

# CENTERVILLE CITY PLANNING COMMISSION AGENDA

**NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON SEPTEMBER 27, 2017 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.**

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

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

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

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

- 7:00 PM    **A.    WELCOME AND ROLL CALL**  
              **B.    PLEDGE OF ALLEGIANCE**  
              **C.    PRAYER OR THOUGHT**

Commissioner Becki Wright

## **D.    COMMISSION BUSINESS**

- 7:10            1.        Public Hearing - Zone Text Amendment - "Catering, Limited" in C-M Zones  
                      LEGISLATIVE DECISION  
                      Consider the proposed Zoning Text Amendment to CZC 12.12. "Definitions" and CZC 12.36 "Table of Uses", to allow "Catering, Limited" to the Table of Uses in Commercial Medium Zones.
- 7:30            2.        Public Hearing - Conceptual Subdivision Plat - Moss Acres - 2026 N Main  
                      ADMINISTRATIVE DECISION  
                      Consider the proposed Conceptual Subdivision Plat for Moss Acres, 2026 North Main, a four-lot single family subdivision in the Hillside Overlay.
- 7:50            3.        Public Hearing - Zone Map Amendment and Conceptual Plan - Legacy Commons - NW Corner of 1250 West and Parrish Lane  
                      LEGISLATIVE DECISION  
                      Consider the proposed zoning map amendment from Commercial Very High into a Planned Development Overlay, along with their Conceptual Plan, at the northwest corner of Parrish Lane and 1250 West.

- 8:10            4.     Public Hearing - Zone Text Amendments for Residential Medium Zones  
                     LEGISLATIVE DECISION  
                     *Previously tabled from September 13<sup>th</sup> Meeting*  
                     Consider the proposed zoning text amendments for Residential Medium Zones and  
                     their associated provisions.
- 8:30            5.     Public Meeting - South Main Street Overlay Plan Discussion  
                     Discussion regarding the future of the South Main Street Overlay Zone, CZC  
                     12.48.

**E. MINUTES REVIEW and ACCEPTANCE**

Work Session and Commission Meeting from Sept. 13

**F. ADJOURNMENT**

**CENTERVILLE  
PLANNING COMMISSION  
Staff Backup Report  
9/27/2017**

Item No. 1.

Short Title: Public Hearing - Zone Text Amendment - "Catering, Limited" in C-M Zones

Initiated By: Nate Hatch, Applicant

Scheduled Time: 7:10

**SUBJECT**

**LEGISLATIVE DECISION**

Consider the proposed Zoning Text Amendment to CZC 12.12. "Definitions" and CZC 12.36 "Table of Uses", to allow "Catering, Limited" to the Table of Uses in Commercial Medium Zones.

**RECOMMENDATION**

Refer to Staff Report

**BACKGROUND**

Refer to Staff Report

**ATTACHMENTS:**

Description

- Staff Report Catering, Limited in C-M Zones

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

**STAFF REPORT  
AGENDA: ITEM**

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**APPLICANT:**                   **NATE HATCH  
CAL-CO MANAGED DBA  
CUP-BOP KOREAN BBQ  
299 S 1200 W  
FARMINGTON, UT 84025  
801.867.6283**

**APPLICATION:**           **CREATE DEFINITION “CATERING, LIMITED” AND  
ALLOW SUCH DEFINITION IN COMMERCIAL  
MEDIUM ZONES**

**STAFF RECOMMENDATION:**

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**Background**

CupBop is a fast growing business, involving mobile food trucks, brick and mortar fast-casual restaurants, and a catering business for special events. They need an industrial standard kitchen space in order to prepare their food to sell off site in places like universities, stadiums, and other entertainment venues. They are currently interested in a site on Main Street and 200 South, next to Unity Hair Salon. There will be no seating or food available for purchase for individuals at this location. Jade Hill Restaurant used to be at the location under a Conditional Use Permit, but with the change in tenants and uses, this Permit has expired. Currently, there is no definition or use for catering services in our Code.

**DEFINITIONS**

The closest current definitions in our code would be: “Restaurant, general” or “Restaurant, fast food”, neither of which would qualify as what Cup Bop does – prepare food on site, then cater to larger venues and businesses offsite. Fast food and restaurants are not currently permitted in the Commercial Medium zone, which is largely made up of smaller office business, like laundry facilities and dentists. Long established businesses like Cutler’s Cookies and Sandwiches and Pizza Perfect are considered non-confirming uses and could not be built today.

**North American Industry Classifications System Definition**

**Caterers (NAICS)**

This industry comprises establishments primarily engaged in **providing single event-based food services**. These establishments generally have equipment and vehicles to transport meals and snacks to



events and/or prepare food at an off-premise site. Banquet halls with catering staff are included in this industry. Examples of events catered by establishments in this industry are graduation parties, wedding receptions, business or retirement luncheons, and trade shows.

### **Food Service Contractors**

This industry comprises establishments primarily engaged in providing food services at institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations for a specified period of time. The establishments of this industry provide food services for the convenience of the contracting organization or the contracting organization's customers. The contractual arrangement of these establishments with contracting organizations may vary by type of facility operated (e.g., cafeteria, restaurant, fast-food eating place), revenue sharing, cost structure, and personnel provided. Management staff is always provided by food service contractors. Illustrative examples would include: airline food service contractors, food concession contractors ( e.g. sporting event, entertainment and convention facilities) and cafeteria food service contractors.

### **Proposed definition:**

**Catering, limited:** An establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption with a *limited* number of catering transport vehicles. Includes catering for food for single event-based food services and contractual agreements for a specified period of time. This use does NOT include mobile food trucks or carts, or any other mobile food service uses.

### **LOCATION AND USE**

**C-M Zone Purpose:** The purpose of the C-M Zone is to provide areas for commercial activities and professional offices which have less than 10,000 square feet of floor area. This zone is intended to promote a combination of retail and service facilities that meet day to day needs of nearby residents and which are compatible in character and scale with adjacent development (CZC 12.30.d).

**C-M Zone Locations:** As depicted on the City's Zoning Map, the C-M District locations are quite limited in Centerville. They are only located within the South Main Street Corridor area, along Main Street, from Parrish Lane to Porter Lane (*see map at right – areas in pink*).

### **CONSIDERING ZONING CODE AMENDMENTS – 12.21.080.**

Is the proposed Zoning Code or Zoning Map amendment is consistent with goals, objectives and policies of the General Plan?

**Main Street Commercial Area** [General Plan 12-430-2.2].

The area on Main Street between 400 South (Porter Lane) and 400 North (Parrish Lane) has been regarded as the traditional commercial center of Centerville, though in



reality it never became a strong focal point. The Main Street commercial area is old now and somewhat deteriorating, though a few new buildings have been constructed here in recent years. Restoration or revitalization should be encouraged

**Main Street Commercial Area** [GP 12-480-2.2.b].

The area on Main Street between 400 North (Parrish Lane) and 400 South (Porter Lane) is generally regarded as the traditional commercial area of Centerville, though in reality it never became a strong focal point. The present structure of commercial development with its numerous individual properties, small frontages, short setbacks, and older buildings tends to work against the possibility of any large scale, unified commercial development.

1. The Main Street commercial area shall be allowed to remain as a convenience and specialty shopping area. To encourage any larger scale commercial development would be detrimental to surrounding residential areas and to the future function ability of Main Street as an arterial road.
2. 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.
3. Future commercial development in the Main Street area should conform to performance guidelines which require landscaping, appropriate parking, minimal traffic impact upon Main Street, and buffering from adjacent residential areas.
4. To preserve the residential integrity of surrounding areas, future commercial development on Main Street shall not be allowed south of 400 South or north of 400 North, and shall not extend more than one-half block east of Main Street

**South Main Street Corridor-Wide Vision** [ GP 12-280-7] :

GOAL 1 - Promote the South Main Street Corridor as the cultural, civic, and community heart of Centerville by providing a careful balance of land uses, which serve residents, businesses, and visitors.

**Staff Response:** Promoting other uses, such as catering services and food preparation at this site, aligns itself accordingly with the General Plan. The Plan promotes revitalization and restoration of spaces of this corridor, which would naturally expand the permitted uses in order to attract more businesses other than medical and office, which are prevalent on this street. Ideally, this “revitalization” would come with some type of design guidelines that would ensure and enhance this street aesthetically that does not inhibit turnover of businesses, as to be discussed in a future Main Street Overlay Zone.

This use, in particular, does not “cater” to *local* needs, due to the fact that all of the food will be served in other locations around the region. This use also requires possibility many large trucks and trailers would be needed to fulfill this use. In some ways, this is less traffic than other businesses that have customers coming and going throughout the day, because there will only be trucks and employees as the parking and traffic at the location. But noticeable, all C-M zones



are on Main Street, and are therefore very nearby to residential communities and the historic district. That being taken into mind, the correct and adequate traffic circulation, parking, loading and un-loading facilities, etc, should be examined during the site plan process to ensure the safety and comfort of the surrounding properties and residents, and should therefore require a Conditional Use Permit. This is also why the definition states that only a "limited" number of trucks should be provided. Staff realizes that a the number of trucks necessary would differ based on the size and capacity of the business, so it is expected that this "limiting" number of trucks would be established at the Conditional Use Permit. The CUP has the authority to impose "*as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of a conditional use, upon the City as a whole, or upon public facilities and services. Such conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking, hours of operation, and other matters relating to the purposes and objectives of this Title.*" [ 12.21.100.e.(2) ]

In thinking holistically about the zones and their highest and best use throughout the city, staff believes that "Catering, limited" should be a Conditional Use Permit in all Commercial Zones, and a Permitted Use in all Industrial Zones. In this report, the staff chose to limit this report to only the applicant's specific request.

## **PROPOSED MOTION**

### **MOTION ONE**

I hereby make a Motion for the Planning Commission to recommend APPROVAL of the stated definition of "Catering, Limited" and the allowed use of a Conditional Use Permit in Commercial Medium Zones, with the following directives:

1. Parking calculations should be established by the zoning administrator at the time the use is approved.

### **Reasons for Action**

- a. The Planning Commission finds that the "decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.C.
- b. The new definition of "Catering, limited" while listing it as a Conditional Use in commercial Medium zones is consistent with the goals, objectives and policies of the General Plan [12-420-2.2]
- c. The Planning Commission finds that the Main Street commercial area is old now and somewhat deteriorating, though a few new buildings have been constructed here in recent years.
- d. The Planning Commission finds that the General Plan objective to redevelop or revitalize the Main Street Commercial area may continue to be difficult and slow, despite the South Main Street Overlay incentives.

- e. Therefore, the Planning Commission finds that opportunities to encourage restoration or revitalization ought to be permissible.
- f. Parking Calculations for uses not provided shall be determined by the Zoning Administrator using the nearest compatible use [ 12.52.060]

**MOTION TWO:**

I hereby make a motion that the Planning Commission recommends that Staff further examine the acceptable zones for this use and review amending the zoning code accordingly.

Reasons for action:

- a. The Planning Commission finds that the “decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.C.
- b. The new definition of “Catering, limited” may be an acceptable use in All Commercial Zones and Industrial Zones.

**CENTERVILLE  
PLANNING COMMISSION  
Staff Backup Report  
9/27/2017**

Item No. 2

Short Title: Public Hearing - Conceptual Subdivision Plat - Moss Acres - 2026 N Main

Initiated By: Chad Morris, Applicant

Scheduled Time: 7:30

**SUBJECT**

**ADMINISTRATIVE DECISION**

Consider the proposed Conceptual Subdivision Plat for Moss Acres, 2026 North Main, a four-lot single family subdivision in the Hillside Overlay.

**RECOMMENDATION**

Refer to the Staff Report

**BACKGROUND**

Refer to the Staff Report

**ATTACHMENTS:**

Description

- ☐ Staff Report Moss Acres Conceptual
- ☐ Conceptual Plat Moss Acres

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

**STAFF REPORT  
AGENDA: ITEM 2**

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**APPLICANT:** CHAD MORRIS

**PROPERTY LOCATION:** 2026 NORTH MAIN

**PARCEL SIZE:** 1.03 NET ACREAGE  
1.36 GROSS ACREAGE

**ZONING DISTRICT:** R-L

**APPLICATION:** CONCEPTUAL SUBDIVISION IN HILLSIDE OVERLAY

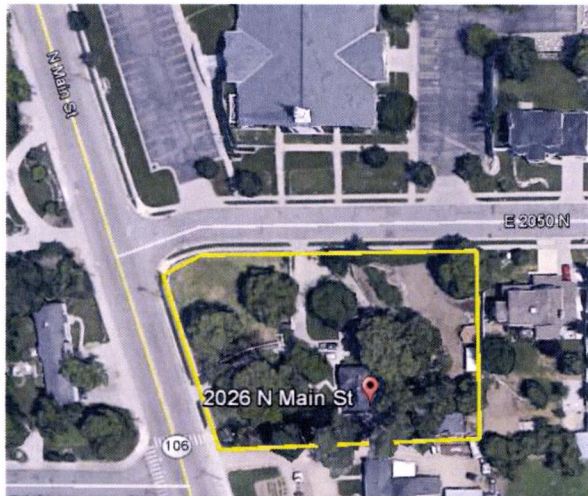
**STAFF RECOMMENDATION:** ACCEPT WITH DIRECTIVES

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Background

On June 14<sup>th</sup>, the Planning Commission Recommended the zoning map amendment to 2026 North Main, from Agricultural-Low to Residential-Low. It was approved by the City Council on July 5<sup>th</sup>, 2017.

This property has a home that is on the Significant Sites List, owned by Norma Moss, that was built in 1896. The applicant desires to subdivide this lot into four lots, while maintaining the existing historic home on the property.



General Plan

This parcel lies on Neighborhood 3, Northeast Centerville, General Plan Section 12-480-4. Its Residential Policies are:

- a. To maintain compatibility with the style of development presently existing in this area, all future residential development in northeast Centerville should be low density single family.
- b. Northeast Centerville is located almost entirely on the foothills of the Wasatch Mountains. Low density residential development will have the least impact on these sensitive hillside areas. Care must be taken in all development to consider and mitigate the impact upon the hillside environment.

As a reminder, low density is defined in 12-420-2 as 0-4 units per acre.

#### Subdivision Ordinance, Chapter 15.

#### Lots

“The side lines of all lots, so far as possible, shall be at right angles to the street which the lots face, or approximately radial to the center of curves, if such street is curved. Side lines of lots shall be approximately radial to the center of a cul de sac on which the lots face. The Planning Commission may recommend to the City Council exceptions to this requirement. Upon a showing of good cause, the City Council may allow exceptions to this requirement.” [ 15.05.020]

Lot 3 on this Plat shows corner of the lot that would does not apply with these standards, that has a large “L shape to the lot instead. This is due to the fact that an existing, historic, home remains on Lot 4 and intends to be preserved. Adjusting for the necessary setbacks for Lot 4 in order to preserve this home, in staff’s opinion, is a justified reason to adjust the shape of Lot 3 and allow flexibility in regards to the right angles on side lots.

