONCLUSION

Staff has concluded that the applicant has met all the requirements found within the Subdivision Ordinance in relation to a Small Subdivision Waiver/Lot Split and flag lot. On the final plat to be recorded, the applicant must make sure the correct addressing, signature blocks, legal descriptions and all other required information is indicated. City staff will then review this information before the recording is to take place. The lot split and easements must be recorded before any building permit may be issued. This approval for a flag lot is contingent on the rezone of Lot A from Commercial-Medium to Residential-Medium by the City Council. The applicant will then be required to receive an amended final site plan for the Huffaker Dental building for the configuration of the new lot. This final site plan must address the required landscaping buffer between the commercially zoned property and the residential property. Since, the property is being separated by a common driveway, this most likely is not possible. Therefore, the applicant may need to petition for a Waiver of Strict Compliance as found in Section 12-51-050 of the Zoning Ordinance.

### PLANNING STAFF RECOMMENDATIONS

Staff Suggested Action: I hereby make a motion for the Planning Commission to approve the Small Subdivision Waiver/Lot Split – flag lot for Huffaker Dental Property Duplex, located at 134 South Main Street, with the following conditions:

1. The property shall receive a rezone approved by the City Council in relation to Lot A from C-M (Commercial-Medium) to R-M (Residential-Medium).
2. A final amended site plan for the Huffaker Dental Building on Lot B shall be obtained prior to any improvements to Lot A.
3. The required landscaping buffer between Lots A and B shall be addressed as part of the amended final site plan with the petition for the Waiver of Strict Compliance concerning such buffer.
4. A current Title Report shall be submitted with the final site plan application.
5. The small subdivision shall be recorded at the Davis County Recorder's Office prior to receiving a building permit.
6. A bond shall be posted for any on and off-site improvements prior to receiving a building permit.
7. All grading and drainage shall be reviewed by the City Engineer as part of the building permit process.
8. Prior to final occupancy of the duplex, proper stem pole addressing shall be indicated along Bamberger Way.

### Suggested Reasons for the Action (Findings):

- a) The proposed Small Subdivision Waiver/Lot Split meets the review requirements for approval found in Section 15-2-106 and 15-2-107.

- b) After the Lot A has received a rezone from Commercial-Medium to Residential-Medium, a flag lot will be an allowable use on the property [Chapter 12-36].
- c) The proposed flag lot meets all applicable criteria for approval [Section 15-5-102(9)(a)-(e)].
- d) The division of land and uses are consistent with the goals and objectives of the General Plan [Section 12-480-3(1)(d)1].

## **REVIEW AND ANALYSIS OF THE REQUEST FOR R-M ZONING**

### **Factors to be considered, 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:** As discussed on pages 1 and , the proposed changes are consistent with the General Plan by allowing flexible residential development in an appropriate area, while the commercial is left untouched along Main Street.

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

- **Staff Response:** This was also previously addressed on page 3, stating that directly west of the proposed duplex is a condominium complex and south are town homes. Lot A being rezoned as R-M, would allow an unutilized piece of land to be developed in a way that is harmonious with the surrounding neighborhood.

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

- **Staff's Response:** Two negative impacts may be found with the rezone and subsequent duplex. First, the isolation of the duplex from the rest of the neighborhood and placed at the back of a parking lot may create an unmaintained property. Next, the creation of a residential zone adjacent to a commercial zone will require a landscape buffer to be created by Huffaker Dental. However, the required amount of 15 feet is not obtainable. Therefore, the buffer may need to be waived as allowed within Section 12-51-050 of the Zoning Ordinance.

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

- **Staff Response:** The properties have access to all facilities and services that are currently available to the area. The applicant will need to address all drainage for the new duplex site to insure that water is not being drained on adjacent parcels. This will need to be review by the City Engineer prior to any building permit being issued.

## **CONCLUSION**

This rezone is conditioned upon the lot being divided and a flag lot being approved on site. The rezone will only apply to the Lot A as indicated on the proposed submitted plat.

**PLANNING STAFF RECOMMENDATION**

Suggested Motion for an amendment to the Centerville City Zoning Map – I hereby make a motion for the Planning Commission to recommend to the City Council the following amendment to the Centerville City Zoning Map:

**Lot A of the Huffaker Dental Subdivision (.34 acres) shall be rezoned from Commercial-Medium (C-M) to Residential-Medium (R-M). Lot B of the Huffaker Dental Subdivision (.56 acres) shall remain in its current zoning as Commercial-Medium (C-M).**

Condition

1. The rezone shall only be executed upon the recording of the flag lot with the Davis County Recorder's Office.

Suggested Reasons for the Action (Findings):

- a) The proposed amendment is contingent on the approval of a Small Subdivision Waiver/Lot Split – flag lot approval by the Planning Commission.
- b) The proposed zoning changes are consistent with the goals and objectives of the General Plan [Section 12-480-3(1)(d)(1)].
- c) The proposed zoning changes are in harmony with the surrounding neighborhood [Current Centerville City Zoning Map, 12-21-080(e)(2)].
- d) If the required landscaping buffer may not be satisfied, a Waiver of Strict Compliance must be obtained [Section 12-51-050].



81 North 200 West, Suite #4  
Bountiful, Utah 84010  
Phone 801-298-2236  
Fax 801-298-5983

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

**STAFF REPORT  
AGENDA: ITEM 3**

**APPLICANT:** **GLADE JONES  
CALUTE HOME  
905 24<sup>TH</sup> STREET  
OGDEN, UT 84401**

**E-MAIL:** **GLADE@CALUTEHOMES.COM**

**PROPERTY OWNER:** **ROY AND CATHARINE RASBAND  
1031 EAST 250 SOUTH  
BOUNTIFUL, UT 84010**

**APPLICATION:** **ZONING MAP AMENDMENT**

**APPLICANT REQUEST:** **AMEND CENTERVILLE CITY ZONING MAP – REZONE  
THE PROPERTY AT 85 EAST CHASE LANE FROM A-L  
TO R-L**

**RECOMMENDATION:** **STAFF RECOMMENDS APPROVAL OF THE REZONE  
REQUEST**

**BACKGROUND**

Roy and Catharine Rasband have recently purchased the property located at 85 East Chase Lane. This property was part of an ongoing enforcement for several years concerning abandoned structures. The buildings were eventually demolished and the property has remained vacant ever since. Barnard Creek runs through the property, which has a 20-foot access and maintenance easement measured from the center of the creek. With the current zoning of A-L (Agricultural-Low), this will push a proposed home within 4 feet of the creeks edge. The property owner desires to amend the zoning to R-L (Residential-Low), which would allow the home to be closer to the front setback and as a result be 8 feet back from the edge of the creeks edge.

**REVIEW AND ANALYSIS OF THE REQUEST FOR R-L ZONING**

Factors to be considered, 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:** According to Section 12-480-4 of the General Plan, this area is located within Neighborhood 3, Northeast Centerville. The residential policies for this area state development should be consistent with what is already established within the area and that all future development should be low single-family residential. The applicant has proposed low single-family development and therefore is consistent with the goals and objectives of the General Plan.

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

- **Staff Response:** Rezoning the property to Residential-Low (R-L), would be consistent with the development found in the area. Single-family homes surround the property at 85 East Chase Lane and the zoning to the north, west and south, appear to be R-L. The adjacent properties to the east appear to be the last remaining agricultural lots within the neighborhood.

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

- **Staff's Response:** Staff does not see how rezoning the lot R-L to accommodate a single-family home has any negative impact on the community. In reality, this rezone and new construction of a home will enhance the surrounding neighborhood and improve the appearance of what is currently and has been on this lot.

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

- **Staff Response:** Since there is development surrounding the site, the adequacy of services and facilities is very likely. However, the applicant will still need to submit utility provider sheets as part of the site plan process for the property.

## **CONCLUSION**

It appears the rezone request from A-L to R-L would be an acceptable change for the lot at 85 East Chase Lane. The applicant will still need to go through the site plan process to establish easements and ensure that adequate utilities may service the property. In addition, the applicant will need to continue working with Davis County to ensure proper grading and construction takes place adjacent to the Barnard Creek channel.

## **PLANNING STAFF RECOMMENDATION**

*Suggested Motion for an amendment to the Centerville City Zoning Map* – I hereby make a motion for the Planning Commission to recommend to the City Council the following amendment to the Centerville City Zoning Map:

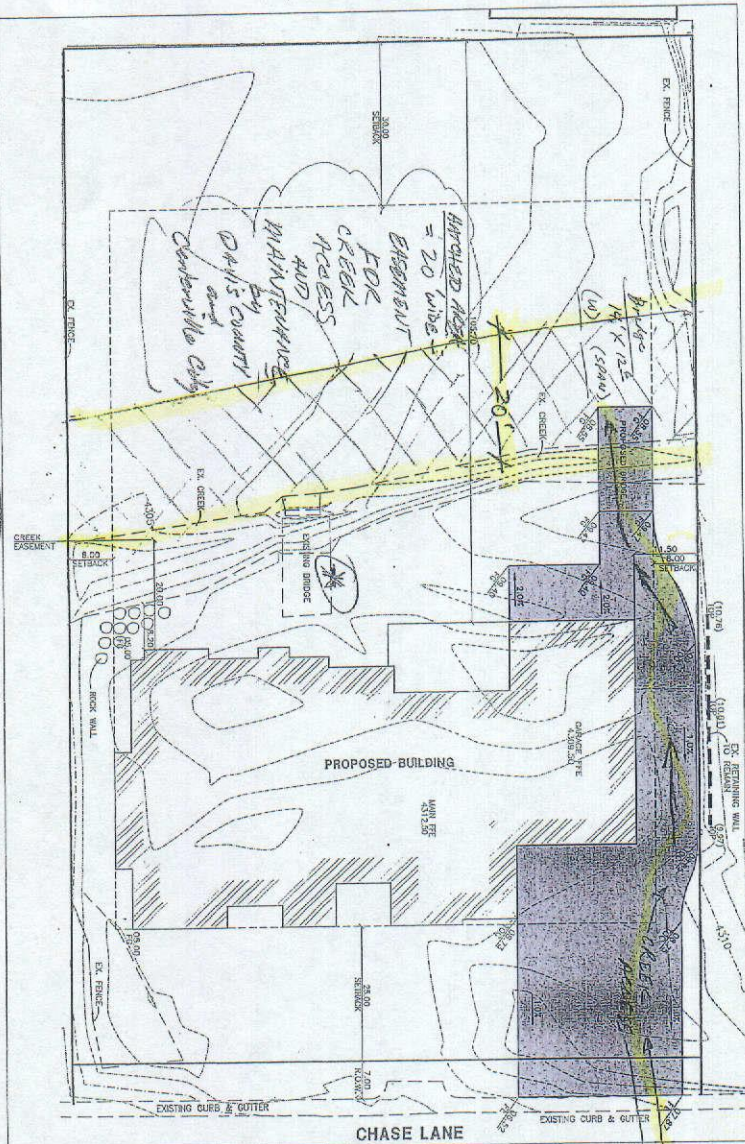
**85 East Chase Lane (.48 acres) shall be rezoned from Agricultural-Low (A-L) to Residential-Low (R-L).**

*Suggested Reasons for the Action (Findings):*

- a) The proposed zoning changes are consistent with the goals and objectives of the General Plan [Section 12-480-3(1)(d)(1)].
- b) The proposed zoning changes are in harmony with the surrounding neighborhood [Current Centerville City Zoning Map, Section 12-21-080(e)(2)].
- c) The applicant has provided sufficient evidence as to why the rezone is necessary for development of property at 85 East Chase Lane [Submitted application September 4, 2015].

RECEIVED SEP 01 2015

# ROY RASBAND Site Plan CITY OF CENTERVILLE, DAVIS COUNTY, UTAH JULY, 2015

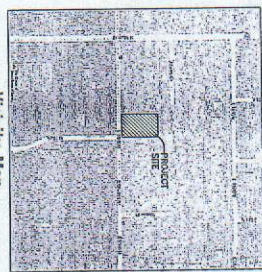


Relaxed scale

Scale: 1" = 10' (1" = 23' as shown)

Exhibit A  
Note: Existing bridge - pedestrian use only. (made for 'garden equipment' by previous owner.)  
per city's records.

Vicinity Map  
See to scale.



Creek Access for Davis County Public Works & Centerville City for maintenance of Barnard Creek, as shown and noted hereon and by shading. Recommend that access concrete flat work be at least 6" thick for heavy equipment loads to prevent damage.

## Engineer's Notice To Contractors

The existence and location of any underground utility lines or structures are shown on this plan. The contractor shall be responsible for locating and marking all utilities and structures prior to construction. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for maintaining access to all existing structures and utilities. The contractor shall be responsible for protecting all existing structures and utilities from damage. The contractor shall be responsible for restoring all existing structures and utilities to their original condition. The contractor shall be responsible for all costs associated with the construction of the project.

## Developer Contact

Roy Rasband  
1031 East 250 South  
Bountiful, UT 84010  
(801) 241-0552

## Site Plan

Call: Toll Free  
1-800-662-4111  
Two Working Days Before You Dig



Roy Rasband  
Site Plan  
CITY OF CENTERVILLE, DAVIS COUNTY, UTAH  
Cover/Index Sheet

| REVISIONS | DATE | DESCRIPTION |
|-----------|------|-------------|
|           |      |             |
|           |      |             |
|           |      |             |

**RA** Reeve & Associates, Inc.  
221 South Street, Suite 14, Orem, UT 84057  
TEL: (801) 225-1111 FAX: (801) 225-1112  
WWW.REVE-ASSOCIATES.COM  
LAND PLANNING & DESIGN • CIVIL ENGINEERING • SURVEYING • ENVIRONMENTAL SCIENCE

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

**STAFF REPORT  
AGENDA: ITEM 4**

---

**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](mailto: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:** FINAL SITE PLAN

**RECOMMENDATION:** APPROVE FINAL SITE PLAN

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**BACKGROUND**

On August 26, 2015, the Planning Commission made a motion to accept the Conceptual Site Plan for the Mark Nelson Dental Office located at 782 West Parrish Lane. This site is located on what is known as the Island Parcel adjacent to Iggy's Restaurant. The dental office is considered a medical service; which by Ordinance is allowed within the Commercial Very-High (C-VH) Zone [Chapter 12-36]. As part of the conceptual review, it was determined that the "use" meet the goals and objectives found within the General Plan [Section 12-480-5]. It was also found, that the proposed development would be a good addition to the neighborhood. The proposed development is located within the Parrish Lane Gateway and therefore requires additional criteria be satisfied, which has been completed.