#### Street, Drainage, Utility Improvements

SWPP, BMPs, drainage, and utility plans will need to be provided. At the preliminary stage, a soils characteristics report, a vegetation report and a geological conditions report, and a grading and drainage report will all be needed at Preliminary Plat to meet the requirements of approval for subdivisions in the Hillside Overlay.

#### HILL SIDE OVERLAY CONSIDERATIONS 12.42

The Hillside Overlay Zone on the eastern foothills of Centerville are to be “protected to insure that urban development in these sensitive areas be guided in a manner that will minimize the potential for flooding, erosion, and other environmental hazards and will protect the natural scenic beauty of the foothills.” [ 12-42.010]

#### Development Requirements 12.42.040

- (a) “Requirements for all Lots. Every lot in the Hillside Overlay Zone shall have at least 5,000 square feet of contiguous space which has a slope of less than 30%. This space may be no less than 50 feet wide at any given point. This buildable area must be undisturbed or virgin slope. Certain limited hillside areas may be considered as either natural or man-made “anomalies” such as gravel pit operations or other artificial disturbances based upon size,



location, and history of slope, and may be included within the buildable area as may be recommended by the Planning Commission. Lots shall allow dwelling structures to be located within 250 feet of a public street. All main and accessory buildings shall be built on the buildable area.

- ❖ The mean slope of the entire subdivision is 11.5%, while each individual lot ranges in average slope from 10- 14.5% in slope. All of the lots have at least 5,000 feet of continuous space with less than 30%.
- (b) Density for Single-Family Lots. The minimum lot size and yard requirements of the underlying zone shall apply except that on lots in slope areas between 10% and 20%, the lot shall be 1.5 times the minimum requirement and 2.0 times the minimum area requirement for lots between 20% and 30%. All lots in slope areas more than 10% must be platted a minimum of 100 feet wide at the setback line, except for the lots in agricultural zones where the width must be no less than 125 feet.
- ❖ The City no longer has a minimum lot size requirement, and has gone in favor of gross density standards, so this language of the code no longer applicable

| Development Standards<br>R-L Zones |                                                                                           | Compliance                             |
|------------------------------------|-------------------------------------------------------------------------------------------|----------------------------------------|
| Minimum area                       | None                                                                                      | Yes                                    |
| Minimum frontage                   | 40 feet                                                                                   | Yes                                    |
| Minimum width, interior lot        | 60 feet                                                                                   | Yes                                    |
| Minimum lot, corner lot            | 70 feet                                                                                   | Yes                                    |
| Hillside Development<br>Standard   |                                                                                           | Compliance                             |
| Size                               | 5,000 contiguous feet with slope less than 30%                                            | Yes                                    |
| Density                            | Underlying zone, but for lots with slope from 10%-20%, 1.5 times the minimum requirement. | N/A                                    |
| Setbacks                           | With lots slope >10%, width must be 100 feet at the setback line                          | No<br>Lot widths are 60,80,90, and 110 |
| Max. Impervious Coverage           | 40% or 5,000, whichever is less                                                           | TBD                                    |

## PLANNING STAFF RECOMMENDATION

I hereby make a motion for the Planning Commission to ACCEPT the Conceptual Subdivision Plat at 2026 North Main, with the following directives:

1. Preliminary Subdivision Application shall be submitted in accordance of CMC 15.03 of the Subdivision Ordinance.



2. Preliminary Subdivision Plat shall also meet the requirements of the Hillside Overlay Preliminary Review, as listed in CZC 12.42.030.(c)
3. Dimension of lots and building area are amended to meet the standards as outlined in the Hillside Overlay Development Standards, 12.42.040.
4. A cash bond shall be established for the demolition of the existing accessory building on Lot 3, until a primary use (residential) is established on Lot 3.
5. Lot 3 lot lines can be adjusted accordingly in order to preserve the historic home on Lot 4, as depicted in the Conceptual Plat, and as allowed in CMC 15.05.020(d). Other lots shall have the required right angles as the side lines of the lots.

**Suggested Reasons for the Action:**

- a) The conceptual subdivision appears to be consistent with the General Plan
- b) Adequately meets the Subdivision Ordinance Standards in the Municipal Code, Chapter 15-5.
- c) With changes, this plan has the potential to meet the Development Standards for the Hillside Overlay for a single family subdivision, as stated in CZC 12.42.
- d) The applicable review standards of the Subdivision Ordinance pertaining to a Conceptual Subdivision application have been reviewed and directives established to allow the proposal to proceed to preliminary subdivision plan submittal.
- e) No accessory use shall be established on the lot until a primary use is established [ 12.32.040].
- f) The Planning Commission may recommend exception to the Lot standards regarding the side lines of lots, as stated in CMC 15.05.020(d)

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31,  
TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
CENTREVILLE CITY, DAVIS COUNTY, UTAH  
CONCEPTUAL PLAT - AUGUST 2017



**LEGEND**

|                                  |       |
|----------------------------------|-------|
| PROPERTY LINE                    | ----- |
| ADJOINING PROPERTY               | ----- |
| ROAD CENTERLINE                  | ----- |
| SECTION LINE                     | ----- |
| TRAIL TO NEIGHBOR                | ----- |
| FAVORABLE LINE                   | ----- |
| EDGE OF PRESENT                  | ----- |
| CROWN                            | ----- |
| OWNERS LINE (SEE NOTE)           | ----- |
| WELL                             | ----- |
| BEFORE DATE ( )                  | ----- |
| DATE OF SURVEY WITH THIS PARTIAL | ●     |
| DATE 15' PLASSON AT CORNER       | ○     |
| PLASSON CORNER MARK              | ○     |
| FOUND PROPERTY MARK              | ○     |
| ADJUTANT                         | ----- |

| PROPOSED SUBDIVISION AREA     |                                    |
|-------------------------------|------------------------------------|
| 44,877 SQ. FT. or 1.03 ACRES  | WITHIN BOUNDARY                    |
| 13,905 SQ. FT. or 0.315 ACRES | HAZARD WIDTH OF ROAD RIGHTS OF WAY |
| 58,782 SQ. FT. or 1.349 ACRES | TOTAL AREA                         |
| NEAR SLOPE FOR WHEEL PARCEL   | 11.5%                              |

2026 NORTH MAIN STREET  
PARCEL# 070730067  
LOCATED IN THE SE 1/4 OF SECTION 31, T.3N., R.1E., S.1B & M.  
CENTERVILLE CITY, DAVIS COUNTY, UTAH



181 North 200 West, Suite #4  
Bountiful, Utah 84010  
Phone 801-298-2236

FOR COUNCIL  
JUNE 1998  
09 JUL 2001

APPROPRIATE

PREFLECT

1. Second

1. Second COUNCIL

C202

COUNCIL

**CENTERVILLE  
PLANNING COMMISSION  
Staff Backup Report  
9/27/2017**

Item No. 3.

Short Title: Public Hearing - Zone Map Amendment and Conceptual Plan - Legacy Commons - NW Corner of 1250 West and Parrish Lane

Initiated By: Spencer Wright, Applicant

Scheduled Time: 7:50

**SUBJECT**

**LEGISLATIVE DECISION**

Consider the proposed zoning map amendment from Commercial Very High into a Planned Development Overlay, along with their Conceptual Plan, at the northwest corner of Parrish Lane and 1250 West.

**RECOMMENDATION**

Refer to Staff Report

**BACKGROUND**

Refer to Staff Report

**ATTACHMENTS:**

Description

- ☐ PC Staff Report Legacy Commons PDO
- ☐ Legacy Commons PDO Submittal

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

**STAFF REPORT AGENDA: ITEM 3**

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**APPLICANT:**        **WRIGHT DEVELOPMENT GROUP  
C/O SPENCER WRIGHT  
1178 W. LEGACY CROSSING BLVD. SUITE 100  
CENTERVILLE, UTAH 84014  
([spencer@wrightdevelopmentgroup.net](mailto:spencer@wrightdevelopmentgroup.net))**

**PROPERTY:**   **NORTHWEST CORNER OF PARRISH LANE & 1250 WEST**

**ACREAGE:**        **APPROXIMATELY 8.4 ACRES, COMPRISED OF:**  
                         ○ *OWNER'S = 06-006-0082 – 5.92 AC*  
                         ○ *UDOT's – EXCESS R-O-W LEGACY PARKWAY:*  
                             ■ *06-006-0083 – 1.63*  
                             ■ *06-006-0102 - 0.94*

**ZONING:**        **COMMERCIAL - VERY HIGH (C-VH)**

**APPLICATIONS:**    **1. REZONE PETITION PROPERTIES FROM C-VH TO C-VH / PLANNED DEVELOPMENT (C-H/PD):**  
  
                         **2. PLANNED DEVELOPMENT OVERLAY, WITH  
CONCEPTUAL PLAN ACCEPTANCE, AND  
CONCEPTUAL SUBDIVISION FOR A MASTER  
PLANNED MIXED-USE SECTOR PROJECT:**  
                         a. Hotel Site  
                         b. Commercial Sites  
                         c. Multi-Family Residential Dwellings

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**BACKGROUND & GENERAL INTRODUCTION OF THE PROJECT**

The proposed master plan project (*aka, Legacy Commons*) is located within “the Parrish-Legacy Corridor District” [*West Centerville Neighborhood Plan*]. The project provides a unique opportunity to develop a mixed commercial/residential planned development through rezoning using the Planned Development Overlay allowance of the City’s Zoning Ordinance. The master planned project (*see attachments for this report*) would consist of the following:



**Land Uses Proposed:**

- Hotel Use – 1.73 acres, Max. Four-story Main Building (60 feet in height).
- Commercial Uses (e.g. restaurant & coffee house) – 1.25 acres, two (2) sites (heights are proposed as 1-story buildings)
- Multi-family Residential Uses - 5.20 acres, consisting of:
  - Max. 3-story Main Buildings (45 feet in height)
  - 111 Dwelling Units
  - 236 Parking Spaces with 92 parking stalls in garages
  - 1.60 acres Open Space (31% of the Residential Area)

**Shorelands Commerce Park Style Building Design Theme** – The submitted development plan only addresses the expected residential building design for the project. The residential design depicts a low slope-roof (*an adapted contemporary prairie style*) building architecture with colors compatible with Shorelands Commerce Park color palette located further north in the West Centerville Neighborhood. This proposed residential style, with the units fronting streets and pathways with parking hidden behind the building, creates a greater sense of community/ neighborhood in this mixed-use project. This design is much more compatible with the streetscape design and trail system path proposed along 1250 West setting up the ability to connect to the 1250 West pedestrian overpass of Legacy Parkway located further to the north.

The development plan does not address the design concepts for the hotel and commercial sites. Unless, the PDO approval addresses the design differently, the project remains subject to the Parrish Lane Gateway Design standards with regards to expected architectural building design (*see CZC 12.63.040*).

**Site Layout & Landscaping Theme** – The site will not be accessed from Parrish Lane. It is important to note during a partial acquisition of the property for the Legacy Parkway, UDOT paid the value of an access to Parrish Lane and established a “no access restriction” for the property. Staff met with the Region 1 office and they have expressed that UDOT has “no intention” to resell the access right to Parrish Lane. Consequently, all access to the project site will be from 1250 West. As proposed, there are two (2) planned accesses; one primarily for the hotel and commercial uses and the other for residential uses. Nonetheless, the interior drive lanes will be integrated within the entire development.

The hotel and commercial uses will still be located along Parrish Lane and the south corner and southern portion of 1250 West. The residential uses will be located behind (from Parrish Lane) and also fronting the northern portion of the property along 1250 West, along the proposed trail/pathway. The proposed landscaping theme, particularly along Parrish Lane and 1250 West appears to be exactly the drought tolerant style used in the Legacy Trails project (*across the Parrish Lane to the south*). Additionally, the same fencing and pedestrian style street lighting fixtures will be used along 1250 West. Interior project landscaping is depicted; however, the plans are conceptual at this point and the design details are unidentified with the exception of the proposed treescaping.

**Site Plan/Subdivision, Phased Construction** – The site and subdivision (2 *development lots*) will be prepared as one development site to support the development in its entirety. However, construction activities are to be phased as independent lots, as follows:

- *Phase One – Multi-family Residential Buildings & related elements (Lot 1).*
- *Phase Two – Hotel/Commercial Buildings (Lot 2)*

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#### **GENERAL APPLICATION REVIEW AND APPROVAL PROCESS OVERVIEW**

- The development application consists of master planning approximately eight (8) acres of property (*see Conceptual Site Plan Exhibits*). With this PDO project proposal, there are two mandatory application processes that the Planning Commission will be considering. These PDO review processes are as follows:

- ✓ **Rezone the land of the development project from C-VH to C-VH/PD** – The Planning Commission will be reviewing a petition to rezone properties to a Planned Development Overlay status. The Planning Commission should be reminded that the request for the multi-family residential uses may only be allowed using the Commercial Planned Development provisions of the Planned Development Overlay Zone (*i.e. a PD zone designation*). Thus, the Commission will be considering whether to recommend an overlay rezone to “PD” to the City Council.
- ✓ **PDO Zone Conceptual Site Plan** – According to the PDO provisions, a request for PDO approval an associated conceptual site plan is a mandatory requirement in conjunction with any PDO rezone request. Thus, the Commission will also be reviewing the concept plan and making a recommendation to the Council that ties the conceptual site plan to a PDO zone change, if approved by the City.
- ✓ **PDO Zone Conceptual Subdivision Plan** – According to provisions an application for subdivision approval may proceed concurrently with an application for a planned development. Compliance with the requirements of a PDO provision does not exempt any development from meeting the requirements of CMC 15 (*Subdivisions*) except as may be modified pursuant to the provisions of the associated PDO approval.

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#### **REZONE PROCESS OVERVIEW AND STAFF COMMENT FOR THE REQUEST FOR AN OVERLAY PDO ZONE DESIGNATION**

A. **Zone Map Amendments** - Pursuant to the City’s Zoning Ordinance, the “decision to amend the ...zoning map is a matter of within the legislative discretion of the City Council as described in Section 12.21.060.a.” Nevertheless, the Zoning Ordinance provides to the owner of this site the ability to make a request for a PDO designation. The purpose of a PDO designation is to allow design flexibility, integration, clustering, optimum land planning than what is possible under conventional zoning regulations. Thus, without a

guarantee, a project meeting the PDO development standards is eligible to be considered for a PDO designation.

**B. Process and Public Comment and Decision** - The Planning Commission shall review and hold a public hearing regarding the application and shall thereafter submit its recommendation for approval, approval with modifications, or denial thereof to the City Council. Following receipt of a recommendation from the Planning Commission, the City Council shall hold another public hearing on the application. After due consideration, the City Council may approve, approve with modifications, or deny the proposed amendment request.

**C. Staff Review of the Rezone Standards of Approval** - Section 12.21.080.e of the City Zoning Ordinance sets forth the following factors for considering a general rezone request:

**1. Whether the proposed amendment is consistent with goals, objectives and policies of the City's General Plan;**

- ✓ General Plan Policy Section 12-420-6, West Centerville Neighborhood Plan, Goal #2 - "Create and Develop the Parrish-Legacy Gateway Corridor District."

*In summary, this goal and its associated objectives involve the following:*

- *Ensuring that zoning supports proper development of the gateway*
- *Compliance with the Parrish Lane Design Guidelines*
- *Controlling or limiting types of commercial uses with a size cap of 125,000 square feet*
- *Use of a residential component in a development project is capped at 15 units per gross acre*
- *Use of entryway features and proper landscaping*

**Staff Response:** The area around the four corners of 1250 West and Parrish Lane has been zoned to Commercial-Very High (C-VH). This area is the core or anchor point of the Parrish-Legacy Gateway District. Additionally, the area would be subject to the Parrish Lane Design Guidelines. However, the General Plan has a maximum building size limit of 125,000 feet, which is small to medium box type commercial use. Furthermore, the proposed resident component is depicted at the limit of 15 units per gross acre. Staff believes that the request for the rezone to PDO to allow a master plan project that integrates commercial and residential uses is in harmony of the stated goal and associated objectives of the West Centerville Neighborhood Plan.

**2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;**

**Staff Response:** The immediate surrounding uses consist of industrial, commercial, and two (2) existing similar mixed-use centers. The opportunity to develop a gateway mix of hotel, commercial, multi-family residences will be a significant enhancement that would add additional value to surrounding properties and provide some services

and needs missing in the area. Specifically, the major office uses would benefit from providing hotel space for the Class "A" Office buildings located in the neighborhood and just across the freeway. The hotel provides options for companies to host events, particularly training seminars for their employees and clients.

Finally, staff believes that this is the last and final segment to implement the multi-family residential element that was originally envisioned at this neighborhood node. A strong multi-family neighborhood identity creates synergy for this particular housing style, which in turn promotes continued investment in maintenance and upkeep for to encourage housing product longevity and stability.

**3. The extent to which the proposed amendment may adversely affect adjacent property;**

**Staff Response:** The commercial uses are already permitted in the C- VH Zone. Staff also takes the position that "master planning" the entire area is better suited to address any impacts than to piecemeal development under an already long list of permitted uses. Thus, considering a PDO rezone provides an enhanced tool to address any concerns.

**4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.**

**Staff Response:** The proposed PDO zoning change involve vacant properties that have yet to be developed in an area that infrastructure and services already exist. Regardless of what uses are developed, the traffic impact would be of the greatest concern. A previous traffic report (*i.e. CDA Creation by A-Trans*) for this node indicated that generally there was capacity for the expected land use pattern. However, the I-15 interchange would experience increased delays during peak times at the ultimate build-out of the CDA. Additionally, the State has now installed the long-desired traffic signal at 1250 West/Parrish Lane. This maximizes the ability to manage traffic in this area.

For staff, the largest concern this site is vehicle access and circulation. Nevertheless, this concern can be best addressed in the review and acceptance of the site plan approval processes. For the Planning Staff, not master planning this site creates the potential for limiting the developed area and would isolate the excess UDOT property and reduce or eliminate any cost recovery by selling off excess public property. Allowing a PDO development to occur gives greater opportunity to coordinate a shared access and common internal circulation lanes. Nonetheless, the proposed plan does depict a new access onto 1250 West located between the 1250 West/Parrish Lane intersection and 500 North. This new access is potential cause for concern for the City Engineer and Public Works Director. Staff believes that a Traffic Study would help evaluate this concern and also, the City should consider whether a limited right in/right out on Parrish Lane would potentially alleviate some problems, akin to what has been done directly south across Parrish Lane. Nonetheless, a limited right-in/right-out would significantly impact the ability to market and develop the commercial uses (*i.e.*



*restaurant and coffee house*) or create delays in the development of the proposed lot.

**Planning Staff's Conclusions for Generally Supporting a PDO Rezone Request -**

Staff believes that the proposed Legacy Commons Mixed Use project is a viable and desirable development scenario for the Parrish-Legacy Gateway area. The supportive arguments are as follows:

- a. The proposed mixture of commercial and residential uses is consistent with the West Centerville Neighborhood Plan.
- b. The West Centerville Neighborhood Plan envisioned only medium box type commercial uses, capped a 125,000-sq. ft.
- c. The market conditions are not ripe now, nor likely in the future for medium box commercial uses, as evidence by the following:
  - i. Farmington Station Park was developed after the West Centerville Plan adoption.
  - ii. Farmington Station Park has likely saturated the market for developing medium box type commercial uses.
- d. To date, Legacy Crossing at Parrish Lane provides space for medium box type commercial uses and Legacy Trails provided two (2) smaller commercial lots that have not yet come to full fruition.
- e. Limiting the allowance of other types of multi-family development negatively impacts the planned allowance of multi-family development at this node in the West Centerville Neighborhood.
- a. Not master planning this site creates the potential for limiting the developed area and would isolate the excess UDOT property and reduce or eliminate any cost recovery by UDOT's ability selling off excess public property, which could become a nuisance in the future.
- f. Master Planning the entire area is better suited to address any impacts than to piecemeal development under already long list of permitted commercial uses.
- g. Lastly, considering a PDO rezone provides an enhanced tool to address any development related concerns and maximize the development opportunities for the entire site.

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**PDO CONCEPTUAL PLAN REVIEW PROCESS & STAFF COMMENT**

In association with the above requested rezone petition, the developer is also asking for approval of a conceptual site plan that is associated (*required*) with a PDO rezone request. The PDO development provisions are to be used in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations.

**A. Approval Procedure** - Land shall be placed in a PDO zone pursuant to a zoning map amendment as set forth in Section 12-21-080 of the Zoning Ordinance. The following shall be submitted in conjunction with an application for a zoning map amendment:

- ✓ *An Existing Conditions Inventory as required by Chapter 12-50 of this Title; and*
- ✓ *A conceptual site plan as provided in Section 12-21-110 of [the Zoning Ordinance].*

**Staff Response:**

Existing Conditions Inventory – The development plans provided address the exiting topography of the site, depicted as an underlay of the proposed site layout. The plans also provide a wetland mitigation approval from the U.S. Army Corps of Engineers. However, that permit has an expiration date of January 20, 1997. It is not known if the work approved was completed and/or deemed acceptable by the Army Corps of Engineers. There is a significant amount of site work needed to remove a large amount of debris, particularly any concrete left on the site from the old construction contractor use.

Conceptual Site Plan – The development plans consist of three (3) sheets depicting the following: 1) Site Layout and Landscaping Plan; 2) Preliminary Utility Plan; and 3) Site Drainage Plan. Additionally, an introductory Architectural Design Plan from a project in Denver has been submitted for the multi-family residential component of the proposed development.

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

1. *The proposed PDO Zone and associated conceptual site plan:*

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

**Staff Response:** As indicated earlier the proposed PDO is consistent with Goal 2 of the West Centerville Neighborhood Plan. The proposed development consists of an integrated mixture of uses that exceeds the standard C-VH Zoning for the property. Additionally, the relocation of the expected Parrish Lane Gateway provisions over to 1250 West is more compatible with the layout and site given that the property is located adjacent to the Legacy Interchange where pedestrian related amenities would conflict with UDOT's interchange design. Due to this project being a Commercial Planned Center with a General Plan density cap, no residential density bonus can be authorized.

2. *The applicant has:*

- a) Sufficient control over the property to be developed to ensure development will occur as approved;
- b) The financial capability to carry out the planned development project; and
- c) The capability to start construction within one year of final plan approval.

**Staff Response:** The developer current owns a significant portion of the development site and has the remaining land under a contract purchase from UDOT. It is staff's understanding that the developer has an interested party to purchase and construct the hotel site. Additionally, the developer will construct the residential component and will offer to the open market the commercial sites. As was discussed in similar previous PDO reviews, it is problematic to scrutinize the financial capacity of a specific person or entity. Thus, staff will leave this matter for the Planning Commission and applicant to further discuss.

C. **Approval Standards** – The following table is provided as a summary of the applicable standards of the ordinance, as listed in CZC 12.41.100:

| <b><i>PDO Standard</i></b>                        | <b><i>Development Plan Concept</i></b>                                                                                     | <b><i>Compliance</i></b> | <b><i>Staff Comments</i></b>                                                              |
|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------|
| Access                                            | An Integrated Access and Drive Lane Design                                                                                 | YES                      | City Engineer is concerned about south 1250 West access point                             |
| Building Heights                                  | Hotel Use – 60 feet<br>Commercial – 1-story<br>Multi – 45 feet                                                             | Generally, YES *         | * CUP is required for the hotel height                                                    |
| Common Areas                                      | Multi-use trail/pathway along the 1250 West frontage<br><br>Common yards for Multi-family w/ Club House/ Play Area         | Likely                   | LS design details are largely unidentified with the exception of the proposed treescaping |
| Required Improvements                             | Preliminary Utility Plan has been provided                                                                                 | Likely                   | None                                                                                      |
| Residential use types for commercial planned PDOs | 111 multi-family units depicted must not exceed 15 units per acre for entire development and a max bldg. height of 45 feet | YES                      | 132 units could potentially be allowed                                                    |
| Track Perimeter Setback (8' side yard only)       | Plan provide a north boundary side yard setback – distance not noted on plan                                               | Likely                   | Adjacent land to the north has a side yard lot.                                           |
| Wall and Fences                                   | 6-foot solid fence along north boundary of an adjacent zone                                                                | YES                      | Adjacent Zone is I-H                                                                      |

D. **Variations Requested (CZC 12.41.070)** – The following is a summary of the variation requested with the proposed development:

- a. **Parrish Lane Gateway Design Standards (12.63)** - At the suggestion of the planning staff, the development plan relocates the pedestrian oriented amenities that normally abut the Parrish Lane Corridor to the 1250 West Corridor. This idea capitalizes on the opportunity to create a northern access segment to the Legacy

Trail system connecting Parrish Lane to the 1250 West overpass located further north. Establishing the Parrish/1250 West node and the existing 1250 West Overpass node, lends greater opportunity to apply for regional and state funding programs to develop alternative modes of transportation. Requiring a pedestrian element that terminates at the Legacy Parkway ramps is rather fruitless.

- b. Lot Side Lines/Right Angles (15.05.020) – The concept subdivision plan depicts two (2) lots. The side line (north-south) between the two lots has a right-angle jog that is a design consequence of the interior access lanes amongst the various uses.

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### **CONCEPTUAL SUBDIVISION PLAN ACCEPTANCE (CMC 15)**

The Planning Commission may approve or reject the proposed concept plan and may make findings and recommendations regarding the submitted concept plan, specifying any inadequacy in the information submitted, noncompliance with City ordinances or regulations, or questionable or undesirable design and/or engineering. Alternatively, the Planning Commission may refer the Concept Plan to the City Council for its review and approval or rejection. However, in the case of a PDO request the concept plan becomes part of the City Council's decision in granting any such approval.

Additionally, the Planning Commission is hold a public hearing and review the submitted concept plan for compliance with the General Plan, Zoning Code, Subdivision Ordinance, and other applicable ordinances and regulations. Staff believes that such issues have already been adequately addressed with review criteria for PDO and Conceptual Site Plan approvals and will not further address any matters in this section of the report.

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### **PLANNING STAFF RECOMMENDATIONS**

As the Planning Commission may previously recall in the recent past, the applicant's desire was to assess the Planning Commission's, City Council's, and overall the public's tolerance for their development proposal, due to the residential density request, and their submittal was relatively simple and largely inadequate to address specific PDO criteria and standards. When the previous plan was provided to the City Council, the Council resisted to provide any guidance and counseled the applicant to re-submit in greater detail in order for the proposal to be adequately reviewed to achieve a full recommendation from the Commission. Over the past few months the applicant and staff have had several communications regarding the merits of the development and proposed layout and design resulting in the design layout being presented.

In spite of the a few shortcomings mentioned in this report, the development proposal substantially addresses the issues related to a PDO approval. Rather than try to perfect the development proposal, staff is forwarding a recommendation in a manner allows the process to continue to the level of Council decision. If the Commission believes otherwise, then tabling the matter with specific directives to be completed may be the preferred route.

#### **Suggested Staff Motions for the proposed PDO Rezone/Concept Plan for the Planning Commission:**

**Motion #1** - I hereby make a motion for the Planning Commission to recommend approval for the PDO Rezone and Conceptual Plan for the Legacy Commons, as follows:

- a. The **Development Design for the Legacy Commons** shall be substantially consistent with the plan layout received by the City on September 07, 2017.
- b. The **Land Uses** shall consist of the following:
  - Hotel Use – 1.73 acres, Max. Four-story Main Building (60 feet in height, if a CUP is approved by the City).
  - Commercial Uses (e.g. restaurant & coffee house) – 1.25 acres, two (2) sites (heights are proposed as 1-story buildings)
  - Multi-family Residential Uses - 5.20 acres, consisting of:
    - Max. 3-story Main Buildings (45 feet in height)
    - 111 Dwelling Units
    - 236 Parking Spaces with 92 parking stalls in garages
    - 1.60 acres Open Space (31% of the Residential Area)
- c. The **Architecture and Building Design Theme** shall consist of the following:
  - A Shorelands Commerce Park color palate or other tones deemed compatible with the surrounding development, as approved with a final site plan.
  - The design of the Hotel and Commercial Uses shall be subject to the Parrish Lane Gateway Design Standards (CZC 12.63).
  - The residential design shall be consistent with the submitted Denver based project (*Aster Town Center*) concepts consisting of a low slope-roof (*an adapted contemporary prairie style*) building architecture meeting the approved PDO color palette.
  - The residential style and layout shall consist of, with the units fronting streets and pathways with parking hidden behind the building, as depicted on the Conceptual Plan.
  - The primary pedestrian streetscape design and trail system path shall be provided along 1250 West, as depicted on the Concept Plan, which creates the ability to connect to the 1250 West pedestrian overpass of Legacy Parkway locate further to the north.
  - A secondary streetscape (non-pedestrian) design shall be provided along Parrish Lane, with landscaping and fencing, as depicted on the Concept Plan and compatible with the design across the street to the south.
  - The Hotel use shall be subject to the “Increased Height” provision of CZC 12.34.080.
- d. The **Site Layout & Landscaping Theme** shall consist of the following:
  - Site Access will be from 1250 West Street consisting of two (2) planned accesses; one primarily for the hotel and commercial uses and the other for residential uses, as depicted on the Concept Plan.
  - As part of any related development final development approval, the southern access for the commercial uses shall deemed acceptable to the City upon review by a traffic engineer to establish whether it is a limited or full turn-movement access point.
  - All interior drive lanes shall be integrated within the entire development, as depicted on the Concept Plan.
  - The hotel and commercial uses will be located along Parrish Lane and the south corner and southern portion of 1250 West, as depicted on the



Concept Plan.