This site is part of a redevelopment area that requires review and approval by the RDA in regard to "use" and "building type." On September 15, 2015, the RDA reviewed the Island Parcel

Project and approved the use and building. The applicant, however, requested financial assistance for the northwest corner landscaping feature from the RDA. The RDA stated that if the applicant so desires to construct a feature, they will need to come back with other options besides just a water feature. The RDA would then decide what type of participation they would be willing to assist with this project. Finally, they also approved an amendment to the development agreement that reduced the total square footage for a building to 5,000 square feet. This decision does not affect the proposed structure since Mr. Nelson only desires a building at 5,000 square feet.

#### PREVIOUS CONDITIONS OF APPROVAL

1. A final site plan application shall be submitted following the criteria found in Section 12-21-110(e)(2) of the Zoning Ordinance.
  - **Staff Response:** An application for a final site plan was submitted on September 3, 2015, and met the standards 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.
  - **Staff Response:** An electronic version of the storyboard was submitted to staff indicating the building to be of a classical-style with the use of stucco, stone veneer, metal, copper, wood and glass. The colors to be used on the structure are: grey, tan, brown shades of green and black. Staff believes the material and color choices will blend in well with the surrounding neighborhood, yet also have a unique appearance that will not mimic the surrounding architecture.
3. Clarification on the structures total height shall be identified on the final sketches.
  - **Staff Response:** The building height is 22 feet high, yet with the parapet and the dome the total height will be at 35 feet.
4. Proposed sign locations on the final plans shall be indicated.
  - **Staff Response:** The applicant has indicated they will only have wall-mounted signage. All signs will need to be approved by City staff under a separate review application and meet all applicable standards found in Chapter 12-54 of the Zoning Ordinance.
5. A lighting plan shall be submitted indicating all parking lot and wall-mounted lighting.
  - **Staff Response:** The location of lighting was submitted on the plans, yet will still need to be reviewed by the City Engineer and Public Works Director for type and exact connection detail. This will need to be addressed and approved prior to the issuance of a building permit.
6. All easements and utilities shall be shown on the final site plan.
  - **Staff Response:** All easements and utilities have been depicted on the final site plan and have been reviewed by the City Engineer as acceptable.

7. The applicant shall work with the City Engineer and Public Works Director concerning curbing or other device within the southeast parking lot.
  - **Staff Response:** The conceptual plan was proposed with a change in the original layout of the parking spaces located north of the east drive approach. This was a concern for City staff that vehicles would drive through the parking stalls to get to the front of the building. However, the final site plan does show the parking stalls being placed back in their original location, making this condition no longer a concern.
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
  - **Staff Response:** A landscaping plan has been submitted that indicates a wide variety of vegetation including trees, sod, shrubs, perennials and grasses. A total of 32 trees and over 200 shrubs will be planted on site, which exceeds the required amount within Chapter 12-51 of the Zoning Ordinance. The landscaping around walkways has been emphasized, while all required Streetscape Standards have been completed. The site will be irrigated with underground and drip irrigation. The applicant has also created a wall feature on three locations as part of the continuing theme throughout the Island Parcel. Staff believes the landscaping plans are acceptable and meet the requirements found in Chapters 12-51 and 12-63 of the Zoning Ordinance.
9. The dumpster screening and any wall-mounted equipment shall be indicated on the final site plans.
  - **Staff Response:** The dumpster will be completely screened from view by a 6-foot high enclosure constructed of masonry blocks and a metal gate. The enclosure will also be painted to match the exterior of the proposed building. All mechanical equipment will be placed on the roof and be screened by the parapet wall. Other equipment that may not be located on the roof will be screened with landscaping.
10. The design of the water feature shall be submitted for final review.
  - **Staff Response:** The applicant has chosen to create a few options for the landscaping architectural feature and pursue assistance from the RDA. Therefore, since the applicant desires to work with the RDA concerning the feature, staff does not believe this detail should hold up any approvals for the overall site.

11. The applicant shall work with the City Engineer and Public Works Director to establish what development fees may still be required.
  - **Staff Response:** All applicable fees shall be paid prior to the issuance of a building permit.
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.
  - **Staff Response:** The bond shall be posted by the applicant prior to the issuance of a building permit.
13. The RDA must review the conceptual design to approve a change in "use" on the island parcel.
  - **Staff Response:** The applicant met with the RDA on September 15, 2015, where they approved the "use" and "building type." They also requested the applicant come back to the RDA with alternative design features for the northwest corner of the property. At this review, the RDA will decide what amount they would participate in the funding of this feature.
14. Developer and the development shall comply with all governing documents for the Island Parcel, including but not limited to: (1) the Parrish Lane Gateway Neighborhood Development Plan, as amended; and (2) the Agreement for Disposition of Land, as amended.
  - **Staff Response:** This condition shall remain in effect.

#### **FINAL SITE PLAN REVIEW, SECTION 12-12-110(e)**

The final site plan is in harmony with the conceptual site plan that was accepted on August 26, 2015. The lot is located within the C-VH Zone, which allows the use of a dental office. The proposed project was found to meet applicable Ordinance requirements concerning Development Standards found within Table 12-34-1 of the Zoning Ordinance. In addition, all applicable Parrish Lane Gateway Design Standards have been addressed by the applicant and reviewed by City staff.

After reviewing the final site plan, staff believes the applicant has clearly shown how the property may be developed. They have also indicated how the criteria within the Zoning Ordinance for development within the C-V-H Zone will be fulfilled. Finally, any unpaid fees and public improvement bonds will need to be posted prior to a building permit being issued.

#### **CONCLUSION**

As a reminder, the applicant will need to work with the City Engineer and the Public Works Director in receiving the cut-sheet for the pedestrian lighting along the Frontage Road and Market Place Drive. In addition, since this project is located within a redevelopment area, the developer and the development must comply with all governing documents for the Island Parcel, including but not limited to: (1) the Parrish Lane Gateway Neighborhood Development Plan, as amended; and (2) the Agreement for Disposition of Land, as amended.

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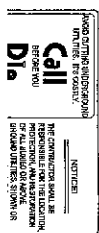
## PLANNING STAFF RECOMMENDATIONS

**PROPOSED ACTION:** I hereby make a motion for the Planning Commission to approve the final site plan for the Mark L. Nelson Dental Office, to be located at 782 West Parrish Lane, with the following conditions:

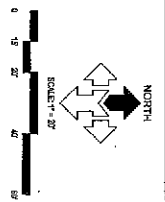
1. All professional service fees and other applicable fees for the development on this lot shall be paid.
2. A bond shall be posted for all public improvements prior to the issuance of a building permit.
3. The applicant shall address additional lighting detail with the Public Works Director, including, connection location and exact type of pedestrian lighting. This shall be submitted as part of the building permit process.
4. Any wall signage will need to be reviewed by City staff through a separate review permitting process.
5. If the applicant desires to pursue a contribution from the RDA for upgraded landscaping or entry feature on the lot, applicant should return to the RDA with options for this feature and requested amount of contribution. Any revised plans as approved by the RDA shall be included as part of final site plan approval.
6. Developer and the development shall comply with all governing documents for the Island Parcel, including but not limited to: (1) the Parrish Lane Gateway Neighborhood Development Plan, as amended; and (2) the Parrish Gateway Design Standards; and (3) the Agreement for Disposition of Land, as amended. The Fourth Amendment to the Agreement for Disposition of Land, as approved by the RDA, shall be signed and recorded against the property prior to issuance of a building permit for Lot 2. Developer shall be required to sign and record against the property an Assignment and Assumption Agreement regarding development on Lot 2, as approved by the RDA, prior to issuance of a building permit for Lot 2. Developer shall be subject to the use and user restrictions as set forth in the Agreement for Disposition of Land, as amended, and the Assignment Agreement entered into by Developer and recorded against the property.
7. A building permit shall be issued prior to any construction taking place on the property.

### SUGGESTED REASONS FOR THE ACTION:

1. A complete final site plan application has been submitted [Section 12-21-110(e)(2)].
2. The use of "Medical Services" is allowed within the C-VH Zone [Chapter 12-36].
3. This project is in harmony with the Goals and Objectives of the General Plan [12-480-5].
4. This location is found within the Parrish Lane Gateway, and all applicable standards have been satisfied [Chapter 12-63].
5. The proposed location is part of the Island Parcel and an RDA designated area, which required the applicant to obtain approval for the "use" and "building style" [September 15, 2015].
6. The project meets all landscaping and site development requirements for the C-VH Zone [Chapters 12-51, 12-34].



| Chemical       | Area       | %   |
|----------------|------------|-----|
| PHENOL         | 6.50-8.07  | 40% |
| 4-NITROPHENOL  | 3.372-6.07 | 21% |
| 4-NITROBENZENE | 4.315-5.07 | 21% |
| 2-NITROBENZENE | 5.71-6.07  | 20% |



SEE ANCHOR TEXTS FOR ADDITIONAL INFORMATION

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 07-11-2001 BY 60322 UCBAW

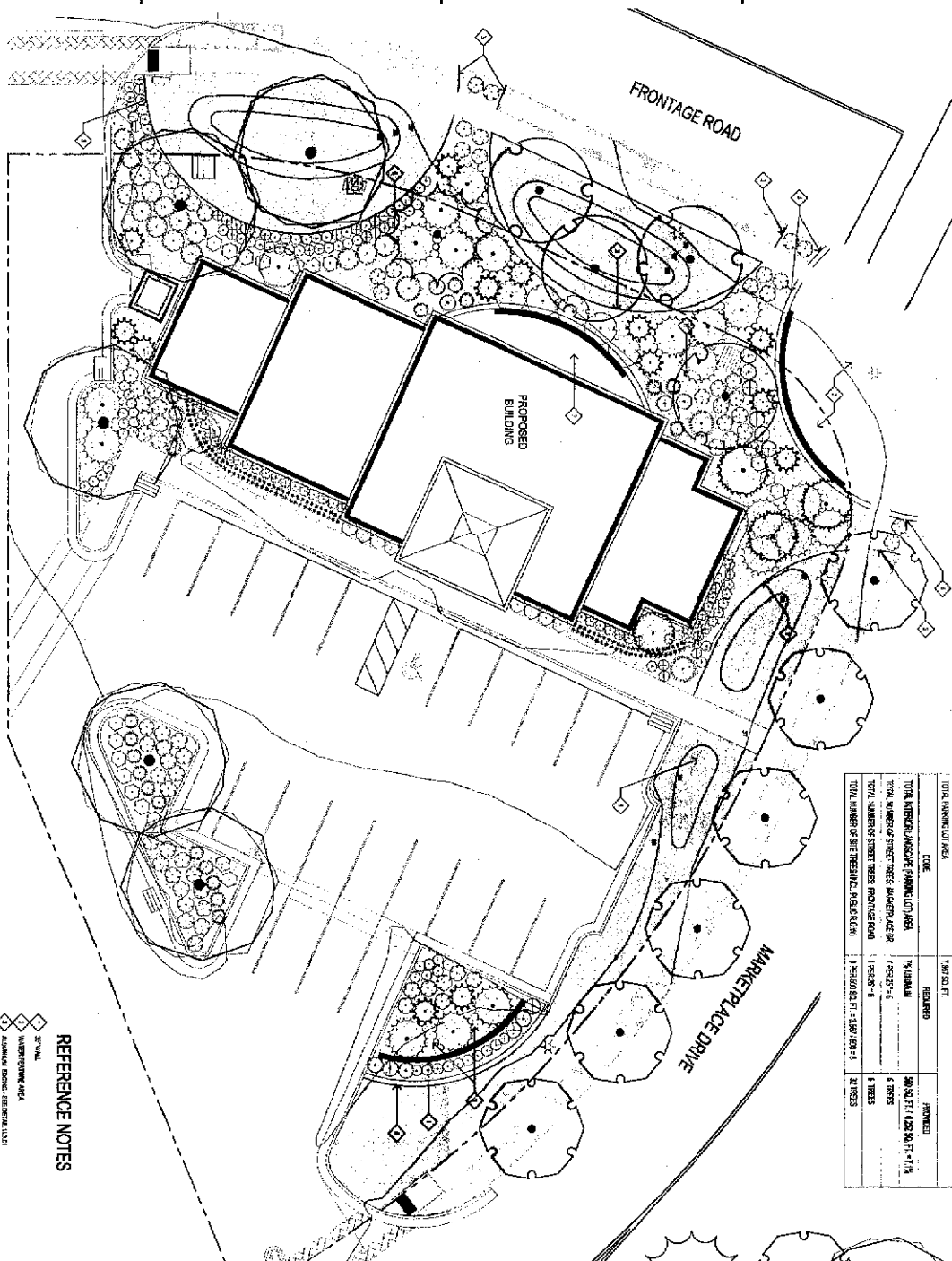
① ESTABLISHED PARTY ACTIVELY PARTICIPATING WITH COMMUNAL MASS PARTIES AND "PROLETARIAN CULTURE" GROUPS

17. In a certain code, 'PAPER' is written as 'KQDOL'. How will 'HARRY' be written in that code?  
(a) WJLNU (b) WJLNU (c) WJLNU (d) WJLNU
18. In a certain code, 'PAPER' is written as 'KQDOL'. How will 'HARRY' be written in that code?  
(a) WJLNU (b) WJLNU (c) WJLNU (d) WJLNU
19. In a certain code, 'PAPER' is written as 'KQDOL'. How will 'HARRY' be written in that code?  
(a) WJLNU (b) WJLNU (c) WJLNU (d) WJLNU
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21. In a certain code, 'PAPER' is written as 'KQDOL'. How will 'HARRY' be written in that code?  
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22. In a certain code, 'PAPER' is written as 'KQDOL'. How will 'HARRY' be written in that code?  
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23. In a certain code, 'PAPER' is written as 'KQDOL'. How will 'HARRY' be written in that code?  
(a) WJLNU (b) WJLNU (c) WJLNU (d) WJLNU
24. In a certain code, 'PAPER' is written as 'KQDOL'. How will 'HARRY' be written in that code?  
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25. In a certain code, 'PAPER' is written as 'KQDOL'. How will 'HARRY' be written in that code?  
(a) WJLNU (b) WJLNU (c) WJLNU (d) WJLNU

**CENTERVILLE GATEWAY AT PARRISH LANE**  
CENTERVILLE, UTAH



**Call**  
**Dis**  
1-800-555-1234  
For more information  
on our services and  
pricing, please call  
1-800-555-1234.