- The residential uses will be located behind (*from Parrish Lane*) and also fronting the northern portion of the property along 1250 West, along the proposed trail/pathway, as depicted on the Concept Plan.
  - The Common Area amenities shall be provided in an integrated manner and internal pathways shall be provided connecting to the residential units, as depicted on the Concept Plan.
  - The proposed landscaping theme, particularly along Parrish Lane and 1250 West is to be compatible with the drought tolerant style used in the Legacy Trails project (*across the Parrish Lane to the south*).
  - The fencing and pedestrian style street lighting fixtures shall be used along 1250 West, as depicted on the Concept Plan.
  - The fencing and parking lot lighting along Parrish Lane shall be consistent with the styles used along 1250 West.
  - Interior project landscaping shall be consistent with the treescaping shown on the conceptual plan – a final detailed landscaping plan shall be prepared and submitted with any final development application.
  - A screen wall or fence shall be provided along the northern property boundary to buffer the residential units from the adjacent I-H zone, as depicted on the Concept Plan.
  - The bench and water feature shall be provided at the intersection corner of Parrish Lane/1250 West and shall be compatible with the design plan concepts implemented for the Parrish-Legacy CDA.
- e. The **Site Plan/Subdivision and Phased Construction** shall be prepared as one development site to support the development in its entirety. However, construction activities may be phased as independent lots, as follows:
- *Phase One – Multi-family Residential Buildings & related elements (Lot 1)*
  - *Phase Two – Hotel/Commercial Buildings (Lot 2)*
- f. The **Development Variations Allowed** for the Legacy Commons are limited to the following:
- *Parrish Lane Gateway Design Standards (12.63)* - The development plan is to relocate the pedestrian oriented amenities that normally abut the Parrish Lane Corridor to the 1250 West Corridor.
  - *Lot Side Lines/Right Angles (15.05.020)* – The side line (north-south) between the two lots may have a right-angle jog, which is a design consequence of the interior access lanes amongst the various uses

*(Suggested Reasons for Action -Findings)*

- b. The proposed mixture of commercial and residential uses is consistent with the West Centerville Neighborhood Plan.
- c. The West Centerville Neighborhood Plan envisioned only medium box type commercial uses, capped a 125,000-sq. ft.
- d. The market conditions are not ripe now, nor likely in the future for medium box commercial uses, as evidence by the following:
  - i. Farmington Station Park was developed after the West Centerville Plan adoption.

- ii. Farmington Station Park has likely saturated the market for developing medium box type commercial uses.
- e. To date, Legacy Crossing at Parrish Lane provides space for medium box type commercial uses and Legacy Trails provided two (2) smaller commercial lots that have not yet come to full fruition.
- f. Limiting the allowance of other types of multi-family development negatively impacts the planned allowance of multi-family development at this node in the West Centerville Neighborhood.
- g. Not master planning this site creates the potential for limiting the developed area and would isolate the excess UDOT property and reduce or eliminate any cost recovery by UDOT's ability selling off excess public property, which could become a nuisance in the future.
- h. Master Planning the entire area is better suited to address any impacts than to piecemeal development under already long list of permitted commercial uses.
- i. Lastly, considering a PDO rezone provides an enhanced tool to address any development related concerns and maximize the development opportunities for the entire site.



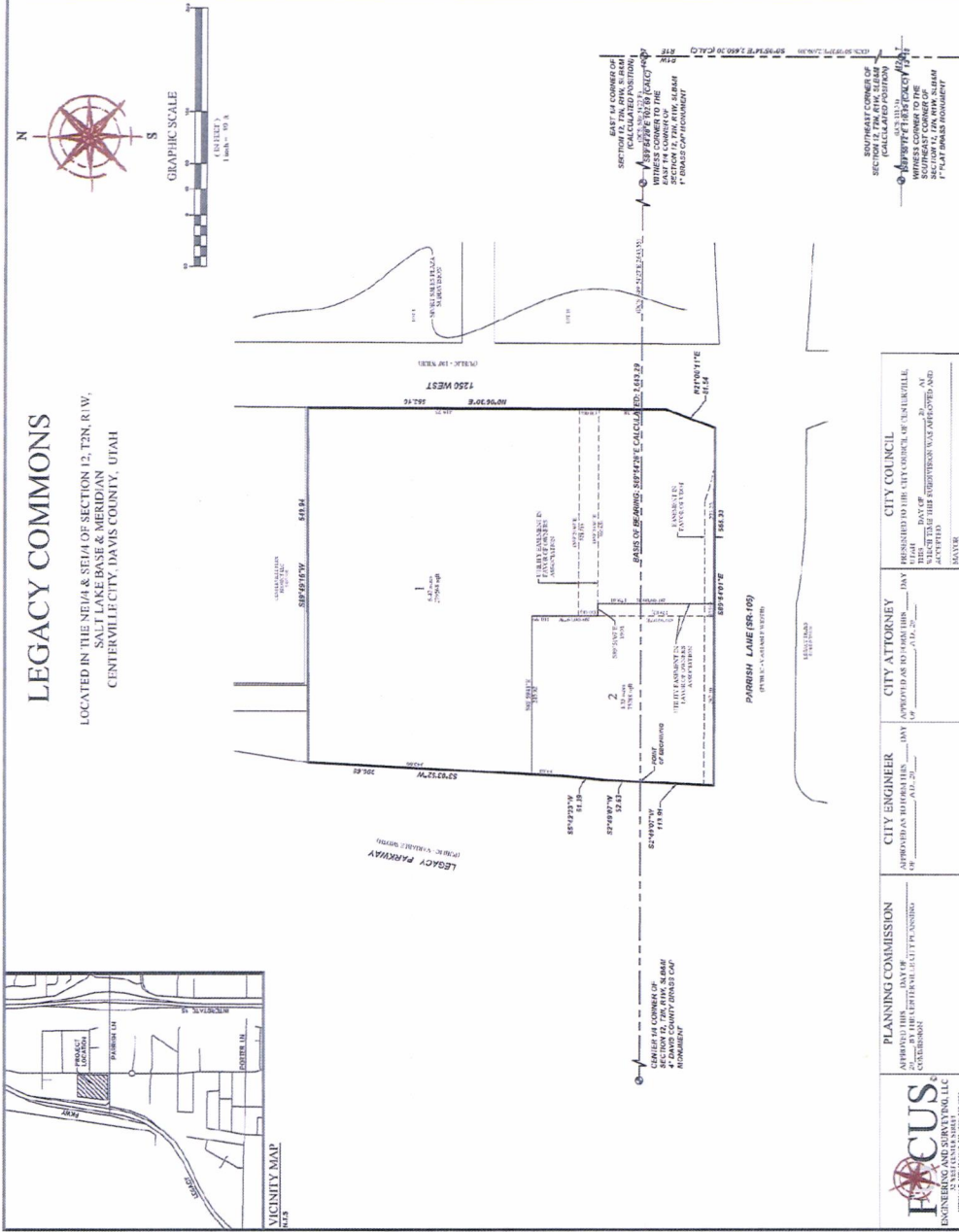








LOCATED IN THE NE1/4 & SE1/4 OF SECTION 12, T2N, R1W,  
SALT LAKE BASE & MERIDIAN  
CENTERVILLE CITY, DAVIS COUNTY, UTAH



**SURVEYOR'S CERTIFICATE**

I, **Paul A. Laverne**, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 195738 in good force with Title 36, Chapter 22 of Utah State Code. I further certify by authority of the state(s) that I have completed a Survey of the property described on this Plan in accordance with Section 726.17 of said Code, and have subdivided said tract of land into lots, blocks, streets, and easements, and the same have as well been correctly surveyed, staked and monumented on the ground in accordance with Title 36, Chapter 22 of Utah State Code.

Dr. A. I. Kuvshin  
Department of Chemistry  
University of Illinois at Chicago  
Chicago, IL 60607-7055

A portion of the *Centropomus* spp. was collected from the Sulu Lake from January 1992 to January 1993. Reproductive activity was determined by the presence of matured oocytes in the ovary. The size of the oocytes was measured using a micrometer. The size of the fish was measured from the snout to the fork. The sex of the fish was determined by the presence of the anal fin. The sex of the fish was determined by the presence of the anal fin. The sex of the fish was determined by the presence of the anal fin.

KNOW ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SURVEYED INTO LOTS AND SECTIONS TO BE REAPARTITIONED AS

DO HERBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS 20  
 BEING SURVEYED AND PLANTING HEREON FOR PUBLIC USE, AND DO  
 WARRANT THAT THE SAME ARE NOT SUBJECT TO ANY CLAIM OR  
 EASEMENT OR OTHER INCUMBRANCE, AND THE HERBY WARRANT  
 WHICH WILL INTERFERE WITH THE CITY'S USE, OCCUPATION, AND  
 MAINTENANCE OF THE STREETS. IN WITNESS WHEREOF, WE HAVE  
 HEREIN SET OUR HANDS 20  
 THIS DAY OF

STATE OF UTAH  
COUNTY OF \_\_\_\_\_ AD 20 PERSONALLY ATTACHE  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
BEFORE ME, \_\_\_\_\_ IN AND TO THE COUNTY OF  
\_\_\_\_\_ STATE OF \_\_\_\_\_  
I, \_\_\_\_\_ DO HEREBY  
ACKNOWLEDGE TO ME THAT HE IS THE  
\_\_\_\_\_ OF \_\_\_\_\_  
BETWEEN HIMSELF AND \_\_\_\_\_ THAT HE SIGNED THE OWNERSHIP  
AND THAT HE SIGNED AN AFFIDAVIT OF SAID COMPANY  
FOR THE PURPOSES THEREIN SET FORTH.

WITNESSES MY HAND AND SEAL OF SAID COUNTY  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC - STATE OF TEXAS - My Commission Expires 01/01/2014

MY COMMISSION No. \_\_\_\_\_

PRINTED FULL NAME OF NOTARY \_\_\_\_\_

RECORDED # \_\_\_\_\_

STATE OF UTAH, COUNTY OF KANE,  
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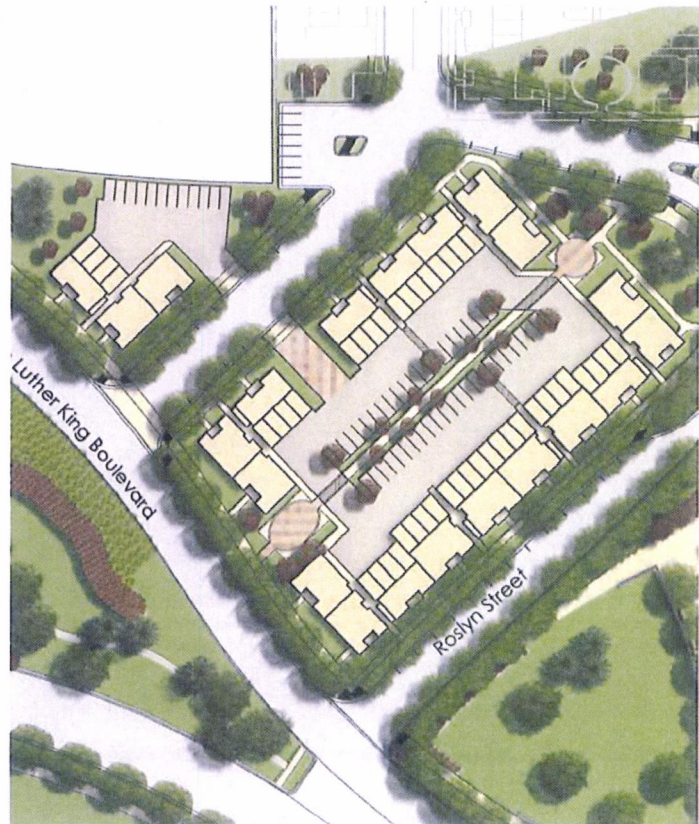
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3. THE ..... CONTRACTOR



# ASTER TOWN CENTER

Denver, CO  
Forest City Stapleton



**CENTERVILLE**

**Staff Backup Report  
9/27/2017**

Item No. 4.

Short Title: Public Hearing - Zone Text Amendments for Residential Medium Zones

Initiated By:

Scheduled Time: 8:10

**SUBJECT**

**LEGISLATIVE DECISION**

*Previously tabled from September 13<sup>th</sup> Meeting*

Consider the proposed zoning text amendments for Residential Medium Zones and their associated provisions.

**RECOMMENDATION**

**BACKGROUND**

**ATTACHMENTS:**

Description

- ☐ Draft of Various R-M Zone Text Amendments
- ☐ Previous Staff Report to PC



## STAFF DRAFT – SEPTEMBER 13TH PLANNING COMMISSION MEETING

STAFF COMMENT – THE NEW R-M ZONES ARE SPELLED OUT IN 12.30.010 REGARDING ESTABLISHED ZONES.

### **12.30.010 Zones Established**

In order to accomplish the purposes of the General Plan and this Title, the following zones, along with their accompanying Zoning Map designations, are hereby established as follows:

\* \* \*

(b) Residential Zones

- (1) Low intensity (R-L)
- (2) Medium intensity (R-M-4)
- (3) Medium intensity (R-M-6)
- (4) Medium intensity (R-M-8)
- (5) High intensity (R-H)

STAFF COMMENT - R-M ZONE PURPOSE AMENDMENTS ESTABLISH THE “GRANULATION” EXPECTATIONS THAT ARE DESIRED BY THE CITY COUNCIL. THE AMENDMENTS REMOVE THE DENSITY RANGES THAT HAVE FRUSTRATED THE PLANNING COMMISSION AND THE COUNCIL AND SIMPLY ESTABLISH A MAXIMUM FOR A PARTICULAR DISTRICT. ALSO, THE AMENDMENTS CREATE A FOUNDATION FOR THE HOUSING TYPES EXPECTED FOR EACH DISTRICT TYPE AND DEFINE THE PARAMETERS FOR USING A PARTICULAR ZONE DISTRICT WHEN APPLYING IT TO AN AREA WITHIN THE CITY.

### **12.30.020 Zone Purposes**

In addition to the general purposes of this Title as set forth in CZC 12.10.030, the various zones each serve more specific purposes as set forth below.

\* \* \*

(b) Residential Zones. Residential zones allow a wide range of residential land uses at various densities. These zones are intended to protect the stability of neighborhoods and encourage, collectively, different kinds of compatible residential development.

- (2) The purpose of the R-M Zones is to permit well-designed apartments, townhomes, two-family dwellings, and condominiums at densities of four to eight units per acre that are appropriately buffered from and compatible with surrounding land uses. There are three distinct R-M Zones within the City based on permitted densities as more particularly described herein. The R-M-4 Zone permits medium densities up to four dwellings per acre, the R-M-6 Zone permits medium densities up to six dwellings per acre, and the R-M-8 permits medium densities up to eight dwellings per acre. Such densities are

applied in conformance with the City's General Plan and the compatibility of the density to surrounding zoning districts and adjacent existing development.

- (A) **R-M-4 Zone**. The R-M-4 Zone is a low-end medium density district allowing up to four units per acre. This zone is to be used or applied for infill development integrated with, substantially surrounded by or proximately adjacent to, residential low zones. This Zone is to be used as a transition between a higher density zone allowances close to single-family areas, and in areas adjacent to minor collector and major collector streets, as define by City regulations, where moderate traffic may be present within a low-density neighborhood area. The expected residential development style is for medium density single-family homes, twin home lots, and zero lot line development that is compatibly characteristic of a single-family neighborhood.
- (B) **R-M-6 Zone**. The R-M-6 Zone is an intermediate medium density district allowing up to six units per acre. This zone is to be used or applied along major collector or minor arterial streets, as define by City regulations, and areas where ground water may prohibit basement development. This zone is to be used to facilitate a reasonable opportunity for a variety of housing types in the City, where deemed appropriate. The expected residential development style is for twin home lots, and townhomes in a tri-plex or four-plex format, that mimics a neighborhood style street on public or private roadways.
- (C) **R-M-8 Zone**. The R-M-8 Zone is a high medium density district allowing up to eight units per acre. This zone is to be used or applied as a buffer between higher intensity zoning districts, along minor and major arterial streets, as define by City regulations, and areas where ground water may prohibit basement development. This zone is to be use to facilitate a reasonable opportunity for other varieties of housing types in the City, where deemed appropriate. The expected residential development style is for townhomes in a tri-plex, four-plex, and six-plex format, and for areas where stacked flat or apartment style buildings are constructed with associated vehicular parking lot facilities.

**STAFF COMMENT - R-M ZONE TABLE OF DEVELOPMENT STANDARDS AMENDMENTS CREATE A BASE DENSITY FOR ALL R-M ZONES OF 4 DWELLINGS PER ACRE. THE CUP DENSITIES THEN ARE CAPPED AT 6 AND 8 UNITS THAT MAY BE USED IN AREAS DESCRIBED BY AND/OR MATCHING THE R-M PURPOSE STATEMENTS.**

| 12.32.300 Table of Development Standards in Residential Zones | Zones                                                  |
|---------------------------------------------------------------|--------------------------------------------------------|
|                                                               | R-M                                                    |
| Site Standards                                                |                                                        |
| Gross Density Maximum, permitted                              | 4 units per acre for all R-M Zones                     |
| Gross Density Maximum, conditional                            | R-M-6 is 6 units per acre<br>R-M-8 is 8 units per acre |



STAFF COMMENT - R-M ZONE TABLE OF USES AMENDMENTS CREATE A NEW USE CATEGORY KNOWN AS "ALLOWED." THIS NEW CATEGORY IS NEEDED TO SEGREGATE THE DIFFERING TYPES OF USES, AS ALLOWED BY THE "GRANULATION" OR "PURPOSE" STATEMENTS. FOR EXAMPLE: SINGLE-FAMILY IS NOW ALLOWED IN THE R-M ZONE, BUT ONLY WHEN R-M-4 IS APPLIED TO AN AREA. OTHER CHANGES INCLUDE 'TWIN HOMES' TO ALLOW A DUPLEX FORMAT TO BE USED IN A SUBDIVISION LOT SYSTEM AND ALLOW FOR OWNERSHIP OPPORTUNITIES.

### **12.36.020 Table of Uses for Residential Uses**

Legend: "P" - permitted use, "C" - conditional use, "N" - not permitted, "A" allowed use through other provisions applicable to a specific Zone

| Residential Uses          | Zones          |
|---------------------------|----------------|
|                           | R-M            |
| Dwelling, single-family   | A <sup>2</sup> |
| Dwelling, multiple-family | A <sup>2</sup> |
| Twin Home                 | A <sup>2</sup> |

2. See the varying permitted and conditional uses and densities in the R-M-4, R-M-6 and R-M-8 Zones as more particularly described in CZC 12.30.020 (Zone Purposes) and as set forth in CZC 12.32.300 (Table of Development Standards in Residential Zones).

STAFF COMMENT - R-M ZONE SPECIAL REGULATIONS AMENDMENTS ARE ENTIRELY NEW AND INTRODUCE BASE LINE DESIGN PERFORMANCE EXPECTATIONS FOR R-M ZONE DEVELOPMENT. THE AMENDMENTS ARE TO ADDRESS THE COMMON COMPLAINTS ABOUT MULTI-FAMILY DEVELOPMENT REGARDING ARCHITECTURE, LANDSCAPING, AND THE COMPLAINTS HEARD IN THE RECENT PAST ABOUT OF USE PRIVATE ROADWAYS.

### **12.32.055 Additional Development Standards for R-M and R-H Zones**

Notwithstanding the Regulations of General Applicability in CZC 12.32.060 and the Table of Development Standards in CZC 12.32.300, all residential development within the R-M and R-H Zones shall comply with the following development standards.

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

(b) Exterior Design Standards. All sides of primary buildings within the R-M and R-H Zones shall receive design consideration with particular attention given to areas exposed to public view.



- (1) All primary buildings within a development project shall possess an overall building architectural theme, including, but not limited to, exterior building materials, textures, colors and signage.
- (2) The apparent mass of primary buildings or structures shall be minimized through design, articulation, and use of materials. An open design is desired that visually and physically breaks up the mass and footprint of buildings. Approaches such as the use of vertical and horizontal planes, roof pitches, roof lines, windows, reveals, and alcoves shall be used to create façade variation, shadows, corners, and architectural interest. Articulation approaches should not appear to be applied randomly or merely a surface treatment. In addition, the use of any multiple articulation approaches shall be coordinated to affect a complimentary building design.
- (3) Natural or natural-appearing materials, such as stone, cultured stone, and wood, shall be the design gestures used in the architectural design of all primary buildings. Wood siding, cement fiber board siding, and other similar appearing materials shall be the other main materials used in the design of all residential buildings. Substantial or prominent use of synthetic stucco, and unnatural appearing materials, such as metal, vinyl, and plastics are to be used sparingly. Use of such secondary and/or accent materials shall not exceed 20% of the building or structure's exterior.
- (4) The Planning Commission shall review and approve architectural design of buildings within the R-M and R-H Zones in accordance with the provisions set forth herein during conditional use permit and/or site plan review.

(c) Landscaping and Open Space. All R-M developments, except for single-family developments, shall satisfy the landscaping regulations of CZC 12.51 (Landscaping and Screening) and more specifically the CZC 12.51.g regarding multi-family development. Additionally, landscaping and open spaces shall be designed in a manner to meet the residential needs for active and passive spaces for residents and visitors, such as private spaces, entry features, small centralized gathering areas, and buffering adjacent land uses. Furthermore, such areas shall be designed with the amenities or features that complement the various expected residents, both day and evening hours, and beyond the default design of a tot lot, playground, or clubhouse.

(d) Use of Public and Private Roadways. All dwellings are to be accessed from a public roadway, unless otherwise approved as part of a planned development or condominium (See, CZC 12.55.150). Approved access from a private right-of-way and/or parking lot shall meet the following standards:

- (1) Access to and from a public street may be in the form of private right-of-way or a driveway, as defined or required by this Title.
- (2) Two-points of ingress/egress from a public right-of-way shall be established for any development greater than 20 dwellings, irrespective of the allowed gross density.
- (3) When a private right-of-way is utilized, the private right-of-way pavement (i.e. travel lanes) shall be at least 27-feet and the constructed cross-section with curb and gutter of the roadway shall be built to City Specifications.

- (4) Access using a private right-of-way shall be constructed with a sufficient width to provide on-street parking for visitors at a ratio of at least 0.5 stalls per dwelling. An exception may be provided to this ratio if visitor parking is provided by separate parking area or parking lot as part of a site plan approved by the City.
- (5) A sidewalk system shall be provided on both sides of any private right-of-way. An exception may be provided to this requirement if an alternate integrated development pathway system connecting to the public right-of-way and serving the dwellings is provided to satisfy the requirement for sidewalks, as part of a site plan approved by the City.
- (6) A private right-of-way shall be perpetually maintained by the developer or an owner's association. Such perpetual care and maintenance obligations shall be addressed with covenant, conditions, and restrictions, for the development approved by the City and recorded against the property.
- (7) A private right-of-way design shall also comply with all applicable Fire Code regulations.

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

**STAFF REPORT  
AGENDA: ITEM 4**

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

**APPLICATION:**               **ZONING ORDINANCE TEXT AMENDMENT**

**APPLICANT REQUEST:** **AMEND THE ZONING CODE TO CREATE A DENSITY  
GRADATION FOR THE R-M ZONES AND RELATED  
PROVISIONS**

**RECOMMENDATION:**   **CONSIDER MAKING A RECOMENDATION TO THE  
CITY COUNCIL**

---

**BACKGROUND**

As a result of a recent rezone request presented before the City, the City Council directed staff and the Planning Commission to consider creating a “granulation” or “gradation” of the allowed densities for the Residential-Medium (R-M) Zones. As the Planning Commission is aware, the City Council and the Commission have previously desired to revisit these provisions, particularly after the approval of the Porter-Walton Townhome development. However due to other planning priorities, a substantial evaluation was delayed, until now. The Council expeditiously desires the Staff and Commission to prepare and recommend changes for how R-M densities are to be applied. The proposed changes drafted by Staff can be summarized as follows:

- Creates three (3) base density categories and eliminates any density ranges
- Defines each category, describes how each is to be used, and identifies the expected type of development for each category.
- Adjusts the permitted and conditional gross density allowances
- Creates a new use listing of “Allowed” and/or adjusts some uses in the R-M Zones
- Add new development provisions for the architectural design, adjustments to landscaping, and use of private rights-of ways.

**TEXT AMENDMENT REVIEW AND ANALYSIS (12.21.080.e)**

**Zone Map Amendments** - Pursuant to the City’s Zoning Ordinance, the “decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as



described in CZC 12.21.060.a.1.B. Additionally, CZC 12.21.80.e. lists one (1) criterion for considering a text amendment petition. The following is a summary of staff's review of the matter:

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

**GP SECTION 12-420-2. RESIDENTIAL DEVELOPMENT POLICIES.** The following policies are adopted specifically for the achievement of the citizens' desires for residential development in Centerville.

1. The density classifications for Centerville's residential areas shall be as follows:
 

| <u>Dwelling Units/Acre</u> | <u>Class</u> |
|----------------------------|--------------|
| 0-4                        | Low          |
| 5-8                        | Medium       |
| 9-12                       | High         |
2. Residential development in Centerville is primarily low density single-family. This character of development should continue as far as is feasible and practical. Medium or high density residential development that is allowed in appropriate locations within the City should provide usable open spaces, landscaping, and other associated amenities which will assure consistency with the residential quality desired in Centerville. The use of planned unit developments to achieve the foregoing objectives is desirable and preferred....
6. Residential development must take into account the existence and impact of high ground water tables within the City....

**GP SECTION 12-420-3. HOUSING.** The following policies are adopted in order to establish Centerville's commitment to the availability of housing for all of its residence.

Housing Policies:

1. The City shall not allow racial, ethnic, religious or economic discrimination in the provision and procurement of decent housing in this City.
2. The City shall assure an adequate supply of housing for future population through identification of optimum locations for housing development and provision of City services as required.

**GP SECTION 12-490. MODERATE INCOME HOUSING ELEMENT**

***Objective 5.A.*** Rezone for densities necessary to assure the production of moderate income housing.

***Objective 6-C.*** Make an effort to balance the number and size of zoning districts with the demand for various housing types.



**Objective 6-A.2** In the future, develop a strategic redevelopment plan in partnership with the property owners and residents within and around the Gateway Mixed Use Districts (i.e. South Main Street Corridor Plan area), and consider other corridor options (e.g. 400 west and the frontage road) to encourage actual development of a mixed-use area with a residential component that includes opportunities for creating moderate income housing.

**Objective 6-C.1** Evaluate the various Neighborhood Plans and determine if there are opportunities for allowing infill development, or areas that could be rezoned for additional density, or to encourage the use of the Planned Development Overlay Zone (reflects strategy 6.A).

**Objective 6-C.2** Consider establishing standards with the R-M and R-H Districts that require a variety of housing types that are to be used within such zones. Additionally, limit unit densities within each building of the R-M zone to no more than 8 units, and within the R-H Zone to no more than 12 units.

**Objective 6-C.4** Consider establishing additional architectural design standards for the RM and R-H Districts. Ensure that the appearance and layout of buildings within these zones are visually compatible with surrounding residential neighborhoods.

**STAFF CONCLUSION** – The proposed changes are consistent with the desire to allow residential medium development in appropriate locations, residential character quality, and ensure an adequate supply of housing types for future population growth.

#### **PLANNING STAFF RECOMENDATION**

Suggested Motion for an amendment to the Centerville City Zoning Ordinance regarding the proposed R-M Zone amendments – I hereby make a motion for the Planning Commission to recommend to the City Council to approve the various R-M Zone amendments, as presented (or as amended by the Commission) by staff.

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

- a. The Planning Commission finds that the “decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in CZC 12.21.060.a.1.B.
- b. The Planning Commission finds that amendments consistent with the goals, objectives and policies of the City’s General Plan, as presented in the staff report.
- c. The Planning Commission finds that the amendments are consistent with the desire to allow residential medium development in appropriate locations, residential character quality, and ensure an adequate supply of housing types for future population growth.

## **CENTERVILLE**

### **Staff Backup Report 9/27/2017**

Item No. 5.

Short Title: Public Meeting - South Main Street Overlay Plan Discussion

Initiated By: City Council

Scheduled Time: 8:30

#### **SUBJECT**

Discussion regarding the future of the South Main Street Overlay Zone, CZC 12.48.

#### **RECOMMENDATION**

#### **BACKGROUND**

**CENTERVILLE  
PLANNING COMMISSION  
Staff Backup Report  
9/27/2017**

Item No.

Short Title: Work Session and Commission Meeting from Sept. 13

Initiated By:

Scheduled Time:

**SUBJECT**

**RECOMMENDATION**

**BACKGROUND**

The City Council has already reviewed and approved the September 13, 2017 joint work session meeting minutes, but the City Recorder wants the Planning Commission to review them. If you have any changes, she will take them back to the City Council to ratify.

**ATTACHMENTS:**

Description

- ☐ September 13, 2017 joint CC/PC work sessions minutes
- ☐ September 13, 2017 PC meeting minutes

## ***PRELIMINARY DRAFT***

Minutes of the Centerville City Council and Planning Commission joint **work session** held Wednesday, September 13, 2017 at 5:30 p.m. in the Centerville City Council Chambers, 250 North Main Street, Centerville, Utah.

### **MEMBERS PRESENT**

|                 |                                                                                     |
|-----------------|-------------------------------------------------------------------------------------|
| Mayor           | Paul A. Cutler                                                                      |
| Council Members | Tamilyn Fillmore<br>William Ince<br>Stephanie Ivie<br>George McEwan<br>Robyn Mecham |

### **PLANNING COMMISSION PRESENT**

Cheylynn Hayman  
Kathy Helgesen  
David P. Hirschi, Chair  
Gina Hirst  
Logan Johnson  
Becki Wright (excused at 5:50 p.m.)