### CENTERVILLE CITY DATA

|                                                 |                                                                |
|-------------------------------------------------|----------------------------------------------------------------|
| TOTAL SITE AREA                                 | 27.40 AC. FT.                                                  |
| TOTAL COVERED AREA                              | 11,550 SQ. FT. (3.00 AC. FT. - 10,000 SQ. FT. - 1,550 SQ. FT.) |
| TOTAL PAVED AREA                                | 1,550 SQ. FT.                                                  |
| TOTAL UNPAVED AREA                              | 10,000 SQ. FT.                                                 |
| TOTAL NUMBER OF TREES PLANTED                   | 1,550                                                          |
| TOTAL NUMBER OF TREES PLANTED PER AC.           | 1,550 / 27.40 = 56.57                                          |
| TOTAL NUMBER OF TREES PLANTED PER 1,000 SQ. FT. | 1,550 / 11,550 = 0.134                                         |

### PLANTING LEGEND

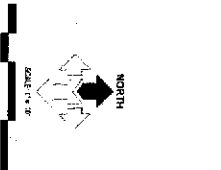
| SYMBOL | QTY | COMMON NAME | BOTANICAL NAME | SIZE | NOTE |
|--------|-----|-------------|----------------|------|------|
| 1      | 1   | PLANTING    | PLANTING       | 1"   | 1"   |
| 2      | 1   | PLANTING    | PLANTING       | 2"   | 2"   |
| 3      | 1   | PLANTING    | PLANTING       | 3"   | 3"   |
| 4      | 1   | PLANTING    | PLANTING       | 4"   | 4"   |
| 5      | 1   | PLANTING    | PLANTING       | 5"   | 5"   |
| 6      | 1   | PLANTING    | PLANTING       | 6"   | 6"   |
| 7      | 1   | PLANTING    | PLANTING       | 7"   | 7"   |
| 8      | 1   | PLANTING    | PLANTING       | 8"   | 8"   |
| 9      | 1   | PLANTING    | PLANTING       | 9"   | 9"   |
| 10     | 1   | PLANTING    | PLANTING       | 10"  | 10"  |
| 11     | 1   | PLANTING    | PLANTING       | 11"  | 11"  |
| 12     | 1   | PLANTING    | PLANTING       | 12"  | 12"  |
| 13     | 1   | PLANTING    | PLANTING       | 13"  | 13"  |
| 14     | 1   | PLANTING    | PLANTING       | 14"  | 14"  |
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| 19     | 1   | PLANTING    | PLANTING       | 19"  | 19"  |
| 20     | 1   | PLANTING    | PLANTING       | 20"  | 20"  |
| 21     | 1   | PLANTING    | PLANTING       | 21"  | 21"  |
| 22     | 1   | PLANTING    | PLANTING       | 22"  | 22"  |
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| 24     | 1   | PLANTING    | PLANTING       | 24"  | 24"  |
| 25     | 1   | PLANTING    | PLANTING       | 25"  | 25"  |
| 26     | 1   | PLANTING    | PLANTING       | 26"  | 26"  |
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| 33     | 1   | PLANTING    | PLANTING       | 33"  | 33"  |
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| 63     | 1   | PLANTING    | PLANTING       | 63"  | 63"  |
| 64     | 1   | PLANTING    | PLANTING       | 64"  | 64"  |
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| 68     | 1   | PLANTING    | PLANTING       | 68"  | 68"  |
| 69     | 1   | PLANTING    | PLANTING       | 69"  | 69"  |
| 70     | 1   | PLANTING    | PLANTING       | 70"  | 70"  |
| 71     | 1   | PLANTING    | PLANTING       | 71"  | 71"  |
| 72     | 1   | PLANTING    | PLANTING       | 72"  | 72"  |
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| 74     | 1   | PLANTING    | PLANTING       | 74"  | 74"  |
| 75     | 1   | PLANTING    | PLANTING       | 75"  | 75"  |
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| 77     | 1   | PLANTING    | PLANTING       | 77"  | 77"  |
| 78     | 1   | PLANTING    | PLANTING       | 78"  | 78"  |
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| 86     | 1   | PLANTING    | PLANTING       | 86"  | 86"  |
| 87     | 1   | PLANTING    | PLANTING       | 87"  | 87"  |
| 88     | 1   | PLANTING    | PLANTING       | 88"  | 88"  |
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| 92     | 1   | PLANTING    | PLANTING       | 92"  | 92"  |
| 93     | 1   | PLANTING    | PLANTING       | 93"  | 93"  |
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| 97     | 1   | PLANTING    | PLANTING       | 97"  | 97"  |
| 98     | 1   | PLANTING    | PLANTING       | 98"  | 98"  |
| 99     | 1   | PLANTING    | PLANTING       | 99"  | 99"  |
| 100    | 1   | PLANTING    | PLANTING       | 100" | 100" |

### REFERENCE NOTES

- 1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CENTERVILLE PLANTING SPECIFICATIONS.
- 2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CENTERVILLE PLANTING SPECIFICATIONS.
- 3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CENTERVILLE PLANTING SPECIFICATIONS.
- 4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CENTERVILLE PLANTING SPECIFICATIONS.
- 5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CENTERVILLE PLANTING SPECIFICATIONS.
- 6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CENTERVILLE PLANTING SPECIFICATIONS.
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- 10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF CENTERVILLE PLANTING SPECIFICATIONS.

### PLANTING NOTES

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**MARK L. NELSON DENTAL  
OFFICE BUILDING**  
CENTERVILLE, UTAH



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Structural Engineering • Land Surveying & HDS

| REVISIONS | DATE       | DESCRIPTION    |
|-----------|------------|----------------|
| 1         | 10/10/2013 | Initial Design |
| 2         | 10/10/2013 | Revised Design |
| 3         | 10/10/2013 | Final Design   |
| 4         | 10/10/2013 | Final Design   |
| 5         | 10/10/2013 | Final Design   |
| 6         | 10/10/2013 | Final Design   |
| 7         | 10/10/2013 | Final Design   |
| 8         | 10/10/2013 | Final Design   |
| 9         | 10/10/2013 | Final Design   |
| 10        | 10/10/2013 | Final Design   |

**L1.01**





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

**STAFF REPORT  
AGENDA: ITEM 5**

**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](mailto: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:** PRELIMINARY SUBDIVISION APPROVAL

**RECOMMENDATION:** CONSIDER APPROVAL OF THE PRELIMINARY  
SUBDIVISION PLAN AND PLAT

**BACKGROUND**

As the Planning Commission is aware, the developers of Porter Walton Townhomes project are seeking to subdivide and plat the dwellings units to allow each unit to be purchased for home ownership. Previously, the Commission accepted the proposed conceptual subdivision plan and will now be reviewing and approving the preliminary plans and plat.

**PREVIOUS CONCEPTUAL PLAN ACCEPTANCE**

On August 26, 2015, the City accepted the conceptual subdivision plan, which allows the developer to move forward with preparation and submittal of the preliminary subdivision plans and plat. The following are the conditions of the conceptual plan acceptance:

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.

### **PLANNING STAFF's REVIEW**

Preliminary Plat and Plans – The preliminary plat and plans appear to be consistent with the original final site plan and conditional use permit approvals. The City Engineer has deemed the construction plans sufficient and has requested several changes to the subdivision plat document. Most of the changes seem to be minor errors and omissions relating to survey standards and plat format expectations.

Covenants, Conditions, and Restrictions (CC&Rs) - The submitted CC&R's generally reflect the expectations and management of the subdivision. The document addresses the following in relation to the approved project:

- *Dwellings for single-family occupancy only for each unit. No unit can be further subdivided*
- *Prohibition of parking on internal streets, allies, or other to maintain Fire Protection access*
- *Addressing the use and parking of vehicles and other similar equipment*
- *Use of a towing company to monitor and manage parking violations*
- *Contracting a private refuse and snow removal services for roadways and sidewalks*
- *Use and management of the common areas of the project*
- *Unit landscaping must be installed within one (1) year of occupancy*
- *Prohibition of large vehicle or recreational vehicle parking within the project*
- *Addresses the use of building materials and maintenance of the exterior of every dwelling*

### **PLANNING STAFF RECOMMENDATION**

Suggested Motion for the Preliminary Subdivision Acceptance: I hereby make a motion for the Planning Commission to approve the Preliminary Subdivision Plans and 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 an application for final subdivision plat and associated construction drawings, as outlined in Chapter 15-3, Final Plat of the Municipal Code.
2. The layout and design of the final plans and plat submittal must be consistent with the related City approved final site plan and conditional use permit.
3. The applicant shall finalize any plat related formatting and/or survey errors and omissions, which shall be deemed acceptable by the City's Engineer and Attorney.
4. In accordance with the City's addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City's Public Works Director.

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

*Suggested Reasons for the Action (Findings):*

- a) The preliminary subdivision plans and plat are in harmony with the relevant provisions of the City's General Plan [Section 12-480-1(a)].
- b) The new subdivision is in harmony with the provisions of the Residential-Medium Zone, and 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.





REC'D 8/21/15



**ESI Engineering, Inc.**  
3500 South Main Suite 206  
Salt Lake City, Utah 84115

Tel: (801) 263-1752  
Fax: (801) 263-1780  
www.esieng.com  
Email: esi@esieng.com

Centerville City  
Kevin Campbell  
City Engineer

**RE: Plat Review of Porter Walton Townhomes PRUD**

Dear Kevin,

I have reviewed the plat and have found the following errors and omissions.

1. The Centerville Marketplace Subdivision on the north side of the subject property appears to overlap.
2. Please show the monument information for the determination of Porter Lane.
3. The P.R.U.D. should be changed to P.U.D.. The "A Planned Residential Unit Development" should be changed to "A Planned Unit Development". It will also should to be changed in the Narrative.
4. In the boundary description the word "to" should be removed. ("thence to S00°19'44"E 204.95 feet").
5. Please note the number of lots created by this subdivision at the end of the description.
6. In the "Surveyor's Certificate", please remove the "Registered" per guidelines.
7. In the Acknowledgements - if lines are added for the Commission Number, Full Name, Expires and signature, the notary will not need to stamp the Mylar.
8. Davis County coordinates should be shown for all monuments and exterior boundary corners.
9. The total distance on the east private street should stop at the boundary line.
10. Please provide additional information in order to establish the right of way of the private road.
11. The distances along the interior of the south boundary line appears not match the overall distance.
12. The distances along the interior of the east boundary line appears not match the overall distance.
13. Please provide the bearing and distance on the west line of lot 47.
14. Please provide additional dimensions so that the are can be determined for the limited common area for units 43-46..
15. The distance on the south line of lot 47 appears to be incorrect.

If you have any questions regarding this plat review please contact me, and we can discuss your concerns. Please have Reeve & Associates, Inc. provide a revised copy of this plat showing that these items have been addressed.

Sincerely,  
Brian A. Linam, P.L.S.  
801-608-6108

ESI Engineering Inc.



CIVIL ENGINEERING

STRUCTURAL ENGINEERING

LAND SURVEYING

GPS



Rec'd 8/21/15



**ESI Engineering, Inc.**  
3500 South Main Suite 206  
Salt Lake City, Utah 84115

Tel: (801) 263-1752  
Fax: (801) 263-1780  
www.esieng.com  
Email: esi@esieng.com

Centerville City  
Kevin Campbell  
City Engineer

**RE: P.U.E. Legal Description Review for the Porter Walton Townhomes PUD**

Dear Kevin,

I have reviewed the easement description and have found the following errors and omissions.

1. The north end interior of the easement encroaches into the future buildings and should be adjusted.
2. It is recommended that bounds calls should be added to the northerly right of way line of Porter Lane.
3. It is also recommended to add a call "along the section line" from the section corner.

If you have any questions regarding this plat review please contact me, and we can discuss your concerns. Please have Reeve & Associates, Inc. provide a revised copy of this description showing that these items have been addressed.

Sincerely,  
Brian A. Linam, P.L.S.  
801-608-6108

ESI Engineering Inc.



CIVIL ENGINEERING

STRUCTURAL ENGINEERING

LAND SURVEYING

GPS



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

**STAFF REPORT  
AGENDA: ITEM 6**

**APPLICANT:                   CENTERVILLE CITY COUNCIL  
C/O PAUL CUTLER, MAYOR  
250 NORTH MAIN STREET  
CENTERVILLE, UTAH 84014**

**APPLICATION:               ZONING CODE TEXT AMENDMENTS**

**APPLICANT REQUEST:   AMEND CENTERVILLE CITY'S ZONING ORDINANCE  
FOR *VARIOUS CHANGES TO THE SOUTH MAIN STREET  
CORRIDOR ZONE, WHICH INCLUDE THE FOLLOWING:***

- **Definition of Mixed-Use**
- **Maximum Unit Allowances & Density Caps for the  
North Gateway, Pages Gateway, City Center, and  
Traditional Main Street Areas**
- **Adopt a Main Street Public Space Plan**
- **Building Setbacks & Building Heights**
- **Other related Lot Type Illustrations & Tables**

**RECOMMENDATION:       CONSIDER RECOMMENDING APPROVAL OF THE  
ZONING CODE TEXT AMENDMENTS**

***BACKGROUND***

As the Planning Commission is aware, the City Council adopted a "Temporary Zoning Regulation Ordinance" (TZRO) restricting any further development within the South Main Street Corridor Zone. As a result of the public's concerns that have been expressed over the recent submittal of re-developing the O'Brien/Pitt properties, the Council desired to revisit the merits of the current zoning overlay plan. After hosting several open meeting sessions and work sessions between the City Council and Planning Commission, staff was tasked with assimilating the information to formulate changes to the South Main Street Corridor Overlay Zone.

***ZONE TEXT PROCESS***

***Factors to be Considered***

The deciding entity must consider three (3) factors when making a recommendation and a final decision for a zone text amendment. These required factors are found in Section 12-21-080(e) of

Centerville City's Zoning Ordinance. Staff's review and conclusions for these factors are provided below:

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?**
  - ✓ **Policy Section 12-480-2.2.b.1, Neighborhood 1, Southeast Centerville** – “The Main Street Commercial Area shall be allowed to remain as a convenience and specialty shopping area. To encourage larger scale commercial development would be detrimental...”
  - ✓ **Policy Section 12-480-2.2.b.2, Neighborhood 1, Southeast Centerville** – “The Main Street Commercial Area is old and somewhat deteriorating. Significant commercial viability is not likely to occur unless some type of restoration or revitalization is encouraged. Centerville City should seriously consider the preparation of a revitalization plan for this area.” [RESPONSE EFFORTS = 2007 MAIN STREET STUDY, 2008 SMSC PLAN]
  - ✓ **Residential Policy** – Section 12-420-1 “...the citizens of Centerville desire to achieve a quality of life that is consistent with the development of low density residential.”
    - **Section 12-420-2.2, Residential Development Policies** – “...medium or high density that is allowed in appropriate locations within the City....”
  - ✓ **Strategy 6.A of the Moderate Income Housing Element** – The City is to continue its “support of allowing mixed-use zoning and related development in strategic areas of the City.”
  - ✓ **Objective 6.A.3 of the Moderate Income Housing Element** – The City is to “remain committed to land use policies that support developing other future mixed-use or flexible use development areas.”
  - ✓ **Goal 1.C, South Main Street Corridor Plan (a corridor-wide view)** – “Encourage additional single-family and multi-family residential lands uses, by way of mixed-use development...”
  - ✓ **Goal 7, Traditional and City Center Main Street Districts, SMSC Plan (goal explanation)** – “The goal is primarily to create a central commercial district along Main Street...”
  - ✓ **Goal 9, North Gateway & Pages Lane Mixed Use Districts SMSC Plan (goal explanation)** – The goal is to create mixed-use nodes using a combination of commercial, office, and residential uses that will serve as a transition area between existing commercial and residential neighborhoods and enhance pedestrian connections.