### **COMMISSIONER ABSENT** Kevin Daly

### **STAFF PRESENT**

Cory Snyder, Community Development Director  
Cassie Younger, Assistant Planner  
Lisa Romney, City Attorney  
Katie Rust, Recording Secretary  
Katie Farnsworth, Recording Secretary

### **STAFF ABSENT**

Steve Thacker, City Manager  
Jacob Smith, Management Services Director

### **SOUTH MAIN STREET CORRIDOR PLAN**

Referring to the South Main Street Corridor Plan, Community Development Director Cory Snyder commented that it is easy to identify problems and issues, but often difficult to find a solution or a way forward. He gave a brief background of the original SMSC Plan adopted in 2008, and agreed with Mayor Cutler that transit issues were considered during the original process, but were not a driving factor. Mr. Snyder presented the following goals identified for the South Main Street Corridor Plan in 2007:

- Coordinated Streetscape – furniture, signs, benches, lamps, planters, etc.
- Building Heights – 2 to 3 stories to frame street, and reduce setbacks
- Increase Mobility – transit mode and stops, pedestrian, and bikes
- Street Design – reduce curb cuts, provide on-street parking, build pedestrian amenities
- Land Uses – add mixed-use allowances (commercial & residential)
- District Implementation – allow design to adapt to differing areas

Mr. Snyder explained amendments to the SMSC Plan over the years, including elimination of “rail or mass transit” terms in 2010, and limited adoption of a Public Space Plan in 2016. He presented the following staff conclusions and suggestions for moving forward, and proposed a process for implementation.



Staff Conclusions:

- Redevelopment using original Plan's concepts remained a remote possibility
- Amendments since have further disadvantaged that remote possibility
- The market and use patterns for the north and south ends inhibit any gateway concepts
- Community support right now is low and even probably intolerant in the City Center and Traditional Districts
- Redevelopment of most existing properties are repressed (e.g. fire station)
- Current SMSC Plan concepts are too far into any future to guide any shorter-term redevelopment effectively

Staff Suggestions:

- Rescind the SMSC Plan and SMSC Overlay Zoning Regulations
- Allow wanted reuse or redevelopment while preparing a new plan, OR
- Adopt a TZRO to prohibit any redevelopment while replacement plan is being prepared
- Replacement Plan should treat Main Street as a community corridor street and not Centerville's Main Street – which "never became a strong focal point"
- Prepare and adopt "performance" standards to replace the form-based codes – akin to the Parrish Lane Gateway Design Standards, or the Shorelands Commerce Park

Commissioner Wright left the meeting at 5:50 p.m. Mayor Cutler asked the Council and Planning Commission what they feel are the positive elements of the SMSC Plan at this time. Commissioner Johnson responded that an element of residential growth is essential to make change happen. Councilwoman Fillmore said bringing buildings to the front to frame the street and protect the right of way is positive. Mayor Cutler agreed that bringing buildings to the front and putting parking in the back is a better design long-term. Chair Hirschi read a statement left with him by Commissioner Wright that she believes a Public Space Plan must be adopted and maintained. Mayor Cutler said he believes it is important to have quality design standards in place because most developers will provide the minimum possible to save money. Councilwoman Mecham agreed with the need for design standards. Councilman McEwan agreed that uniformity in look and feel is fantastic if it can be achieved. Councilwoman Ivie stated she is fond of the sidewalk and park strip idea, and believes recognizing the difference in elevation on the east and west sides of Main Street is a good thing. Councilwoman Mecham said she also likes the wider sidewalks and park strips.

Councilwoman Fillmore commented on the difference between a neighborhood-friendly "main street" and a "transportation corridor". She said she would push for more neighborhood-friendly regulations and designs. Councilwoman Mecham commented that traffic did not slow down with the narrowed lanes on Main Street for construction this summer. She expressed the opinion that reducing the speed limit on Main Street would increase traffic and result in the need for a traffic light at every corner. Councilman Ince said he believes mixing residential with commercial gives a more eclectic feel. He commented that some Main Street property owners are waiting for an offer and not maintaining their properties, and other property owners are making an effort to maintain their properties very well. Councilman Ince pointed out that in the last few decades development has occurred on Parrish Lane, with very little development on Main Street.



1 Mayor Cutler commented that behaviors are changing, and commercial may not be the  
2 highest-and-best-use of property anymore. Chair Hirschi responded that mixed-use is more the  
3 trend at this point. He suggested that interspersing high-quality residential development with  
4 existing and new commercial, and providing an inviting streetscape, would be a formula for  
5 positive redevelopment. Chair Hirschi agreed that mixed-use would need to have a density high  
6 enough to support the commercial, but said he is not sure what the density component would  
7 be. Mixed-use would not necessarily need to incorporate residential and commercial within the  
8 same building. Chair Hirschi emphasized the need for some type of design standards for both  
9 commercial and residential along Main Street. Commissioner Johnson commented that without  
10 significant densities and mass transit, he is not sure commercial would be supported on Main  
11 Street.  
12

13 Councilwoman Mecham said it needs to be remembered that, at one point, the freeway  
14 interchange was planned to be at Pages Lane. When the interchange was built at Parrish Lane,  
15 the City's "main street" moved. She suggested that Main Street may become more valuable for  
16 residential than commercial as land for residential becomes more scarce. Councilwoman  
17 Mecham said she believes Main Street should remain zoned for commercial, but more options  
18 should be provided. Mayor Cutler agreed there is a demand for high quality residential, which  
19 on Main Street is more likely to be townhomes and high-quality condo-type units. Councilman  
20 McEwan said he does not think it would be reasonable to expect design standards to change  
21 Main Street from being a transit corridor. He said he believes making the new fire station  
22 comply with the Overlay would create a more dangerous public safety situation. Mr. Snyder  
23 responded that making a special exception for the fire station would be pushing the legal  
24 boundary for exempting a particular use. Councilman McEwan stated he does not feel the  
25 Overlay in its current form would allow for best public safety practices with the new fire station.  
26

27 Councilwoman Mecham said she thinks the Overlay standards may be discouraging  
28 property owners on Main Street from remodeling to the extent they otherwise might. Mr. Snyder  
29 agreed that the ability to grow is restricted. He suggested the mixed-use component is not  
30 working. Mayor Cutler said he believes there is some value in mixed-use, but mixed-use should  
31 not be the only option for residential. Councilwoman Fillmore said she would like this to be an  
32 opportunity to work together with the community and create a feeling of "buy-in". She said she  
33 would be uncomfortable with the process moving too quickly and getting something in place too  
34 fast. Mr. Snyder responded that the public has been included in the last several years, and at  
35 some point the public gets worn out. Mayor Cutler pointed out there are a wide variety of  
36 opinions in the community, and the City will never achieve consensus on anything to do with  
37 Main Street. The Mayor said he believes high design standards and a basic Public Space Plan  
38 should be in place at a minimum. He suggested putting together a proposal to present to the  
39 public rather than asking the open question of what the public wants.  
40

41 Chair Hirschi said he believes the current plan is disincentivizing improvement, resulting  
42 in a blighted Main Street. He suggested it might be wise to let property owners do what they  
43 want to improve their properties without a lot of restrictions from the City. He said he would  
44 leave Main Street commercial with residential as a component, but would get rid of the  
45 mandatory mixed-use.  
46

47 Responding to a question from Councilwoman Mecham, Councilwoman Ivie said she  
48 thinks having parking lots in the front rather than the back of businesses is a good idea. Mr.  
49 Snyder suggested options could be provided for limited parking in the front and remaining  
50 parking behind, with buildings moved closer to the street. Councilman Ince referred to the

1 University of Utah Medical building on Main Street as a good example of parking in the front  
2 with sufficient landscaping.  
3

4 The group discussed options for moving forward. Councilman McEwan expressed the  
5 opinion that the only benefit achieved by putting a TZRO in place is a deadline for a decision.  
6 Lisa Romney, City Attorney, pointed out that countervailing public interest is necessary to  
7 enforce a TZRO. She suggested a better option would be to agree to a deadline as a group. It  
8 was requested that staff come back with a proposal for discussion by November. Councilman  
9 McEwan said it would be his intention to set a date to rescind and replace the SMSC Plan at  
10 that point.

11  
12 **ADJOURNMENT**  
13

14 The work session was adjourned at 6:57 p.m.  
15  
16  
17  
18  
19

20 \_\_\_\_\_  
21 Marsha L. Morrow, City Recorder  
22  
23  
24  
25

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

26 \_\_\_\_\_  
Katie Rust, Recording Secretary



**PLANNING COMMISSION MINUTES OF MEETING**

**Wednesday, September 13, 2017**

**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 7:05 p.m.

**MEMBERS PRESENT**

Cheylynn Hayman  
Kathy Helgesen  
David Hirschi, Chair  
Gina Hirst  
Logan Johnson

**MEMBER ABSENT**

Kevin Daly  
Becki Wright

**STAFF PRESENT**

Cory Snyder, Community Development Director  
Lisa Romney, City Attorney  
Cassie Younger, Assistant Planner  
Katie Rust, Recording Secretary  
Katie Farnsworth, Recording Secretary

**VISITORS**

Interested citizens (see attached sign-in sheet)

**PLEDGE OF ALLEGIANCE**

**OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Hirst

**MINUTES REVIEW AND ACCEPTANCE**

Due to the late start of the meeting Chair Hirschi proposed that the review of the minutes be moved to the end of the meeting. Commissioner Johnson made a **motion** to postpone the review of the minutes. Commissioner Hayman seconded the motion, which passed by unanimous vote (5-0).



**PUBLIC MEETING – FINAL SITE PLAN – KIM SAMUELSON FINAL SITE PLAN – 318 E 1825 NORTH**

Kim Samuelson desires to construct a new accessory garage located at his place of residence. He recently acquired an un-platted parcel of land adjacent to his original subdivision lot and combined the land together into a single parcel. However, the added parcel remains outside of the platted subdivision boundary and therefore requires site plan approval for the proposed development. Staff explained the request for Final Site Plan approval.

Commissioner Johnson raised a question regarding issues with building on the hillside and cities being held liable for problems when they arise. Commissioner Johnson posed a question to Attorney Romney regarding Issue #5 on the Planning Staff Recommendations Report and asked if signing an acknowledgment of hazards and risks associated with land use in this area is sufficient to protect the City in such instances. Ms. Romney addressed the question by stating that the City Code requires a form to be signed when building within the Hillside Overlay. The Code also requires that the developer pay for a professional geological survey thus putting the burden on the developer to determine the risks of the location. The City then reviews and signs off on the findings. Ms. Romney explained that many communities face this issue and it is a balance of regulation and private property owners' rights.

Ms. Romney commented that the Public Utility Easements have been approved by the City Council for this project but a signed copy has not been received from the applicant. Ms. Romney recommended a change to Condition #7 to read that the "Public Utility Easement shall be submitted to the City Recorder and recorded with the Davis County Recorder prior to the issuance of a building permit." The applicant has been notified that this document needs to be signed.

Chris Samuelson, representative for applicant Kim Samuelson, acknowledged the list of conditions and that they were acceptable with the exception of the requirement to build a sidewalk.

At 7:14 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to comment, Chair Hirschi closed the public hearing.

Commissioner Hayman made a **motion** to approve the Final Site Plan for the proposed accessory building development for an un-platted parcel that has been combined with the home located at 318 East 1825 North, with Conditions 1 - 7, with the amendment to Condition #7 as suggested by Ms. Romney, and Reasons for the Action (a) – (e). Commissioner Helgesen seconded the motion, which passed by unanimous vote (5-0).

**Conditions:**

1. Subject to the plans and architectural concepts as submitted to the City Staff on August 23, 2017.



2. All recommended street improvements shall be completed on the property as part of the Building Permit process, unless a Deferral Agreement is approved by the City Council.
3. Colors of the accessory building shall be sensitive to the hillside and surroundings.
4. SWPP shall be added to the Grading and Drainage plan and reviewed during the Building Permit Process and is to be deemed acceptable by the City Engineer and Drainage Utility Manager.
5. The applicant/owner of parcel must sign an acknowledgment of hazards and risks associated with land use in this area prior to the issuance of a building permit for any dwelling or accessory building.
6. The applicant/owner will be required to pay any development fees that may be applicable for the accessory building development of this lot.
7. Public Utility Easements shall be submitted to the City Recorder and recorded with the Davis County Recorder prior to the issuance of a building permit.

Reasons for the Action:

- a) *The applicant has clearly shown how the property may be developed [CZC 12.21.110(d)(2)].*
- b) *Applicable utility services and easements are required for residential development [CZC 12.21.110(e)(2)(iii)(d) and CMC 15-5-106(8)].*
- c) *A final site plan application is required for completing the process to obtain approval to construct an accessory dwelling on un-platted parcels [CZC 12.21.110(e)].*
- d) *The Development Standards and provisions set forth in the overlay zone are required in connection with all building and construction in the Hillside Overlay Zone [CZC 12.42].*
- e) *All street improvements are required before the development and occupancy of a building on a parcel [CZC 12.55.190(a)].*

**PUBLIC HEARING – FINAL SITE PLAN AND CONDITIONAL USE PERMIT–  
MOTO UNITED POWERSPORTS FACILITY – 940 & 960 N 950 WEST**

Cassie Younger, Assistant Planner, reviewed the proposed Final Site Plan for Moto United Power Sports at 940 & 960 North 950 West. Moto United's Conceptual Site Plan was approved back in January of 2017. However, the proposed Final Site Plan has changed significantly from the Conceptual Site Plan. Due to the nature of the business, a Conditional Use Permit will also be required. Ms. Younger stated that all of the Development Standards have been met with the exception of parking. Parking requirements have been difficult to calculate based on the various lots and uses on the site.

There have been discussions on the materiality of the architecture of the elevations. The standards are listed in CZC 12.35.080 of the Industrial Zone provisions that the predominant materials should be rock, stone, brick, CMU, etc. Current elevation



1 designs include CMU and stone tile. Moto United desires to use a more modern metal  
2 and stucco design. However, due to the surrounding buildings and in consideration of  
3 future developments, Staff does not recommend the use of metal and stucco be allowed  
4 in the Industrial Zone in order to blend in with adjacent existing and future development.

5  
6 Cory Snyder, Community Development Director, elaborated on the building  
7 materials and modifications that are now proposed that include CMU as the primary  
8 material with stucco as an accent material. Regarding the East elevation which faces I-  
9 15, the original plan included a metal product to the different dealer doors. However,  
10 that has been changed to a stone/ceramic tile. Staff believes this will be more consistent  
11 with what has been approved in the past. As stated in the Zoning Code, under  
12 Architecture, the two terms used for metal are "anodized aluminum" and "colored  
13 metal." Metal siding is not allowed. Applicant desires to use some metal accents which  
14 they will discuss with the Commission tonight. Overall, Staff believes Moto United meets  
15 the Architectural Design Guidelines. Ms. Younger pointed out that no architectural plans  
16 have been submitted for the second building pad on the Final Site Plan. The guidelines  
17 passed in the Final Site Plan will apply to this building pad as well.

18  
19 This site also requires a Conditional Use Permit. Staff believes this site is well  
20 suited for this type of business. They have the accessibility from the freeway and they  
21 are away from neighborhoods. This type of business will add synergy to the West side  
22 for future development.