**Staff's Conclusion** – From review of the General Plan policies, it is staff's position that the North Gateway, Pages Lane, City Center & Traditional Main Street Districts are primarily commercial areas (see C-M or C-H Zoning District boundaries). Thus, these areas are not considered solely “residential.” However, the SMSC Overlay Plan does allow for residential uses to be considered in these particular commercial areas. Additionally, both the Moderate Income Housing and SMSC Plans desire that such residential uses be encouraged through mixed-use development and/or through use of medium and high densities.

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's Conclusion:** The text amendments would affect the areas of the North Gateway, Pages Lane, City Center and Traditional Main Street Districts of SMSC Overlay Zone. Staff believes that the use of medium to high residential densities as part of a mixed-use development would facilitate the desires of the SMSC Plan and provide a definable maximum unit allowances and density caps that are not currently in the related regulations of any of these districts. Such maximum unit allowances and density caps, along with associated land development patterns (*i.e. setbacks, heights, streetscape standards, etc.*) help to bring greater clarity to the SMSC Plan for the developers, City staff, elected officials, and for the property owners and residents of the immediate area.

## PLANNING STAFF RECOMMENDATIONS

**Staff Suggested Action** - I hereby make a motion for the Planning Commission to **RECOMMEND APPROVAL** of the following amendments to the South Main Street Corridor Overlay Zone:

### I. Definition of "Mixed-Use"

#### SECTIONS INVOLVED:

- **12-48-030. Definitions.** - Certain words and phrases in this Chapter, including uses, are defined in Chapter 12-12 of this Title. The following will be relocated to Chapter 12-12, but are listed below for reference:

#### City Staff Recommendations

**MIXED-USE, DEVELOPMENT** – Mixed-use refers to the combining of commercial uses (office, retail, service or other permitted or conditional commercial uses) ~~retail/commercial and/or service uses~~ with residential ~~or office uses~~ in the same building or on the same site in one (1) of the following ways:

A. Vertical Mixed-Use. A single structure with the above floors used for residential ~~or office uses~~ and a portion of the ground floor used for ~~retail/commercial or service uses~~.

B. Horizontal Mixed-Use – Attached. A single structure which provides ~~retail/commercial or other service uses~~ in the portion fronting the public or private street with attached residential ~~or office uses~~ behind.

C. Horizontal Mixed-Use – Detached. Two (2) or more structures on one (1) site which provide ~~retail/commercial or other service uses~~ in the structure(s) fronting the public or private street, and residential ~~or office uses~~ in separate structure(s) behind or to the side.

### II. **DENSITY CAP – TRADITIONAL MAIN & CITY CENTER** (previously reviewed by Commission)

#### SECTIONS INVOLVED:

- 12-48-080, (c) Traditional Main Street & City Center Main Street Districts

#### Current Commission Recommendations (i.e. June 10, 2015)

"Chair Hirschi made a motion for the Planning Commission to recommend to the City Council approval of a residential-medium cap, as follows:

*Amend the text of the SMSC Overlay Zone for the City Center and Traditional Main Street Districts to cap the allowable residential density at a maximum of four (4) units per acre as a permitted use and up to eight (8) units per acre as a conditional use."*

#### Additional City Staff Recommendations

(c) Traditional Main Street & City Center Main Street Districts - The following uses, as defined in this Title, shall be the permitted and conditional uses in the South Main Street Commercial District of the SMSC Overlay District Zone:

##### (1) Permitted Uses:

- Permitted Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone.
- Restaurant, Eatery
- Dwellings, Single Family
- East Side of Street - Dwelling, Town House, Two-Family, or Multiple (~~Density 4~~ Maximum Allowed 3 units per building), as part of a mixed-use development
- West Side of Street - Dwelling, Town House, Two-Family, or Multiple (~~Density 4~~ Maximum Allowed 4 units per building), as part of a mixed-use development

##### (2) Conditional Uses:

- Conditional Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone
- East Side of Street - Dwelling, Town House, Two-Family, or Multiple (~~Density 4~~ Maximum Allowed 6 units per building), as part of a mixed-use development
- West Side of Street - Dwelling, Town House, Two-Family, or Multiple (~~Density 5~~ Maximum Allowed 8 units per building), as part of a mixed-use development
- Parking Garage, Public, as part of a mixed-use development
- Restaurant, General, as part of a mixed-use development

##### (3) Maximum Gross Density:

- Permitted Use Density - Not more than 4 dwellings per acre
- Conditional Use Density - Not more than 8 units per acre
- Exception - Any lot, parcel, or tract shall be eligible for at least two (2) dwellings regardless of size

### III. DENSITY CAP – GATEWAY AREAS

#### SECTIONS INVOLVED:

- 12-48-080, (a) North Gateway Mixed-Use District, and
- 12-48-080, (e) Pages Lane Mixed-Use District

#### City Staff Recommendations

12-48-080, (a) North Gateway Mixed-Use District – The following uses, as defined in this Title, shall be the permitted and conditional uses in the Gateway District of the SMSC Overlay District Zone:

##### (1) Permitted Uses:

- Permitted Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone
- Dwelling, Town House, Two-Family, or Multiple (~~Density 1-4 units per building~~ Maximum Allowed, 4 dwellings per building), as part of a mixed-use development

##### (2) Conditional Uses:

- Conditional Uses, as shown in Chapter 12-36- Table of Uses for the respective underlying zone
- Dwelling, Townhouse, Two-Family, or Multiple-Family (~~5-8 units per building~~ Maximum Allowed, 8 dwellings per building), as part of a mixed-use development;
- ~~Dwelling, Garden Apartments (9-12 units per building), as part of a mixed use development.~~

**(3) Maximum Gross Density:**

- **Permitted Use Density – Not more than 4 dwellings per acre**
- **Conditional Use Density – Not more than 8 units per acre**
- **Exception – Any lot, parcel, or tract shall be eligible for at least two (2) dwellings regardless of size**

**12-48-080, (e) Pages Lane Mixed-Use District** - The following uses, as defined in this Title, shall be the permitted and conditional uses in the Pages Lane Mixed-Use District of the SMSC Overlay District Zone:

**(1) Permitted Uses:**

- Permitted Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone.
- Dwelling, Town House, Two-Family, **or Multiple-Family or Garden Apartments** (~~Density 1-4 units per building~~ **Maximum Allowed, 4 dwellings per building**), as part of a mixed-use development

**(2) Conditional Uses:**

- Conditional Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone
- Dwelling, Townhouse, Two-Family, ~~or Multiple~~ (~~5-8 units per building~~ **Maximum Allowed, 8 dwellings per building**), as part of a mixed-use development;
- Dwelling, **Multiple-Family, or** Garden Apartments (~~9-12~~ units per building), as part of a mixed-use development
- Parking Garage, Public, as part of a mixed-use development

**(3) Maximum Gross Density:**

- **Permitted Use Density – Not more than 4 dwellings per acre**
- **Conditional Use Density, townhouse or two-family – Not more than 8 units per acre**
- **Conditional Use Density, multiple-family or garden apartments – Not more than 12 units per acre**
- **Exception – Any lot, parcel, or tract shall be eligible for at least two (2) dwellings regardless of size**

## IV. SMSC PUBLIC SPACE PLAN

### SECTIONS INVOLVED: YET TO BE CREATED

#### City Staff Recommendations

#### **[new section] 12-48-180 Public Space Plan**

The SMSC Overlay Zone is predominately focused and centered on the built and visual environment framing Main Street, between Parrish Lane and Page Lane. Main Street is owned and maintained by the Utah Department of Transportation (UDOT). However, it is the intention of the SMSC Overlay Zone to contextually influence the physical and visual relationship of private versus public space along the corridor with the Public Space Plan.

#### **A. Public Space Design Sectors**

##### **STREET FURNISHINGS SECTOR**

This Sector is important in creating a consistent form and function for the Main Street Corridor. This sector is a supplement to the Pedestrian Path Zone. This sector provides expanded pedestrian pathway along with utility and other streetscape elements. Together, these two sectors are to unite themselves cohesively with the public spaces of the Green Space/Plaza Sector.

##### **PEDESTRIAN PATH SECTOR**

This sector is primarily focused on creating a contiguous path for pedestrians to travel along the South Main Street Corridor. The pathway divides the Street Furnishings Sector from the Green Space/ Plaza Sector. However, this sector also

## GREEN SPACE/PLAZA SECTOR

serves as the transition from private spaces to public spaces to unite the corridor in both function and form or visual appeal.

This sector is vitally important in creating the desired character or visual appeal of the Main Street Corridor. The Land Use Development Pattern is to include a strong pedestrian-oriented building design, with useable green and/or plaza space around the buildings that create physical interaction or visual places in combination with supportive pedestrian activities.

**B. Main Street – East Side.** The east side of Main Street is designated as the primary alternative transportation mode for pedestrian movement. The east side contains all three (3) Public Space Design Sectors. The expected design layout for the east side shall include the following:

### 1. Priority Street Furnishings Sector Design Elements:

- A. Sector Location – The Street Furnishings Sector is to be measured beginning from back of curb to a width or depth of at least four feet (4'). Primarily, the street furnishings sector shall be used for widening the sidewalk system along Main Street to provide greater surface area with a focus towards pedestrian use.
- B. Street Furnishings Uses and Materials – This sector is to be developed using a decorative hard surface (i.e. concrete stamp or brick pavers), street furnishings are to consist of street signals and related traffic signage, pedestrian protection bollards, benches, trash cans, bus or transit shelters, public art, etc. All such improvements are to have a compatible or coherent enhanced design appearance along the streetscape.
- C. Major Utility Infrastructure. The delivery of utility needed and desired services for the City are a major functional element along Main Street. Above ground utility structures are to be minimized or reduced where possible. Structures shall co-locate with other utilities to reduce need for additional structures and minimize utility pole clutter. Additionally, utility structures shall incorporate joint use of community banners, and other community identity needs.
- D. Use of Landscaping. Where utility structures are located, the use of landscaping boxes for the planting of flowers and shrubs, shall be installed to provide buffers around the structure and to add visual quality and appeal to the streetscape.

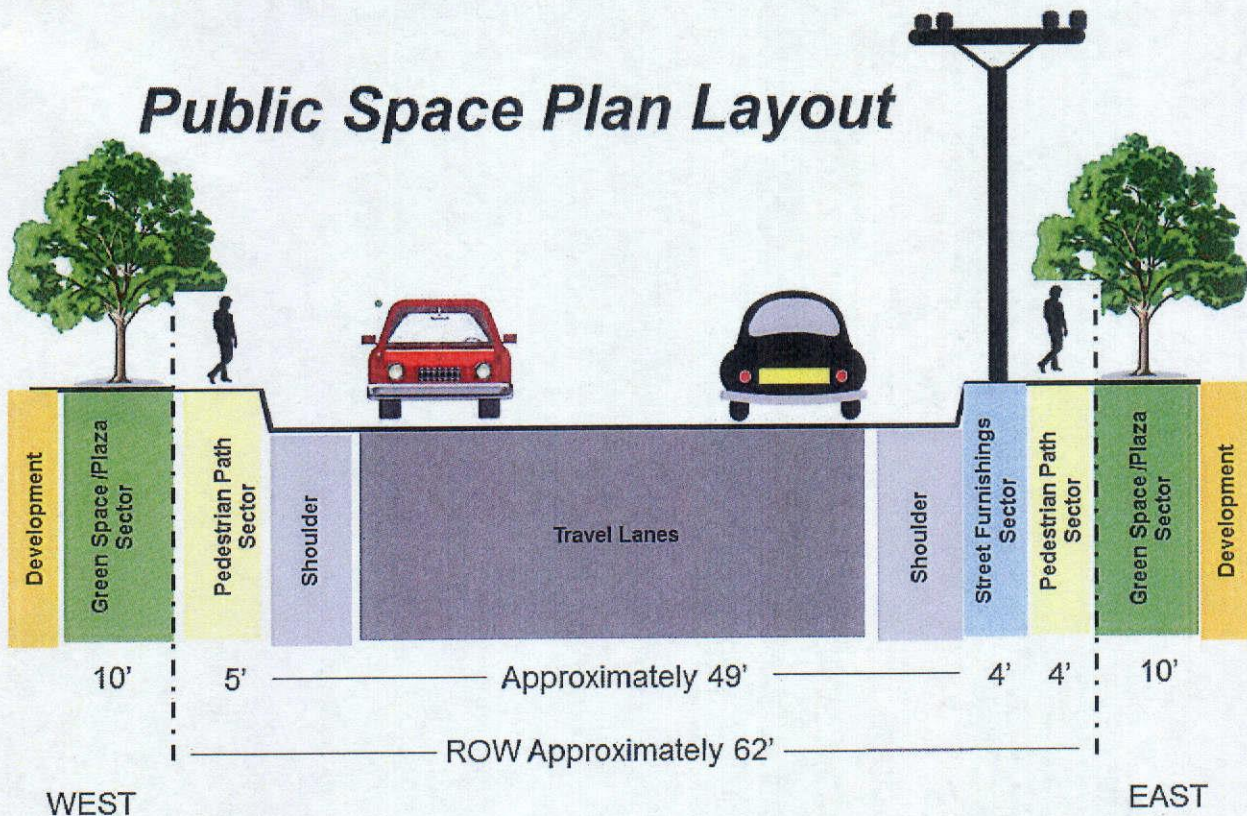
### 2. Priority Pedestrian Path Sector Design Elements:

- A. Sector Location – The Pedestrian Path Sector is to be measured beginning at least four feet (4') from back of curb and then a width or depth of at least four feet (4') to private property line.
- B. Pedestrian Path Uses and Materials – First and foremost, the Pedestrian Path Sector shall be used as the contiguous pathway of the sidewalk system along Main Street and adjoin the Street Furnishings Sector for facilitating pedestrian movement. The pathway shall be constructed with materials, including surface finishes, which meet the City's and/or State's adopted specifications for sidewalk construction.

### 3. Priority Green Space/Plaza Sector Design Elements

- A. Sector Location – The Green Space/Plaza Sector is to be measured beginning at least eight feet (8') back of sidewalk and then a width or depth of at least ten feet (10') to the Required Build to Line (RBL) of a lot, parcel, or tract.
- B. Green Space/Plaza Sector Uses and Materials – The use of and/or materials within the Green Space/Plaza Sector shall consist of street trees and pedestrian path lighting along with the design elements required and/or allowed in Section 12-48-100 and/or as otherwise stated in the regulations of the South Main Street Corridor Overlay Zone.

- C. Placement of Street Trees & Pedestrian Lighting. Street trees shall consist of small ornamental or columnar species, so as not to interfere with any overhead utility lines. Additionally, the trees shall be regularly spaced along the streetscape, except where plazas or other public space is provided as authorized on a final site plan approval. Street lighting shall be located and regularly spaced no greater than 80 feet apart along the streetscape, and/or as authorized on a final site plan approval. Lighting fixture illumination shall be of sufficient coverage to light the pedestrian pathway. Lighting fixtures shall be alternately located and/or offset from the tree spacing to prevent unnecessary conflicts between these two design elements.
- C. Main Street – West Side. The west side of Main Street is designated as a secondary or supplemental alternative transportation mode for pedestrian movement. The west side contains only two (2) sectors, which are the Pedestrian Path and the Green Space/Plaza Sectors. The expected design layout for the west side shall include the following:
1. Priority Pedestrian Path Sector Design Elements:
    - C. Sector Location – The Pedestrian Path Sector is to be measured beginning from back of curb and then a width or depth at least five feet (5') to private property line.
    - D. Pedestrian Path Uses and Materials – The Pedestrian Path Sector shall be used as the contiguous pathway of the sidewalk system along Main Street. The pathway shall be constructed with materials, including surface finishes, which meet the City's and/or State's adopted specifications for sidewalk construction.
  2. Priority Green Space/Plaza Sector Design Elements
    - A. Sector Location – The Green Space/Plaza Sector is to be measured beginning of at least five feet (5') from back of curb and/or back of sidewalk and then a width or depth of at least 10 feet (10') to the Required Build to Line (RBL) of a lot, parcel, or tract.
    - B. Green Space/Plaza Sector Uses and Materials – The use of and/or materials within the Green Space/Plaza Sector shall consist of street trees and pedestrian path lighting along with the design elements required and/or allowed in Section 12-48-100 and/or as otherwise stated in the regulations of the South Main Street Corridor Overlay Zone.
    - C. Placement of Street Trees & Pedestrian Lighting. Street trees shall consist of species compatible with those trees used for the east side. However, the minimal use of utility structures along this side of Main Street allows for more tree species options to be considered during a final site plan approval. Additionally, the trees shall be regularly spaced along the streetscape, except where plazas or other public space is provided as authorized on a final site plan approval. Street lighting shall be located and regularly spaced no greater than 80 feet apart along the streetscape, and/or as authorized on a final site plan approval. Lighting fixture illumination shall be of sufficient coverage to light the pedestrian pathway. Lighting fixtures shall be alternately located and/or offset from the tree spacing to prevent unnecessary conflicts between these two design elements.

**D. Main Street Public Space Illustration.****V. Required Build to Range (RBR), or aka Building Setbacks****SECTIONS INVOLVED:**

- 12-48-150 (c), Lot Type Illustrations, and
- Table 12-48-4, Lot Size and Dimension Requirements

**City Staff Recommendations**

*[Assuming Acceptance of the Public Space Plan]*

- Edit Lot Type Illustrations and Table to reflect a **10-15 feet RBR** (i.e. setbacks) for the following lot types:
  - **Corner Gateway Lot**
  - **TND/Mixed-Use Lot**
  - **City Center Main Street Lot**
  - **Traditional Main Street Lot**
  - **Brownstone/Live-Work Lot**

## VI. ***Building Heights***

### **SECTIONS INVOLVED:**

- 12-48-150 (c)(1), Height
- 12-48-150 (c), Lot Type Illustrations, and
- Table 12-48-4, Lot Size and Dimension Requirements
- FYI – The 2010 SMSC Overlay Amendments, for the City Center and Traditional Main Street Districts, created a differentiation between east and west sides of Main Street. East side heights were all reduced from 35 feet to 25 feet. West side remained at 35 feet.

### **City Staff Recommendations**

- Amend the east side and change the height from 25 feet to 30 feet.

### **Staff Suggested Reasons for Action:**

- a. The Planning Commission finds that the SMSC Plan does allow for residential uses to be considered in these particular commercial areas for the purposes of facilitating redevelopment and providing potential future synergy to support the desired locally owned land uses of Main Street.
- b. The Planning Commission finds that both the Moderate Income Housing and SMSC Plans desire that such residential uses be encouraged through mixed-use development and/or through use of medium and high densities.
- c. The Planning Commission finds that the use of medium to high residential densities, within two commercial intensity types, as part of a mixed-use development would facilitate the redevelopment desires of the SMSC Plan.
- d. The Planning Commission finds that amendments provide a definable maximum unit allowances and density caps that are not currently in the related ordinances of these districts.
- e. The Planning Commission finds that a maximum unit allowances and density caps helps to bring greater clarity to SMSC Plan for the developers, City staff, elected officials, and for the property owners and residents of the immediate area.
- f. The Planning Commission finds the maximum unit allowances and density caps, along with associated land development patterns (*i.e. setbacks, heights, streetscape standards, etc.*) help to bring greater clarity to SMSC Plan for the developers, City staff, elected officials, and for the property owners and residents of the immediate area.

- **Staff Response:** According to Section 12-480-4 of the General Plan, this area is located within Neighborhood 3, Northeast Centerville. The residential policies for this area state development should be consistent with what is already established within the area and that all future development should be low single-family residential. The applicant has proposed low single-family development and therefore is consistent with the goals and objectives of the General Plan.

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

- **Staff Response:** Rezoning the property to Residential-Low (R-L), would be consistent with the development found in the area. Single-family homes surround the property at 85 East Chase Lane and the zoning to the north, west and south, appear to be R-L. The adjacent properties to the east appear to be the last remaining agricultural lots within the neighborhood.

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

- **Staff's Response:** Staff does not see how rezoning the lot R-L to accommodate a single-family home has any negative impact on the community. In reality, this rezone and new construction of a home will enhance the surrounding neighborhood and improve the appearance of what is currently and has been on this lot.

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

- **Staff Response:** Since there is development surrounding the site, the adequacy of services and facilities is very likely. However, the applicant will still need to submit utility provider sheets as part of the site plan process for the property.

## **CONCLUSION**

It appears the rezone request from A-L to R-L would be an acceptable change for the lot at 85 East Chase Lane. The applicant will still need to go through the site plan process to establish easements and ensure that adequate utilities may service the property. In addition, the applicant will need to continue working with Davis County to ensure proper grading and construction takes place adjacent to the Barnard Creek channel.

## **PLANNING STAFF RECOMMENDATION**

*Suggested Motion for an amendment to the Centerville City Zoning Map* – I hereby make a motion for the Planning Commission to recommend to the City Council the following amendment to the Centerville City Zoning Map:

**85 East Chase Lane (.48 acres) shall be rezoned from Agricultural-Low (A-L) to Residential-Low (R-L).**

*Suggested Reasons for the Action (Findings):*

- a) The proposed zoning changes are consistent with the goals and objectives of the General Plan [Section 12-480-3(1)(d)(1)].
- b) The proposed zoning changes are in harmony with the surrounding neighborhood [Current Centerville City Zoning Map, Section 12-21-080(e)(2)].
- c) The applicant has provided sufficient evidence as to why the rezone is necessary for development of property at 85 East Chase Lane [Submitted application September 4, 2015].



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

**STAFF REPORT  
AGENDA: ITEM 4**

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**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](mailto: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:** FINAL SITE PLAN

**RECOMMENDATION:** APPROVE FINAL SITE PLAN

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**BACKGROUND**

On August 26, 2015, the Planning Commission made a motion to accept the Conceptual Site Plan for the Mark Nelson Dental Office located at 782 West Parrish Lane. This site is located on what is known as the Island Parcel adjacent to Iggy's Restaurant. The dental office is considered a medical service; which by Ordinance is allowed within the Commercial Very-High (C-VH) Zone [Chapter 12-36]. As part of the conceptual review, it was determined that the "use" meet the goals and objectives found within the General Plan [Section 12-480-5]. It was also found, that the proposed development would be a good addition to the neighborhood. The proposed development is located within the Parrish Lane Gateway and therefore requires additional criteria be satisfied, which has been completed.

This site is part of a redevelopment area that requires review and approval by the RDA in regard to "use" and "building type." On September 15, 2015, the RDA reviewed the Island Parcel

Project and approved the use and building. The applicant, however, requested financial assistance for the northwest corner landscaping feature from the RDA. The RDA stated that if the applicant so desires to construct a feature, they will need to come back with other options besides just a water feature. The RDA would then decide what type of participation they would be willing to assist with this project. Finally, they also approved an amendment to the development agreement that reduced the total square footage for a building to 5,000 square feet. This decision does not affect the proposed structure since Mr. Nelson only desires a building at 5,000 square feet.

#### PREVIOUS CONDITIONS OF APPROVAL

1. A final site plan application shall be submitted following the criteria found in Section 12-21-110(e)(2) of the Zoning Ordinance.
  - **Staff Response:** An application for a final site plan was submitted on September 3, 2015, and met the standards 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.
  - **Staff Response:** An electronic version of the storyboard was submitted to staff indicating the building to be of a classical-style with the use of stucco, stone veneer, metal, copper, wood and glass. The colors to be used on the structure are: grey, tan, brown shades of green and black. Staff believes the material and color choices will blend in well with the surrounding neighborhood, yet also have a unique appearance that will not mimic the surrounding architecture.
3. Clarification on the structures total height shall be identified on the final sketches.
  - **Staff Response:** The building height is 22 feet high, yet with the parapet and the dome the total height will be at 35 feet.
4. Proposed sign locations on the final plans shall be indicated.
  - **Staff Response:** The applicant has indicated they will only have wall-mounted signage. All signs will need to be approved by City staff under a separate review application and meet all applicable standards found in Chapter 12-54 of the Zoning Ordinance.
5. A lighting plan shall be submitted indicating all parking lot and wall-mounted lighting.
  - **Staff Response:** The location of lighting was submitted on the plans, yet will still need to be reviewed by the City Engineer and Public Works Director for type and exact connection detail. This will need to be addressed and approved prior to the issuance of a building permit.
6. All easements and utilities shall be shown on the final site plan.
  - **Staff Response:** All easements and utilities have been depicted on the final site plan and have been reviewed by the City Engineer as acceptable.

7. The applicant shall work with the City Engineer and Public Works Director concerning curbing or other device within the southeast parking lot.
  - **Staff Response:** The conceptual plan was proposed with a change in the original layout of the parking spaces located north of the east drive approach. This was a concern for City staff that vehicles would drive through the parking stalls to get to the front of the building. However, the final site plan does show the parking stalls being placed back in their original location, making this condition no longer a concern.
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
  - **Staff Response:** A landscaping plan has been submitted that indicates a wide variety of vegetation including trees, sod, shrubs, perennials and grasses. A total of 32 trees and over 200 shrubs will be planted on site, which exceeds the required amount within Chapter 12-51 of the Zoning Ordinance. The landscaping around walkways has been emphasized, while all required Streetscape Standards have been completed. The site will be irrigated with underground and drip irrigation. The applicant has also created a wall feature on three locations as part of the continuing theme throughout the Island Parcel. Staff believes the landscaping plans are acceptable and meet the requirements found in Chapters 12-51 and 12-63 of the Zoning Ordinance.
9. The dumpster screening and any wall-mounted equipment shall be indicated on the final site plans.
  - **Staff Response:** The dumpster will be completely screened from view by a 6-foot high enclosure constructed of masonry blocks and a metal gate. The enclosure will also be painted to match the exterior of the proposed building. All mechanical equipment will be placed on the roof and be screened by the parapet wall. Other equipment that may not be located on the roof will be screened with landscaping.
10. The design of the water feature shall be submitted for final review.
  - **Staff Response:** The applicant has chosen to create a few options for the landscaping architectural feature and pursue assistance from the RDA. Therefore, since the applicant desires to work with the RDA concerning the feature, staff does not believe this detail should hold up any approvals for the overall site.

11. The applicant shall work with the City Engineer and Public Works Director to establish what development fees may still be required.
  - **Staff Response:** All applicable fees shall be paid prior to the issuance of a building permit.
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.
  - **Staff Response:** The bond shall be posted by the applicant prior to the issuance of a building permit.
13. The RDA must review the conceptual design to approve a change in "use" on the island parcel.
  - **Staff Response:** The applicant met with the RDA on September 15, 2015, where they approved the "use" and "building type." They also requested the applicant come back to the RDA with alternative design features for the northwest corner of the property. At this review, the RDA will decide what amount they would participate in the funding of this feature.
14. Developer and the development shall comply with all governing documents for the Island Parcel, including but not limited to: (1) the Parrish Lane Gateway Neighborhood Development Plan, as amended; and (2) the Agreement for Disposition of Land, as amended.
  - **Staff Response:** This condition shall remain in effect.

#### **FINAL SITE PLAN REVIEW, SECTION 12-12-110(e)**

The final site plan is in harmony with the conceptual site plan that was accepted on August 26, 2015. The lot is located within the C-VH Zone, which allows the use of a dental office. The proposed project was found to meet applicable Ordinance requirements concerning Development Standards found within Table 12-34-1 of the Zoning Ordinance. In addition, all applicable Parrish Lane Gateway Design Standards have been addressed by the applicant and reviewed by City staff.

After reviewing the final site plan, staff believes the applicant has clearly shown how the property may be developed. They have also indicated how the criteria within the Zoning Ordinance for development within the C-V-H Zone will be fulfilled. Finally, any unpaid fees and public improvement bonds will need to be posted prior to a building permit being issued.