23  
24 Regarding access and transportation issues, Staff believes the site may be a little  
25 under-parked. Loading facilities are available on-site so there should not be any issues  
26 with loading and unloading in traffic. There are no sidewalks provided for in the plan. It  
27 should be noted that just north, in the Parrish Creek Planned Development project, they  
28 made a lot of effort to put in nice sidewalks and boardwalks and connected them to  
29 other paths in the area. Ideally, this site would be connected to the greater Westside  
30 neighborhood. However, there are no requirements to have sidewalks in the Industrial  
31 Zone.

32  
33 Ms. Younger noted that noise and traffic could be a slight issue but they are  
34 required to follow the noise and parking ordinances of the City. Also, all services related  
35 to the repair and maintenance of the vehicles and machines are to be done on-site and  
36 not on the street. Storage and display of model vehicles and machines will be in the  
37 building as well as in the corners of the lot according to applicant's construction plan.

38  
39 Chair Hirschi raised the issue of lighting on the property. Younger addressed the  
40 lighting that will be on the freeway side and southern end of the property but no lights  
41 are included on the plan along the public street. Mr. Snyder indicated there are  
42 intersection lighting requirements that the Public Works Director would require. The plan  
43 should be reviewed to make sure there is a street light at the T-intersection.

44  
45 Chair Hirschi invited the applicant to come forward to make comments regarding  
46 the Staff Report and address issues. Curtis Bingham, architect with CRSA, representing  
47 the applicant addressed the Commission. Mr. Bingham presented samples of the



1 materials that are proposed for the exterior elevations. The Honda dealer is requiring a  
2 metal panel, consisting of an aluminum composite four (4) mm thick, as part of their  
3 branding. The metal panel is approximately a four (4) foot band on the east elevation.  
4 This is the only place the metal panel would be used. Mr. Bingham then addressed an  
5 issue regarding the stone tile on the elevations. He said the manufacturer did not make  
6 a tile in the color of "Honda Red," so Moto United will have to do a two (2) foot wide  
7 section of the red metal panel as shown on the updated elevations on each side, top to  
8 bottom, of the windows of the Honda entrance. Mr. Snyder indicated that this was a new  
9 change that he was not aware of. Mr. Bingham then distributed samples of the  
10 proposed stone tile on the elevations.

11  
12 Chair Hirschi requested the intended hours of operation. Mr. Shawn Hutchings,  
13 representing Moto United, indicated the typical hours will be from 8 am – 6 pm, Monday  
14 through Saturday. There are evenings when they will work until 7 pm. Chair Hirschi  
15 expressed concern for the safety of the customers during the winter and the lack of  
16 lighting on 950 West. Mr. Hutchings indicated that there will be no public entrance on  
17 the back side of the building. All entrances will be on the south or east side. LED wall-  
18 pack lights are planned for the west and north side of the building.

19  
20 Commissioner Hayman then requested that the applicant share their thoughts on  
21 the sidewalks to connect this property to the property to the north. Mr. Bingham  
22 indicated that this issue is something that will need to be looked at given the retention  
23 ponds. Mr. Snyder suggested that the engineers go through the plan to determine the  
24 street cross section and width and how much there is built into the space. The closest  
25 sidewalk is the bridge overpass on 1250 West. Just directly north, where the road  
26 terminates, it crosses the large drainage facility and there will be sidewalks in that  
27 Parrish Creek business park which will include a trail connection on the south side of  
28 the property out to 1250 West. Any type of sidewalk installed will incur a gap on the  
29 storm drainage area. Mr. Snyder stated that no sidewalks are required in Industrial  
30 Zones. Whether there is sufficient room to include sidewalks in this area would need to  
31 be researched. Chair Hirschi commented that since sidewalks are not required, a  
32 request for them would fall under the Conditional Use Permit and require a public  
33 hearing.

34  
35 At 7:38 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to  
36 comment, Chair Hirschi closed the public hearing.

37  
38 Commissioner Hirst made a **motion** to approve the Final Site Plan for Moto  
39 United Power Sports Dealership located at 940 and 960 North 950 West, with  
40 Conditions 1 - 12 and Reasons for the Action (a) - (c) as noted in the Staff Report.  
41 Commissioner Helgesen seconded the motion, which passed by unanimous vote (5-0).

42  
43 Chair Hirschi wished to make note that Condition #11 should read, "...in  
44 accordance with CZC 12.54."

45  
46 Conditions:  
47



1. Applicant shall combine the two lots (Lot 4 and 5 of the Hogan Office Park Subdivision) into one parcel and submit a copy of the recorded document for review and acceptance by the City Attorney prior to issuance of a building permit.
2. Ensure that all water meters are located or relocated outside of drive accesses in accordance with City Ordinances.
3. All applicable Utility Provider Sheets shall be submitted as part of the final site plan application.
4. Applicant will need to provide a stand-alone storm drain easement for the Northeast corner of the lot; the developer will need to provide a legal description for easement with Final Site Plan application. The storm drain easement must be submitted to the City Council for acceptance and recorded with the Davis County Recorder's Office prior to issuance of a building permit.
5. Public Utility Easements are to be vacated in the middle of the site.
6. Adequate fire safety measures and protections have been checked by South Davis Metro Fire Department.
7. Landscaping Plan is as approved, with Staff verification of the internal parking lot landscaping calculations at Building Permit, as amended and submitted on September 7, 2017.
8. The north building shall follow the same architectural style and materiality of the main building (Commission to weigh in on the use of the metal materials at the entry points), as approved by the Planning Commission that fits the architectural requirements as stated in CZC 12.35.080.
9. Construction plans and documents are amended and approved by the City Engineer at the time of Building Permit.
10. Parking calculations for repair, sales, warehouse, and display areas shall be adequately accounted for, staff verified, and amended if necessary at Building Permit.
11. All signs on site shall be compliant in accordance with CZC 12.54.
12. Final Site Plan approval is subject to the approval of Conditions listed for the Conditional Use Permit for this site.

*Reasons for the Action*

- a) *The final site plan submittal has adequately shown how the property may be developed [Section 12.21.110(e)].*
- b) *The development appears to be consistent with the goals and objectives found within the Centerville City General Plan [Section 12-480-3].*
- c) *The Final Site Plan that has been submitted depicts how the site could be appropriately developed and with some alteration could be designed to comply with the applicable provisions of the Industrial – High Zone and other relevant regulations, including a Conditional Use Permit, as discussed in the Planning Staff Report.*

Commissioner Helgesen made a **motion** for the Planning Commission to approve the Conditional Use Permit for Moto United Power Sports Dealership located at



940 and 960 North 950 West, subject to Conditions 1-9 and Reasons for Action (a) and (b) in the Staff Report. Commissioner Hayman seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. Conditional Use Permit is subject to the Final Site Plan as approved by the Planning Commission.
2. Conditional Use Permit shall only apply to the property at 940 and 960 North 950 West.
3. The Conditional Use Permit is limited to the use of "Vehicle and Equipment Rental or Sale".
4. All unloading of vehicles and equipment shall be done on-site and not in the public right of way.
5. The test driving of vehicles shall be limited to driving on-site and shall be prohibited in the public right of way unless such vehicles are authorized on public streets by state or local laws.
6. All outdoor storage and display vehicles shall be kept on site and not in the public right of way.
7. All signs and promotional elements shall be in compliance with CZC 12.54.
8. Any washing and detailing operations for vehicles and related equipment shall be addressed in their drainage and constructions plans and meet the storm water management provisions of the City.
9. The use shall comply with the City's Noise ordinance as stated in CMC 7.09.010.

Reasons for the Action

- a) *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 [CZC 12.21.100(e)(3)(A-D), 12-21-100(e)(5)(A-K)].*
- b) *Meets the requirement listed in order to approve a Conditional Use Permit as listed in CZC 12.21.100(d)(1), which is required for "Vehicle and equipment rental or sale," in Table of Uses, Chapter 12.36.*

Mr. Bingham wished to clarify that the sample materials that were passed around to the Commission for examination are acceptable in the Final Site Plan as approved. Chair Hirschi, along with the Commissioners, indicated they are acceptable.

**PUBLIC HEARING – GENERAL PLAN AMENDMENT – PAGES LANE  
COMMERCIAL DISTRICT**

Cory Snyder, Community Development Director, provided a recap of the process over the past several months. The City Council tasked the Commission with looking at the Southeast Neighborhood General Plan. This process was segmented into residential areas and the Pages Lane Commercial Area, which includes a section about



1 Main Street. Back in May of this year a public forum was held to invite residents,  
2 business owners and property owners to share their ideas with the Commission. In  
3 June, a joint work session with the Council and the Commission was held to discuss  
4 real property value and Park Impact Fees. In August, the Commission hosted a  
5 discussion with business and property owners, further narrowing down the ideas and  
6 establishing scenarios that carry the base framework of those ideas. Details of each  
7 scenario are included in the Staff Report. Mr. Snyder explained this area has been  
8 divided into the "eastern side" and the "western side." In general, the western side is  
9 maintaining some commercial and the eastern side is the portion of the General Plan  
10 that would be affected.

11  
12 Mr. Snyder went on to explain Scenario "A" addresses the redevelopment of the  
13 Pages Lane Commercial area and has added new language for both areas with  
14 significant changes pertaining to the eastern half. In brief, residential redevelopment is  
15 proposed for the eastern half with densities to be determined. Scenario "A" includes a  
16 second goal that stipulates before the City moves forward on the eastern side for actual  
17 rezone and redevelopment, that the City first initiates a study regarding the feasibility of  
18 a park, with size to be discussed later.

19  
20 Mr. Snyder then went on to explain Scenario "B" which makes no changes to the  
21 western side commercial area and includes similar language to Scenario "A" for the  
22 eastern half development. Where Scenario "A" differs from Scenario "B" is in language  
23 that reflects a public/private partnership for an open space to buffer the area between  
24 residential on the east and commercial on the west.

25  
26 Mr. Snyder noted that regardless of which scenario is chosen, the western side  
27 commercial will remain in its current status. Regarding the eastern commercial  
28 properties, the General Plan would state that they may continue as zoned commercial  
29 properties but they have an option to transition to residential areas when it is  
30 appropriate and then have the discussion about the green space. The amendment does  
31 not call out mixed uses but applies to future redevelopment only.

32  
33 Mr. Snyder noted that the discussion regarding residential medium density was  
34 Item #4 on the agenda this evening. Chair Hirschi agreed with Mr. Snyder that it would  
35 not be useful to have the discussion of one without the other. Chair Hirschi thanked the  
36 Staff for their work on this issue and proceeded to open the discussion for questions  
37 from the commissioners.

38  
39 Commissioner Johnson opened discussion regarding "densities" as they relate to  
40 the General Plan and not Zoning Codes. Because this is an amendment to the General  
41 Plan, Commissioner Johnson believes it would be useful to use exact terms and  
42 numbers when referring to densities in the General Plan as guidelines and objectives  
43 when establishing ordinances in the Zoning Code. Mr. Snyder discussed that the  
44 General Plan might contain general terms and then let the cards fall where they may  
45 when it comes to rezoning but that leaves all density categories up for debate when it  
46 comes to the rezone process. If it is the desire of the Commission to have specific



1 limitations in certain areas, then the better option would be to set a specific number so  
2 that during the rezoning process that number is reflected or has to be changed.

3  
4 Attorney Lisa Romney commented that the General Plan is intended to be an  
5 advisory document under Utah law and that most cities have moved away from making  
6 the General Plan mandatory. However, Centerville has kept the "old school" way of  
7 making some of the General Plan mandatory. For instance, when determining whether  
8 to rezone a particular piece of property, the Zoning Code requires the Commission and  
9 Council to determine whether the proposed rezone complies with the General Plan.  
10 Typically, the General Plan provides guidelines for planning and the Zoning Code  
11 implements such guidelines with more specific provisions. Given this framework, Ms.  
12 Romney suggested it may be more appropriate to refer to "residential-medium" zoning  
13 in the General Plan and then refer to the specific numbers for the various residential-  
14 medium zones in the Zoning Code. From a legal standpoint, Ms. Romney noted that  
15 the distinction between R4, R6, and R8 may be difficult to determine objectively.  
16 However, the distinctions in the proposed Zoning Code amendments for R-M gradation  
17 may help resolve the legal challenges. Ms. Romney would not recommend going with  
18 specific density numbers in the General Plan at this time unless a property-specific  
19 analysis is performed on each designation. She believes that the determination on a  
20 specific number should be made at the time of the application is received and analyzed  
21 as part of the rezone application review. Ms. Romney noted another benefit to leaving  
22 the references more general such as "medium" and "high" in the General Plan is that  
23 when the Zoning Code is amended, the General Plan does not need to be amended.

24  
25 Mr. Snyder cautioned that by using a specific number in the General Plan and  
26 then a gradation is adopted in the Zoning Code, the General Plan has capped the  
27 density and there is not room for adjustments at a later date. Commissioner Johnson  
28 noted that in the Staff Report, the language regarding "Medium Density," and "up to 8  
29 units" is outlined covering both cases. Chair Hirschi agreed this was a good point to  
30 make at this time.

31  
32 Mr. Snyder noted that the reason they included both "Medium Density" and "up to  
33 8 units per acre" in a private/public feature is something that's valuable. If another  
34 measure of gradation is chosen then that decision is made later and may not facilitate  
35 partnering for a feature or park.

36  
37 Chair Hirschi recommended striking the language, "up to 8 units" and just leave it  
38 at "Medium Density." Commissioner Johnson expressed concern about sending up the  
39 recommendation to the Council without defining "Medium Density." Mr. Snyder  
40 acknowledged Commissioner Johnson's concern but noted that he feels comfortable  
41 with this because the Residential Section of the General Plan does define "Low Density  
42 up to the 4, Medium Density up to 8, and High Density up to 12."

43  
44 At 8:03 p.m., Chair Hirschi opened the public hearing.

45  
46 Buck Swaney, representing Dika Properties – stated that he has been in the  
47 planning and development business for 20 years. He has helped many communities



with their General Plans and writing action plans for economic development. Mr. Swaney expressed the following concept points:

1. The property owners have a lot of time and money in this property. It is important to them that the incentives for change are crystal clear and that they are not in an accordion range somewhere between 4 and 8 units per acre. He explained the difference between 6 units per acre and 8 units per acre means the difference between seeing a transformation or not. The economics of redeveloping this property are between 8 and 10 units per acre. If 8 to 10 units is allowed, chances are within a year you would see transformation on this site. Otherwise, the property owners will let the economics play out as they may and the property will remain as it has since Dick's moved to Parrish Lane.
2. The private/public partnership opportunities will increase with increased density such as providing a clear cut density bonus for the dedication of park space. For example, if you have your base line units set at 8 units per acre, and the developer comes in and says we'll give you two acres of this to park, you will be able to create a bonus of 50% density for each acre contributed to the park. The developer is able to cluster those units together and also serve the public interest by creating a decent park with little or no economic or fiscal resources on the City's part. It is a win-win partnership.
3. The way the property currently stands it is set up for blight. With Rogers Memorial and Dick's leaving, the commercial value of the property has significantly decreased. The Ace Hardware lease has a 17 year fuse. If something to engender change is not done, the other properties will slowly be added to the lease inventory and a 17 year fuse will turn into a 20, 30 or 40 year fuse because the land owners have to make economic use of that land.
4. The opportunity to look at this as a public acquisition for a park is realistic only if the City is willing to pay for the property. If Centerville City has the funds to make a viable offer for the property, then the City can make an offer to purchase the property for the development of a park.
5. Other than commercial use, the only viable economic alternative is indoor storage. This would be a high quality storage site and add to the visual quality of the community under the threat of blight. However, the City's Table of Uses does not allow for this alternative.
6. The property owners are interested in transformation opportunities that are realistic and economic. They want to beautify the property. If the City provides them the tools they will be motivated to make the change and it will be good for Centerville City and its citizens.