#### **CONCLUSION**

As a reminder, the applicant will need to work with the City Engineer and the Public Works Director in receiving the cut-sheet for the pedestrian lighting along the Frontage Road and Market Place Drive. In addition, since this project is located within a redevelopment area, the developer and the development must comply with all governing documents for the Island Parcel, including but not limited to: (1) the Parrish Lane Gateway Neighborhood Development Plan, as amended; and (2) the Agreement for Disposition of Land, as amended.

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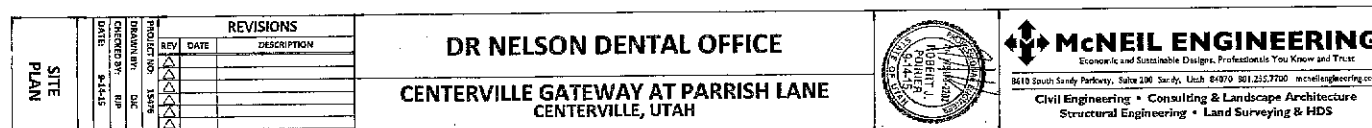
## PLANNING STAFF RECOMMENDATIONS

**PROPOSED ACTION:** I hereby make a motion for the Planning Commission to approve the final site plan for the Mark L. Nelson Dental Office, to be located at 782 West Parrish Lane, with the following conditions:

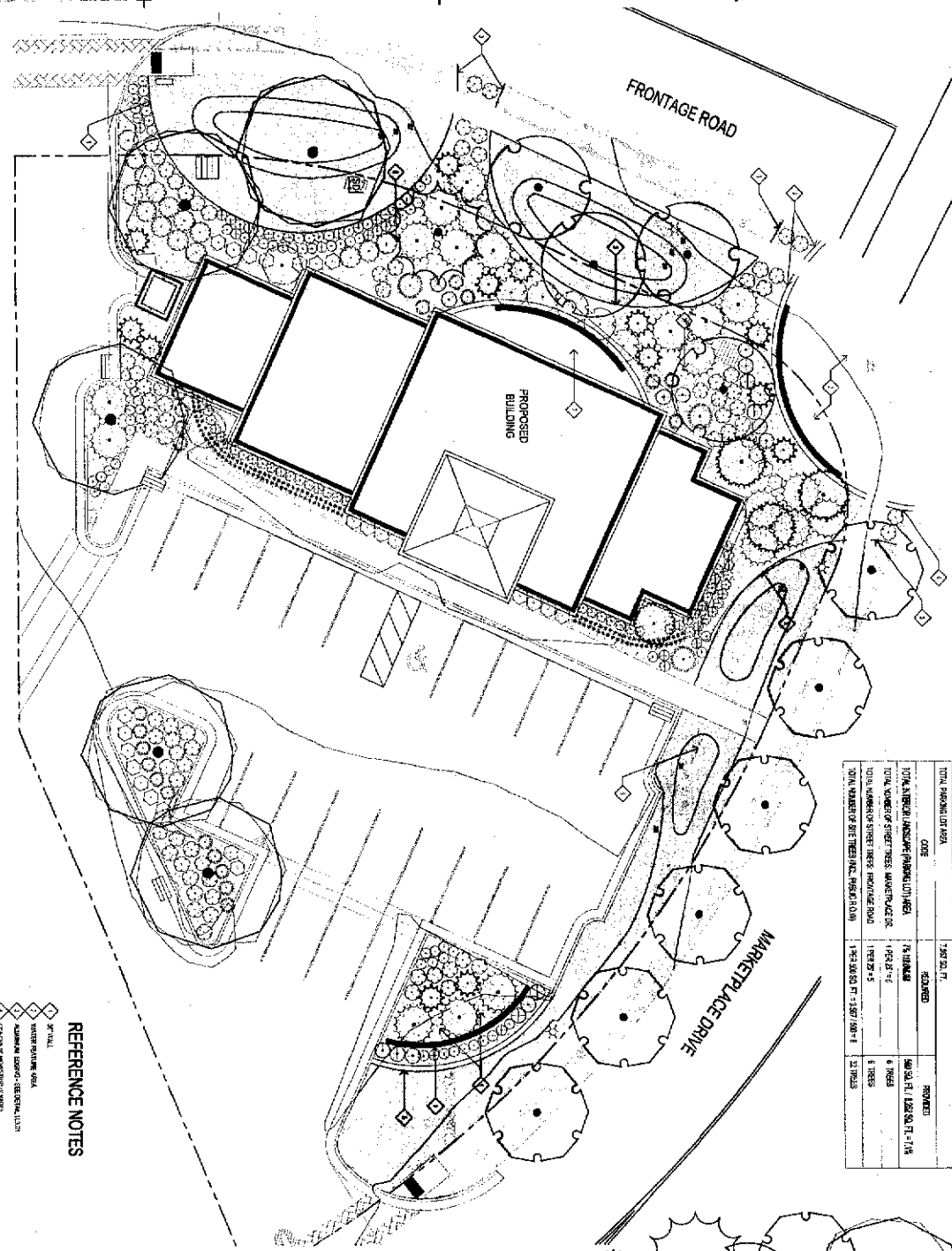
1. All professional service fees and other applicable fees for the development on this lot shall be paid.
2. A bond shall be posted for all public improvements prior to the issuance of a building permit.
3. The applicant shall address additional lighting detail with the Public Works Director, including, connection location and exact type of pedestrian lighting. This shall be submitted as part of the building permit process.
4. Any wall signage will need to be reviewed by City staff through a separate review permitting process.
5. If the applicant desires to pursue a contribution from the RDA for upgraded landscaping or entry feature on the lot, applicant should return to the RDA with options for this feature and requested amount of contribution. Any revised plans as approved by the RDA shall be included as part of final site plan approval.
6. Developer and the development shall comply with all governing documents for the Island Parcel, including but not limited to: (1) the Parrish Lane Gateway Neighborhood Development Plan, as amended; and (2) the Parrish Gateway Design Standards; and (3) the Agreement for Disposition of Land, as amended. The Fourth Amendment to the Agreement for Disposition of Land, as approved by the RDA, shall be signed and recorded against the property prior to issuance of a building permit for Lot 2. Developer shall be required to sign and record against the property an Assignment and Assumption Agreement regarding development on Lot 2, as approved by the RDA, prior to issuance of a building permit for Lot 2. Developer shall be subject to the use and user restrictions as set forth in the Agreement for Disposition of Land, as amended, and the Assignment Agreement entered into by Developer and recorded against the property.
7. A building permit shall be issued prior to any construction taking place on the property.

### SUGGESTED REASONS FOR THE ACTION:

1. A complete final site plan application has been submitted [Section 12-21-110(e)(2)].
2. The use of "Medical Services" is allowed within the C-VH Zone [Chapter 12-36].
3. This project is in harmony with the Goals and Objectives of the General Plan [12-480-5].
4. This location is found within the Parrish Lane Gateway, and all applicable standards have been satisfied [Chapter 12-63].
5. The proposed location is part of the Island Parcel and an RDA designated area, which required the applicant to obtain approval for the "use" and "building style" [September 15, 2015].
6. The project meets all landscaping and site development requirements for the C-VH Zone [Chapters 12-51, 12-34].

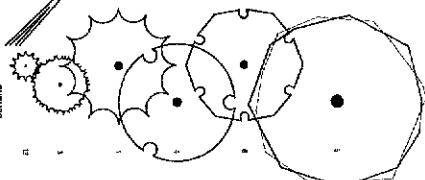


**Call**  
**D19**  
 NOTICE:  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.



| CENTERVILLE CITY DATA                      |                                        |  |  |
|--------------------------------------------|----------------------------------------|--|--|
| TOTAL SITE AREA                            | 2,350 SQ. FT.                          |  |  |
| TOTAL IMPAVED SURFACE AREA                 | 1,000 SQ. FT. (43% OF TOTAL SITE AREA) |  |  |
| TOTAL PARKING LOT AREA                     | 1,350 SQ. FT.                          |  |  |
| TOTAL NUMBER OF PARKING SPACES             | 18 SPACES                              |  |  |
| TOTAL NUMBER OF STREET TREES (MAINTENANCE) | 1,000 SQ. FT.                          |  |  |
| TOTAL NUMBER OF STREET TREES (MAINTENANCE) | 1,000 SQ. FT.                          |  |  |
| TOTAL NUMBER OF STREET TREES (MAINTENANCE) | 1,000 SQ. FT.                          |  |  |

- REFERENCE NOTES**
- 1. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
  - 2. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
  - 3. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
  - 4. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
  - 5. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
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  - 7. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
  - 8. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
  - 9. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
  - 10. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.



| TREES | SYMBOL | QTY | COMMON NAME    | BOTANICAL NAME    | SIZE    | NOTE           |
|-------|--------|-----|----------------|-------------------|---------|----------------|
| 1     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 2     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 3     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 4     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 5     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 6     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 7     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 8     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 9     |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |
| 10    |        | 1   | AMERICAN BEECH | Fagus grandifolia | 2" Cal. | See Note 1.1.1 |

**PLANTING NOTES**

1. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
2. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
3. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
4. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.
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10. ALL TREES SHALL BE MAINTAINED AT ALL TIMES.

**MARK L. NELSON DENTAL  
 OFFICE BUILDING**  
 CENTERVILLE, UTAH

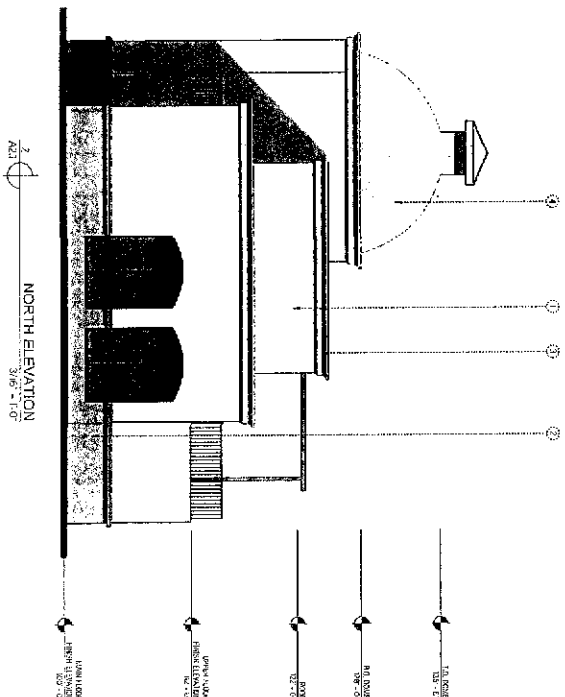
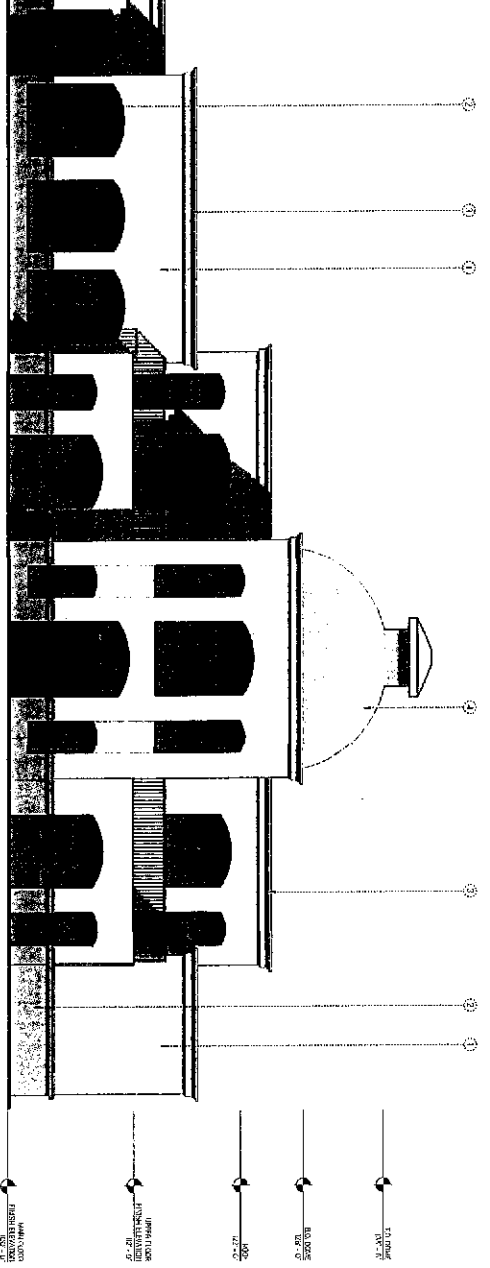


**McNEIL ENGINEERING**  
 Economic and Sustainable Design. Professional You Know and Trust.  
 6415 South Early Parkway, Suite 200, Sandy, UT 84070. 801.251.7700. mcnilengineering.com  
 Civil Engineering • Consulting & Landscape Architecture  
 Structural Engineering • Land Surveying & MDS

| REVISIONS | DATE     | DESCRIPTION    |
|-----------|----------|----------------|
| 1         | 08-15-11 | Initial Design |
| 2         | 08-15-11 | Revised Design |
| 3         | 08-15-11 | Final Design   |
| 4         | 08-15-11 | Final Design   |
| 5         | 08-15-11 | Final Design   |

**PLANTING PLAN**  
**L1.01**

1 EAST ELEVATION  
3/16" = 1'-0"



- NOTED NOTES:
- 1. PER - PER TO OWNER
  - 2. OTHER NOTES
  - 3. ERF - ERF TO OWNER
  - 4. OTHER NOTES

- 1. PER - PER TO OWNER
- 2. OTHER NOTES
- 3. ERF - ERF TO OWNER
- 4. OTHER NOTES

MARK L. NELSON DENTAL  
OFFICE BUILDING  
CENTERVILLE, UTAH

FRONT AND RIGHT  
SIDE ELEVATIONS

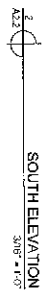
A2.1

PROJECT NUMBER  
15101

ISSUE DATE:  
SEPTEMBER 4, 2013

REVISIONS:  
NO. DATE





|                                |                                  |
|--------------------------------|----------------------------------|
| PROJECT NUMBER<br><b>15101</b> | ISSUE DATE:<br>SEPTEMBER 4, 2015 |
| REVISIONS:                     |                                  |
| No.                            | Date                             |

**MARK L. NELSON DENTAL  
OFFICE BUILDING  
CENTERVILLE, UTAH**

### REAR AND LEFT SIDE ELEVATIONS

## A2.2



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

**STAFF REPORT  
AGENDA: ITEM 5**

**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](mailto: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:** PRELIMINARY SUBDIVISION APPROVAL

**RECOMMENDATION:** CONSIDER APPROVAL OF THE PRELIMINARY  
SUBDIVISION PLAN AND PLAT

**BACKGROUND**

As the Planning Commission is aware, the developers of Porter Walton Townhomes project are seeking to subdivide and plat the dwellings units to allow each unit to be purchased for home ownership. Previously, the Commission accepted the proposed conceptual subdivision plan and will now be reviewing and approving the preliminary plans and plat.

**PREVIOUS CONCEPTUAL PLAN ACCEPTANCE**

On August 26, 2015, the City accepted the conceptual subdivision plan, which allows the developer to move forward with preparation and submittal of the preliminary subdivision plans and plat. The following are the conditions of the conceptual plan acceptance:

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.

### **PLANNING STAFF's REVIEW**

Preliminary Plat and Plans – The preliminary plat and plans appear to be consistent with the original final site plan and conditional use permit approvals. The City Engineer has deemed the construction plans sufficient and has requested several changes to the subdivision plat document. Most of the changes seem to be minor errors and omissions relating to survey standards and plat format expectations.

Covenants, Conditions, and Restrictions (CC&Rs) - The submitted CC&R's generally reflect the expectations and management of the subdivision. The document addresses the following in relation to the approved project:

- *Dwellings for single-family occupancy only for each unit. No unit can be further subdivided*
- *Prohibition of parking on internal streets, allies, or other to maintain Fire Protection access*
- *Addressing the use and parking of vehicles and other similar equipment*
- *Use of a towing company to monitor and manage parking violations*
- *Contracting a private refuse and snow removal services for roadways and sidewalks*
- *Use and management of the common areas of the project*
- *Unit landscaping must be installed within one (1) year of occupancy*
- *Prohibition of large vehicle or recreational vehicle parking within the project*
- *Addresses the use of building materials and maintenance of the exterior of every dwelling*

### **PLANNING STAFF RECOMMENDATION**

Suggested Motion for the Preliminary Subdivision Acceptance: I hereby make a motion for the Planning Commission to approve the Preliminary Subdivision Plans and 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 an application for final subdivision plat and associated construction drawings, as outlined in Chapter 15-3, Final Plat of the Municipal Code.
2. The layout and design of the final plans and plat submittal must be consistent with the related City approved final site plan and conditional use permit.
3. The applicant shall finalize any plat related formatting and/or survey errors and omissions, which shall be deemed acceptable by the City's Engineer and Attorney.
4. In accordance with the City's addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City's Public Works Director.

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

*Suggested Reasons for the Action (Findings):*

- a) The preliminary subdivision plans and plat are in harmony with the relevant provisions of the City's General Plan [Section 12-480-1(a)].
- b) The new subdivision is in harmony with the provisions of the Residential-Medium Zone, and 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.



REC'D 8/21/15



ESI Engineering, Inc.  
3500 South Main Suite 206  
Salt Lake City, Utah 84115

Tel: (801) 263-1752  
Fax: (801) 263-1780  
www.esieng.com  
Email: esi@esieng.com

Centerville City  
Kevin Campbell  
City Engineer

**RE: Plat Review of Porter Walton Townhomes PRUD**

Dear Kevin,

I have reviewed the plat and have found the following errors and omissions.

1. The Centerville Marketplace Subdivision on the north side of the subject property appears to overlap.
2. Please show the monument information for the determination of Porter Lane.
3. The P.R.U.D. should be changed to P.U.D.. The "A Planned Residential Unit Development" should be changed to "A Planned Unit Development". It will also should to be changed in the Narrative.
4. In the boundary description the word "to" should be removed. ("thence to S00°19'44"E 204.95 feet").
5. Please note the number of lots created by this subdivision at the end of the description.
6. In the "Surveyor's Certificate", please remove the "Registered" per guidelines.
7. In the Acknowledgements - if lines are added for the Commission Number, Full Name, Expires and signature, the notary will not need to stamp the Mylar.
8. Davis County coordinates should be shown for all monuments and exterior boundary corners.
9. The total distance on the east private street should stop at the boundary line.
10. Please provide additional information in order to establish the right of way of the private road.
11. The distances along the interior of the south boundary line appears not match the overall distance.
12. The distances along the interior of the east boundary line appears not match the overall distance.
13. Please provide the bearing and distance on the west line of lot 47.
14. Please provide additional dimensions so that the are can be determined for the limited common area for units 43-46..
15. The distance on the south line of lot 47 appears to be incorrect.

If you have any questions regarding this plat review please contact me, and we can discuss your concerns. Please have Reeve & Associates, Inc. provide a revised copy of this plat showing that these items have been addressed.

Sincerely,  
Brian A. Linam, P.L.S.  
801-608-6108

ESI Engineering Inc.



CIVIL ENGINEERING

STRUCTURAL ENGINEERING

LAND SURVEYING

GPS



Rec'd 8/21/15



**ESI Engineering, Inc.**  
3500 South Main Suite 206  
Salt Lake City, Utah 84115

Tel: (801) 263-1752  
Fax: (801) 263-1780  
www.esieng.com  
Email: esi@esieng.com

Centerville City  
Kevin Campbell  
City Engineer

**RE: P.U.E. Legal Description Review for the Porter Walton Townhomes PUD**

Dear Kevin,

I have reviewed the easement description and have found the following errors and omissions.

1. The north end interior of the easement encroaches into the future buildings and should be adjusted.
2. It is recommended that bounds calls should be added to the northerly right of way line of Porter Lane.
3. It is also recommended to add a call "along the section line" from the section corner.

If you have any questions regarding this plat review please contact me, and we can discuss your concerns. Please have Reeve & Associates, Inc. provide a revised copy of this description showing that these items have been addressed.

Sincerely,  
Brian A. Linam, P.L.S.  
801-608-6108

ESI Engineering Inc.



CIVIL ENGINEERING

STRUCTURAL ENGINEERING

LAND SURVEYING

GPS



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

**STAFF REPORT  
AGENDA: ITEM 6**

**APPLICANT:** **CENTERVILLE CITY COUNCIL  
C/O PAUL CUTLER, MAYOR  
250 NORTH MAIN STREET  
CENTERVILLE, UTAH 84014**

**APPLICATION:** **ZONING CODE TEXT AMENDMENTS**

**APPLICANT REQUEST:** **AMEND CENTERVILLE CITY'S ZONING ORDINANCE  
FOR *VARIOUS CHANGES TO THE SOUTH MAIN STREET  
CORRIDOR ZONE, WHICH INCLUDE THE FOLLOWING:***

- **Definition of Mixed-Use**
- **Maximum Unit Allowances & Density Caps for the  
North Gateway, Pages Gateway, City Center, and  
Traditional Main Street Areas**
- **Adopt a Main Street Public Space Plan**
- **Building Setbacks & Building Heights**
- **Other related Lot Type Illustrations & Tables**

**RECOMMENDATION:** **CONSIDER RECOMMENDING APPROVAL OF THE  
ZONING CODE TEXT AMENDMENTS**

***BACKGROUND***

As the Planning Commission is aware, the City Council adopted a "Temporary Zoning Regulation Ordinance" (TZRO) restricting any further development within the South Main Street Corridor Zone. As a result of the public's concerns that have been expressed over the recent submittal of re-developing the O'Brien/Pitt properties, the Council desired to revisit the merits of the current zoning overlay plan. After hosting several open meeting sessions and work sessions between the City Council and Planning Commission, staff was tasked with assimilating the information to formulate changes to the South Main Street Corridor Overlay Zone.

***ZONE TEXT PROCESS***

***Factors to be Considered***

The deciding entity must consider three (3) factors when making a recommendation and a final decision for a zone text amendment. These required factors are found in Section 12-21-080(e) of

Centerville City's Zoning Ordinance. Staff's review and conclusions for these factors are provided below:

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?**
  - ✓ **Policy Section 12-480-2.2.b.1, Neighborhood 1, Southeast Centerville** – “The Main Street Commercial Area shall be allowed to remain as a convenience and specialty shopping area. To encourage larger scale commercial development would be detrimental...”
  - ✓ **Policy Section 12-480-2.2.b.2, Neighborhood 1, Southeast Centerville** – “The Main Street Commercial Area is old and somewhat deteriorating. Significant commercial viability is not likely to occur unless some type of restoration or revitalization is encouraged. Centerville City should seriously consider the preparation of a revitalization plan for this area.” [RESPONSE EFFORTS = 2007 MAIN STREET STUDY, 2008 SMSC PLAN]
  - ✓ **Residential Policy** – Section 12-420-1 “...the citizens of Centerville desire to achieve a quality of life that is consistent with the development of low density residential.”
    - **Section 12-420-2.2, Residential Development Policies** – “...medium or high density that is allowed in appropriate locations within the City....”
  - ✓ **Strategy 6.A of the Moderate Income Housing Element** – The City is to continue its “support of allowing mixed-use zoning and related development in strategic areas of the City.”
  - ✓ **Objective 6.A.3 of the Moderate Income Housing Element** – The City is to “remain committed to land use policies that support developing other future mixed-use or flexible use development areas.”
  - ✓ **Goal 1.C, South Main Street Corridor Plan (a corridor-wide view)** – “Encourage additional single-family and multi-family residential lands uses, by way of mixed-use development...”
  - ✓ **Goal 7, Traditional and City Center Main Street Districts, SMSC Plan (goal explanation)** – “The goal is primarily to create a central commercial district along Main Street...”
  - ✓ **Goal 9, North Gateway & Pages Lane Mixed Use Districts SMSC Plan (goal explanation)** – *The goal is to create mixed-use nodes using a combination of commercial, office, and residential uses that will serve as a transition area between existing commercial and residential neighborhoods and enhance pedestrian connections.*

**Staff's Conclusion** – From review of the General Plan policies, it is staff's position that the North Gateway, Pages Lane, City Center & Traditional Main Street Districts are primarily commercial areas (see C-M or C-H Zoning District boundaries). Thus, these areas are not considered solely “residential.” However, the SMSC Overlay Plan does allow for residential uses to be considered in these particular commercial areas. Additionally, both the Moderate Income Housing and SMSC Plans desire that such residential uses be encouraged through mixed-use development and/or through use of medium and high densities.

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's Conclusion:** The text amendments would affect the areas of the North Gateway, Pages Lane, City Center and Traditional Main Street Districts of SMSC Overlay Zone. Staff believes that the use of medium to high residential densities as part of a mixed-use development would facilitate the desires of the SMSC Plan and provide a definable maximum unit allowances and density caps that are not currently in the related regulations of any of these districts. Such maximum unit allowances and density caps, along with associated land development patterns (*i.e. setbacks, heights, streetscape standards, etc.*) help to bring greater clarity to the SMSC Plan for the developers, City staff, elected officials, and for the property owners and residents of the immediate area.

## PLANNING STAFF RECOMMENDATIONS

**Staff Suggested Action** - I hereby make a motion for the Planning Commission to **RECOMMEND APPROVAL** of the following amendments to the South Main Street Corridor Overlay Zone:

### I. *Definition of "Mixed-Use"*

#### **SECTIONS INVOLVED:**

- **12-48-030. Definitions.** - Certain words and phrases in this Chapter, including uses, are defined in Chapter 12-12 of this Title. The following will be relocated to Chapter 12-12, but are listed below for reference:

#### **City Staff Recommendations**

**MIXED-USE, DEVELOPMENT** – Mixed-use refers to the combining of commercial uses (office, retail, service or other permitted or conditional commercial uses) ~~retail/commercial and/or service uses~~ with residential or office uses in the same building or on the same site in one (1) of the following ways:

A. Vertical Mixed-Use. A single structure with the above floors used for residential ~~or office uses~~ and a portion of the ground floor used for retail/commercial or service uses.

B. Horizontal Mixed-Use – Attached. A single structure which provides ~~retail/commercial or other service uses~~ in the portion fronting the public or private street with attached residential ~~or office uses~~ behind.

C. Horizontal Mixed-Use – Detached. Two (2) or more structures on one (1) site which provide ~~retail/commercial or other service uses~~ in the structure(s) fronting the public or private street, and residential ~~or office uses~~ in separate structure(s) behind or to the side.

### II. ***DENSITY CAP – TRADITIONAL MAIN & CITY CENTER (previously reviewed by Commission)***

#### **SECTIONS INVOLVED:**

- 12-48-080, (c) Traditional Main Street & City Center Main Street Districts

#### **Current Commission Recommendations (i.e. June 10, 2015)**

"Chair Hirschi made a motion for the Planning Commission to recommend to the City Council approval of a residential-medium cap, as follows:

*Amend the text of the SMSC Overlay Zone for the City Center and Traditional Main Street Districts to cap the allowable residential density at a **maximum of four (4) units per acre** as a permitted use and up to **eight (8) units per acre** as a conditional use."*

#### **Additional City Staff Recommendations**

(c) *Traditional Main Street & City Center Main Street Districts - The following uses, as defined in this Title, shall be the permitted and conditional uses in the South Main Street Commercial District of the SMSC Overlay District Zone:*

*(1) Permitted Uses:*

- *Permitted Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone.*
- *Restaurant, Eatery*
- *Dwellings, Single Family*
- *East Side of Street - Dwelling, Town House, Two-Family, or Multiple (~~Density 1~~ **Maximum Allowed 3 units per building**), as part of a mixed-use development*
- *West Side of Street - Dwelling, Town House, Two-Family, or Multiple (~~Density 1~~ **Maximum Allowed 4 units per building**), as part of a mixed-use development*

*(2) Conditional Uses:*

- *Conditional Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone*
- *East Side of Street - Dwelling, Town House, Two-Family, or Multiple (~~Density 4~~ **Maximum Allowed 6 units per building**), as part of a mixed-use development*
- *West Side of Street - Dwelling, Town House, Two-Family, or Multiple (~~Density 5~~ **Maximum Allowed 8 units per building**), as part of a mixed-use development*
- *Parking Garage, Public, as part of a mixed-use development*
- *Restaurant, General, as part of a mixed-use development*

*(3) Maximum Gross Density:*

- *Permitted Use Density – Not more than 4 dwellings per acre*
- *Conditional Use Density - Not more than 8 units per acre*
- *Exception – Any lot, parcel, or tract shall be eligible for at least two (2) dwellings regardless of size*

### **III. DENSITY CAP – GATEWAY AREAS**

#### **SECTIONS INVOLVED:**

- 12-48-080, (a) North Gateway Mixed-Use District, and
- 12-48-080, (e) Pages Lane Mixed-Use District

#### **City Staff Recommendations**

12-48-080, (a) North Gateway Mixed-Use District – The following uses, as defined in this Title, shall be the permitted and conditional uses in the Gateway District of the SMSC Overlay District Zone:

*(1) Permitted Uses:*

- *Permitted Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone*
- *Dwelling, Town House, Two-Family, or Multiple (~~Density 1-4 units per building~~ **Maximum Allowed, 4 dwellings per building**), as part of a mixed-use development*

*(2) Conditional Uses:*

- *Conditional Uses, as shown in Chapter 12-36- Table of Uses for the respective underlying zone*
- *Dwelling, Townhouse, Two-Family, or Multiple-Family (~~5-8 units per building~~ **Maximum Allowed, 8 dwellings per building**), as part of a mixed-use development;*
- *~~Dwelling, Garden Apartments (0-12 units per building), as part of a mixed use development.~~*

**(3) Maximum Gross Density:**

- *Permitted Use Density – Not more than 4 dwellings per acre*
- *Conditional Use Density – Not more than 8 units per acre*
- *Exception – Any lot, parcel, or tract shall be eligible for at least two (2) dwellings regardless of size*

12-48-080. (e) Pages Lane Mixed-Use District - The following uses, as defined in this Title, shall be the permitted and conditional uses in the Pages Lane Mixed-Use District of the SMSC Overlay District Zone:

**(1) Permitted Uses:**

- *Permitted Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone.*
- *Dwelling, Town House, Two-Family, or Multiple-Family or Garden Apartments (~~Density 1-4 units per building~~ **Maximum Allowed, 4 dwellings per building**), as part of a mixed-use development*

**(2) Conditional Uses:**

- *Conditional Uses, as shown in Chapter 12-36-Table of Uses for the respective underlying zone*
- *Dwelling, Townhouse, Two-Family, or Multiple (~~5-8 units per building~~ **Maximum Allowed, 8 dwellings per building**), as part of a mixed-use development;*
- *Dwelling, **Multiple-Family**, or Garden Apartments (~~9-12 units per building~~), as part of a mixed-use development*
- *Parking Garage, Public, as part of a mixed-use development*

**(3) Maximum Gross Density:**

- *Permitted Use Density – Not more than 4 dwellings per acre*
- *Conditional Use Density, townhouse or two-family – Not more than 8 units per acre*
- *Conditional Use Density, multiple-family or garden apartments – Not more than 12 units per acre*
- *Exception – Any lot, parcel, or tract shall be eligible for at least two (2) dwellings regardless of size*

## IV. SMSC PUBLIC SPACE PLAN

### SECTIONS INVOLVED: YET TO BE CREATED

#### City Staff Recommendations

#### **[new section] 12-48-180 Public Space Plan**

The SMSC Overlay Zone is predominately focused and centered on the built and visual environment framing Main Street, between Parrish Lane and Page Lane. Main Street is owned and maintained by the Utah Department of Transportation (UDOT). However, it is the intention of the SMSC Overlay Zone to contextually influence the physical and visual relationship of private versus public space along the corridor with the Public Space Plan.

#### **A. Public Space Design Sectors**

##### **STREET FURNISHINGS SECTOR**

This Sector is important in creating a consistent form and function for the Main Street Corridor. This sector is a supplement to the Pedestrian Path Zone. This sector provides expanded pedestrian pathway along with utility and other streetscape elements. Together, these two sectors are to unite themselves cohesively with the public spaces of the Green Space/Plaza Sector.

##### **PEDESTRIAN PATH SECTOR**

This sector is primarily focused on creating a contiguous path for pedestrians to travel along the South Main Street Corridor. The pathway divides the Street Furnishings Sector from the Green Space/Plaza Sector. However, this sector also

*serves as the transition from private spaces to public spaces to unite the corridor in both function and form or visual appeal.*



*This sector is vitally important in creating the desired character or visual appeal of the Main Street Corridor. The Land Use Development Pattern is to include a strong pedestrian-oriented building design, with useable green and/or plaza space around the buildings that create physical interaction or visual places in combination with supportive pedestrian activities.*

**B. Main Street – East Side.** *The east side of Main Street is designated as the primary alternative transportation mode for pedestrian movement. The east side contains all three (3) Public Space Design Sectors. The expected design layout for the east side shall include the following:*

**1. Priority Street Furnishings Sector Design Elements:**

- A. Sector Location – *The Street Furnishings Sector is to be measured beginning from back of curb to a width or depth of at least four feet (4'). Primarily, the street furnishings sector shall be used for widening the sidewalk system along Main Street to provide greater surface area with a focus towards pedestrian use.*
- B. Street Furnishings Uses and Materials – *This sector is to be developed using a decorative hard surface (i.e. concrete stamp or brick pavers), street furnishings are to consist of street signals and related traffic signage, pedestrian protection bollards, benches, trash cans, bus or transit shelters, public art, etc. All such improvements are to have a compatible or coherent enhanced design appearance along the streetscape.*
- C. Major Utility Infrastructure. *The delivery of utility needed and desired services for the City are a major functional element along Main Street. Above ground utility structures are to be minimized or reduced where possible. Structures shall co-locate with other utilities to reduce need for additional structures and minimize utility pole clutter. Additionally, utility structures shall incorporate joint use of community banners, and other community identity needs.*
- D. Use of Landscaping. *Where utility structures are located, the use of landscaping boxes for the planting of flowers and shrubs, shall be installed to provide buffers around the structure and to add visual quality and appeal to the streetscape.*

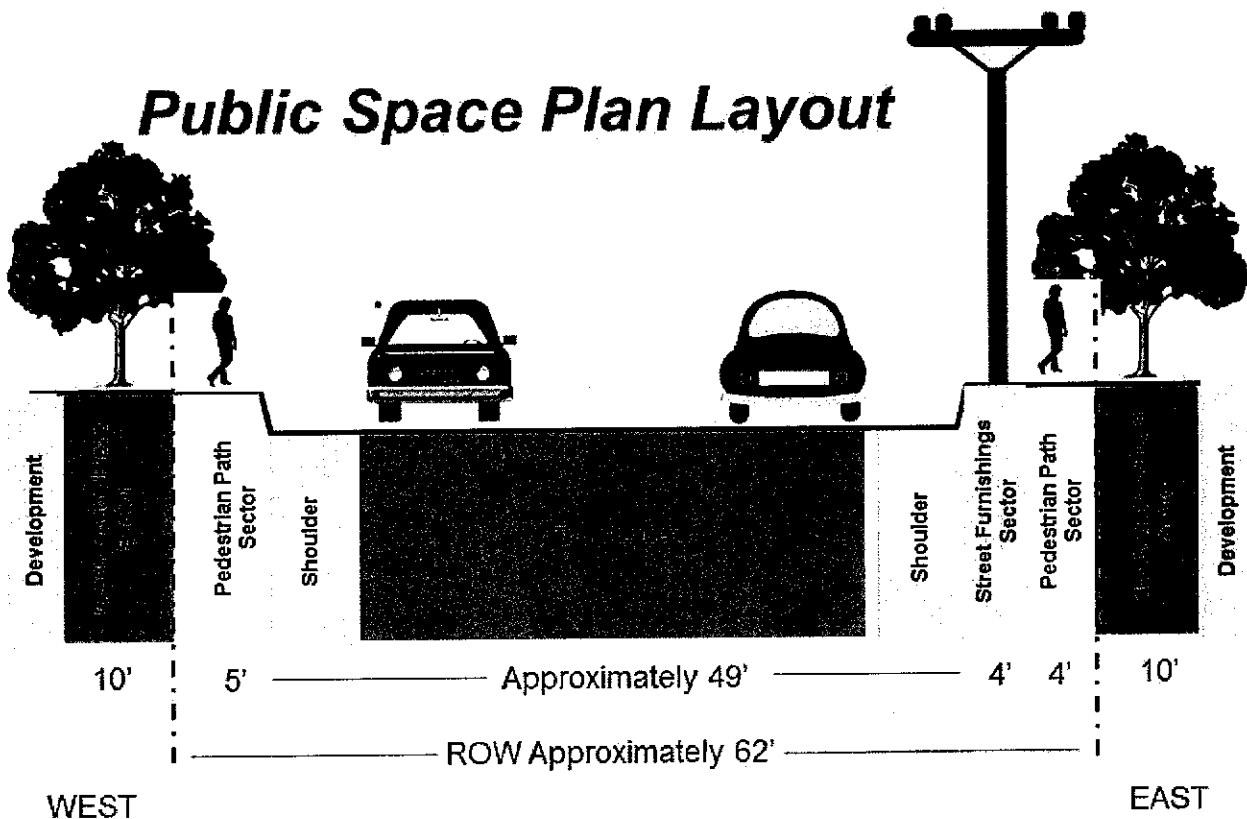
**2. Priority Pedestrian Path Sector Design Elements:**

- A. Sector Location – *The Pedestrian Path Sector is to be measured beginning at least four feet (4') from back of curb and then a width or depth of at least four feet (4') to private property line.*
- B. Pedestrian Path Uses and Materials – *First and foremost, the Pedestrian Path Sector shall be used as the contiguous pathway of the sidewalk system along Main Street and adjoin the Street Furnishings Sector for facilitating pedestrian movement. The pathway shall be constructed with materials, including surface finishes, which meet the City's and/or State's adopted specifications for sidewalk construction.*

**3. Priority Green Space/Plaza Sector Design Elements**

- A. Sector Location – *The Green Space/Plaza Sector is to be measured beginning at least eight feet (8') back of sidewalk and then a width or depth of at least ten feet (10') to the Required Build to Line (RBL) of a lot, parcel, or tract.*
- B. Green Space/Plaza Sector Uses and Materials – *The use of and/or materials within the Green Space/Plaza Sector shall consist of street trees and pedestrian path lighting along with the design elements required and/or allowed in Section 12-48-100 and/or as otherwise stated in the regulations of the South Main Street Corridor Overlay Zone.*

- C. Placement of Street Trees & Pedestrian Lighting. Street trees shall consist of small ornamental or columnar species, so as not to interfere with any overhead utility lines. Additionally, the trees shall be regularly spaced along the streetscape, except where plazas or other public space is provided as authorized on a final site plan approval. Street lighting shall be located and regularly spaced no greater than 80 feet apart along the streetscape, and/or as authorized on a final site plan approval. Lighting fixture illumination shall be of sufficient coverage to light the pedestrian pathway. Lighting fixtures shall be alternately located and/or offset from the tree spacing to prevent unnecessary conflicts between these two design elements.
- C. **Main Street – West Side**. The west side of Main Street is designated as a secondary or supplemental alternative transportation mode for pedestrian movement. The west side contains only two (2) sectors, which are the Pedestrian Path and the Green Space/Plaza Sectors. The expected design layout for the west side shall include the following:
1. **Priority Pedestrian Path Sector Design Elements:**
    - C. Sector Location – The Pedestrian Path Sector is to be measured beginning from back of curb and then a width or depth at least five feet (5') to private property line.
    - D. Pedestrian Path Uses and Materials – The Pedestrian Path Sector shall be used as the contiguous pathway of the sidewalk system along Main Street. The pathway shall be constructed with materials, including surface finishes, which meet the City's and/or State's adopted specifications for sidewalk construction.
  2. **Priority Green Space/Plaza Sector Design Elements**
    - A. Sector Location – The Green Space/Plaza Sector is to be measured beginning of at least five feet (5') from back of curb and/or back of sidewalk and then a width or depth of at least 10 feet (10') to the Required Build to Line (RBL) of a lot, parcel, or tract.
    - B. Green Space/Plaza Sector Uses and Materials – The use of and/or materials within the Green Space/Plaza Sector shall consist of street trees and pedestrian path lighting along with the design elements required and/or allowed in Section 12-48-100 and/or as otherwise stated in the regulations of the South Main Street Corridor Overlay Zone.
    - C. Placement of Street Trees & Pedestrian Lighting. Street trees shall consist of species compatible with those trees used for the east side. However, the minimal use of utility structures along this side of Main Street allows for more tree species options to be considered during a final site plan approval. Additionally, the trees shall be regularly spaced along the streetscape, except where plazas or other public space is provided as authorized on a final site plan approval. Street lighting shall be located and regularly spaced no greater than 80 feet apart along the streetscape, and/or as authorized on a final site plan approval. Lighting fixture illumination shall be of sufficient coverage to light the pedestrian pathway. Lighting fixtures shall be alternately located and/or offset from the tree spacing to prevent unnecessary conflicts between these two design elements.

**D. Main Street Public Space Illustration.****V. Required Build to Range (RBR), or aka Building Setbacks****SECTIONS INVOLVED:**

- 12-48-150 (c), Lot Type Illustrations, and
- Table 12-48-4, Lot Size and Dimension Requirements

**City Staff Recommendations**

*[Assuming Acceptance of the Public Space Plan]*

- Edit Lot Type Illustrations and Table to reflect a **10-15 feet RBR** (i.e. setbacks) for the following lot types:
  - Corner Gateway Lot
  - TND/Mixed-Use Lot
  - City Center Main Street Lot
  - Traditional Main Street Lot
  - Brownstone/Live-Work Lot

## VI. ***Building Heights***

### **SECTIONS INVOLVED:**

- *12-48-150 (c)(1), Height*
- *12-48-150 (c), Lot Type Illustrations, and*
- *Table 12-48-4, Lot Size and Dimension Requirements*
- *FYI – The 2010 SMSC Overlay Amendments, for the City Center and Traditional Main Street Districts, created a differentiation between east and west sides of Main Street. East side heights were all reduced from 35 feet to 25 feet. West side remained at 35 feet.*

### **City Staff Recommendations**

- *Amend the east side and change the height from 25 feet to 30 feet.*

### **Staff Suggested Reasons for Action:**

- a. The Planning Commission finds that the SMSC Plan does allow for residential uses to be considered in these particular commercial areas for the purposes of facilitating redevelopment and providing potential future synergy to support the desired locally owned land uses of Main Street.
- b. The Planning Commission finds that both the Moderate Income Housing and SMSC Plans desire that such residential uses be encouraged through mixed-use development and/or through use of medium and high densities.
- c. The Planning Commission finds that the use of medium to high residential densities, within two commercial intensity types, as part of a mixed-use development would facilitate the redevelopment desires of the SMSC Plan.
- d. The Planning Commission finds that amendments provide a definable maximum unit allowances and density caps that are not currently in the related ordinances of these districts.
- e. The Planning Commission finds that a maximum unit allowances and density caps helps to bring greater clarity to SMSC Plan for the developers, City staff, elected officials, and for the property owners and residents of the immediate area.
- f. The Planning Commission finds the maximum unit allowances and density caps, along with associated land development patterns (*i.e. setbacks, heights, streetscape standards, etc.*) help to bring greater clarity to SMSC Plan for the developers, City staff, elected officials, and for the property owners and residents of the immediate area.