Chair Hirschi closed the public comment period at 8:12 p.m. Chair Hirschi expressed that if the Commission is looking at sending up Scenario B, the private/public



1 partnership, it would be wise to consider the density bonus in order to obtain sufficient  
2 area to make a meaningful park. Commissioner Johnson questioned if that would be  
3 better addressed at the General Plan level or the Zoning Code level. Chair Hirschi said  
4 he doesn't believe that leaving the language in the General Plan as just "Medium  
5 Density" gives the City a lot of leeway. He suggested including some general language  
6 suggesting that higher density may be available.  
7

8 Mr. Snyder noted that there is a density bonus program available in the Zoning  
9 Code. However, the difficulty with that system is how it would apply in this situation. Mr.  
10 Snyder briefly reviewed the density bonus provisions currently in the Code.  
11

12 Commissioner Hayman stated that she has not previously considered the density  
13 bonus. In reviewing the two scenarios, she is struck by how small the parks are that are  
14 being considering. Her desire is to see the biggest park possible. The current language  
15 in both scenarios says "establish a neighborhood park, possibly two (2) to three (3)  
16 acres in size." Commissioner Hayman would like to see language in the plan that  
17 encourages as large a park that the City will support if there is such support for a park.  
18 Mr. Snyder agreed with Commissioner Hayman with one exception and that is the  
19 language regarding the conversion of residential and what is left and is that adequate  
20 space left for what is expected for the design. Commissioner Hayman expressed  
21 concern that much effort has gone into getting a park and then having it be "less than  
22 meaningful" would be disappointing.  
23

24 Regarding Alternative A, Objective 1, Commissioner Hayman would like the  
25 Parks and Recreation Committee to not only look at the need for a park in this area but  
26 also consider sufficient park types, i.e., dog park, skate-park, splash pad, etc.  
27 Commissioner Hirst agrees and believes this is more likely to happen with the  
28 private/public partnership with the density bonus. Commissioner Hirst would like the City  
29 Council to consider the cost of this redevelopment park and if there may be some other  
30 way to obtain a bigger return on investment. Chair Hirschi agrees that the City Council  
31 needs to weigh in on this issue and give the Commission specific counsel on the  
32 feasibility of the park. He recommends sending up both scenarios.  
33

34 Commissioner Hayman proposed an amendment to the language in Alternative  
35 A, Pages Lane/Eastern Block Segment, Goal 2, Objective 1, to include "...and diversity  
36 of park types" following "park space." Chair Hirschi asked for other amendments to the  
37 scenarios. Commissioner Johnson stated again that he is not comfortable sending the  
38 scenarios to the City Council without a number regarding density (see Alternative A,  
39 Pages Lane/Eastern Block Segment, Goal 1, Objective 2). Commissioner Hayman  
40 disagrees and believes leaving "Medium Density" and striking out "up to 8 units per  
41 acre" leaves flexibility for future planning.  
42

43 Regarding Alternative A, Pages Lane/Eastern Block Segment, Goal 2, Objective  
44 3, Commissioner Hayman proposes striking the language, "possibly two (2) to three (3)  
45 acres in size" and replace it with "of meaningful size, e.g., at least two (2) acres in  
46 size)." Commissioner Helgesen agrees in including a minimum amount of acreage.  
47



1 Commissioner Hayman made a **motion** to amend the language in Alternative A,  
2 Pages Lane/Eastern Block Segment, Goal 2, Objective 1, to include "...and diversity of  
3 park types" following "park space." Commissioner Hirst seconded the motion, which  
4 passed by unanimous vote (5-0).

5  
6 Commissioner Hayman made a **motion** to amend the language in Alternative A,  
7 Pages Lane/Eastern Block Segment, Goal 2, Objective 3, to read "...to establish a  
8 meaningful neighborhood park (of at least two (2) acres of size)." Commissioner Hirst  
9 seconded the motion, which passed by unanimous vote (5-0).

10  
11 Commissioner Hirst made a **motion** to strike the language in Alternative A,  
12 Pages Lane/Eastern Block Segment, Goal 1, Objective 2, that reads, "... (up to 8 units  
13 per acre)." Commissioner Hayman seconded the motion. Commissioner Johnson went  
14 on record stating that he is not inclined to vote for removal of the language so that the  
15 guidelines have more clarity on intention and allow for the possibility of something other  
16 than Medium Density. A roll call vote was taken with Commissioners Hayman,  
17 Helgesen, Hirst and Chair Hirschi assenting and Commissioner Johnson dissenting (4-  
18 1).

19  
20 Commissioner Hayman made a **motion** to present Alternative Scenarios A and B  
21 to the City Council with a request to receive guidance from them regarding the feasibility  
22 of some type of park, including Reasons for Action a) through h). Commissioner  
23 Helgesen seconded the motion which passed by majority vote (4-1), with Commissioner  
24 Johnson dissenting.

25  
26 *Reasons for Action:*

- 27  
28 a) *The Planning Commission finds that a decision to amend the General Plan is*  
29 *a matter within the legislative discretion of the City Council as described in*  
30 *CZC 12.21.060(a).*  
31 b) *The Planning Commission finds that there is a synergy distinction between*  
32 *the western and eastern halves of the Pages Lane area with viable*  
33 *commercial uses on the western half and long-term vacancies of within the*  
34 *eastern half.*  
35 c) *The Planning Commission finds there are still valuable opportunities along the*  
36 *collector and arterial streets to accommodate future housing needs of the*  
37 *City, such as the redevelopment of the eastern half of the Page Lane*  
38 *Commercial area.*  
39 d) *The Planning Commission finds that Centerville City has a strong desire to*  
40 *maintain a lower density single-family environment as described in the*  
41 *General Plan Element, "Residential Development" – Section 12-420.*  
42 e) *The Planning Commission finds that the residential areas of the Southeast*  
43 *Community are primarily single-family residential and should be afforded the*  
44 *General Plan polices of maintaining, as much as reasonably possible, a*  
45 *compatible style of housing.*



- 1 f) *The Planning Commission finds that a residential medium density is a more*  
2 *appropriate and compatible residential redevelopment scenario than is*  
3 *residential high.*  
4 g) *The Planning Commission finds that historical single-family development in*  
5 *the Community (e.g. R-1-8 Zoning) is also consistent with the lower end of*  
6 *Medium Density for residential development.*  
7 h) *Therefore, given the findings above, the amendments recommended by the*  
8 *Planning Commission are the appropriate future land use patterns for this*  
9 *neighborhood area.*

10  
11 Commissioner Hayman expressed appreciation to Staff for work performed on  
12 the alternatives. Mr. Snyder wished to thank the Commission for their patience with  
13 Staff throughout this process. Commissioner Johnson wished to express that he doesn't  
14 disagree with everything in the Alternative Scenarios, he simply wanted to send a  
15 message.

16  
17 **PUBLIC HEARING – ZONING TEXT AMENDMENTS FOR RESIDENTIAL-**  
18 **MEDIUM ZONES**

19  
20 Cory Snyder, Community Development Director, reviewed the background and  
21 history of this request. The City Council requested that the Planning Commission  
22 provide more tools regarding Medium Density for them to work with. The City Council  
23 would like a "gradation" of the allowed densities and the tools to apply it based on  
24 objective criteria.

25  
26 Mr. Snyder posed the question, "If the Planning Commission adopts a "gradation"  
27 of say 4, 6 and 8, along with proposed terms, how mandatory are the terms and what is  
28 the City trying to accomplish?" The proposal includes three category base elements  
29 from the ranges and eliminate the ranges. The objective is to 1) define the Residential-  
30 Medium Zone (R-M) with its purpose and application; 2) make changes to the Tables of  
31 Uses; and 3) adopt design standards, landscaping and private rights-of-way.

32  
33 Regarding CZC 12.30.020, Zone Purposes, Mr. Snyder explained the reasoning  
34 for certain language listed in (A) R-M-4 Zone, in the last sentence, "The expected," was  
35 included to get away from "typical uses" and used instead, "expected residential  
36 development". However, the main question remains – where does this get applied?

37  
38 Regarding CZC 12.36.020, Table of Uses for Residential Uses, Mr. Snyder  
39 explained that according to the Table, "multi-family" is permitted but in the Residential  
40 Density Table, 5 – 8 units is conditional. Mr. Snyder explained that when discrepancies  
41 occur the Code provision is applied because it is more restrictive. In order to rectify this,  
42 Mr. Snyder proposes a new category, "Permitted/Conditional Allowed" where the  
43 provision defines what is allowed.

44  
45 Regarding CZC 12.32.055(b), Mr. Snyder explained the proposal that multi-family  
46 plans require an architect to be engaged with the project to assist with design and  
47 layout cohesion at a staff level. He notes that Exterior Design Standards are fairly



1 generic and not trying to create an identity. If it is included at this level, it is moved out of  
2 the Conditional Use Permit requirement and alleviates tension. Likewise, it is proposed  
3 that active and passive spaces for green space be planned in the beginning and kept  
4 out of the CUP.

5  
6 Finally, Mr. Snyder proposed that (d), Use of Public and Private Roadways, be  
7 flexible with private lanes. However, he noted that these areas need to be designed well  
8 to avoid the City taking over maintenance in the future. For the safety of residents, the  
9 DRC suggests that wider roads, including 27' of pavement and 2' curb pans provides  
10 the space necessary for fire and emergency vehicles to access the area. This type of  
11 design would allow for 20 units. Allowing flexibility with sidewalks, alternative paths  
12 connecting to public streets, etc. are good design principles.

13  
14 Commissioner Hirschi thanked Staff for the report and explanation. Chair Hirschi  
15 shared Commissioner Wright's comments on this matter. Commissioner Wright "likes  
16 the idea of "gradation" although calling four (4) units per acre 'Residential Medium' is  
17 not realistic. Throughout the country, it is typical that four (4) units per acre is  
18 'Residential Low.'"

19  
20 Chair Hirschi asked for clarification on the designation of 4, 6 and 8 and if that  
21 eliminates the possibility of 5, 7, and 9? Mr. Snyder affirmed this is the intent. He would  
22 like to get away from the conditions being applied at a moment based on feedback and  
23 instead, keep it more objective. Chair Hirschi next asked for clarification on the R-M-6  
24 and R-M-8 regarding "areas where ground water may prohibit a basement." Mr. Snyder  
25 responded that this language comes out of the General Plan.

26  
27 Commissioner Hayman expressed concern that R-M-6 calls for twin homes and  
28 does not call out single family homes. She believes the City does not want to  
29 discourage single family homes at this level and suggests adding this design type into  
30 the R-M-6 section.

31  
32 Commissioner Johnson expressed concern with the Architectural Design  
33 Standards. Mr. Snyder clarified that an architect would need to be involved in the initial  
34 design concepts. This concept is based on the theory that if the architect is involved up  
35 front for the conceptual layout of the project, down the road sticking points may be  
36 avoided. Chair Hirschi agreed that having an architect involved up front may make R-M-  
37 6 more palatable for citizens. Mr. Snyder emphasized that "design" solves problems, not  
38 "density." The better the design, the more density drifts off to the background of  
39 concern. Chair Hirschi agrees and noted the design on 400 West is a good example of  
40 a well-designed community.

41  
42 Commissioner Hayman commented on the Exterior Design Standards (b)(3) that  
43 she is not comfortable with no allowance for half brick/half stucco in R-M-6. Mr. Snyder  
44 noted that stucco is not a great product for longevity but that a lot of problems in the  
45 past with stucco have been resolved. Commissioner Hayman believes that the  
46 restriction needs to be loosened. Mr. Snyder agreed that the mention of it is merely a  
47 starting point for discussion.



1 Ms. Younger noted two points, first, that the correct term is "gradation" and not  
2 "granulation," and second, she is not comfortable with calling four (4) units an acre  
3 "medium density." This should be designated as low density according to the definition  
4 in the General Plan. This creates a conflict. Mr. Snyder agreed and noted that the  
5 General Plan does call out four (4) units an acre as medium density and that permitted  
6 uses start at four (4) as well. The change for this would have to be at the General Plan  
7 level. Commissioner Hayman is also concerned about the designation of four (4) units  
8 as medium density. Mr. Snyder again noted that this can be changed but it would need  
9 to be at a different level than is currently being proposed. Chair Hirschi also agrees with  
10 Ms. Younger and Commissioners Hayman and Wright. Mr. Snyder raised the point of  
11 making R-M-6 and R-M-8 conditional or permitted?  
12

13 Chair Hirschi understands the Council would like the Commission to move  
14 forward quickly on this matter but he believes this issue requires more time and input.  
15 Commissioner Hayman agreed and would also like to have the input of the two absent  
16 Commissioners. Chair Hirschi thanked Staff for providing the proposals to the  
17 Commission expeditiously and providing the explanation.  
18

19 At 9:20 p.m., Chair Hirschi opened a public hearing.  
20

21 James Graham, Bell Property applicant – regarding the designation of the  
22 different zones, regarding PUDs and townhomes, the backyards are very important to  
23 the owners, especially those with dogs. He fears these developments are sometimes  
24 punished because they are required to include so much green space yet the backyard  
25 doesn't count towards that. He believes the 50/50 ratio for that would be beneficial to  
26 the R-M-6 and R-M-8 designations. Also, regarding the Brighton development, Mr.  
27 Graham knocked on every door in that development and he has several letters and  
28 messages regarding support for luxury townhomes as opposed to single family homes  
29 in that development. He feels that no one would buy a single family home with a storage  
30 unit across the street, commercial on one side, high density on one side and Home  
31 Depot in the backyard. It just doesn't make sense.  
32

33 Buck Swaney, of Murray, Utah – provided some technical pieces of input  
34 regarding low and medium density lot sizes that are used in Murray, Utah. Mr. Swaney  
35 noted that four (4) units per acre is standard low density. Next, Mr. Swaney referenced  
36 The Utah Land Development Management Act that allows for the creation of conditional  
37 uses. His concern is that the proposed "acceptable" uses that have conditions are not at  
38 some future time interpreted as a "conditional" use type of provision and that the  
39 changes have been reviewed for legality.  
40

41 Attorney Romney noted that she shares this concern and has previously  
42 expressed concern with the City's practice of approving increased density with a CUP.  
43 However, she also noted the CUP process does allow the City to review certain issues  
44 and require the developer to mitigate any established negative impacts of the  
45 development, such as traffic impact, buffering, etc. Mr. Snyder commented that this is  
46 where the Commission needs to make sure they are comfortable with a number  
47 attached to the density instead of a range so that decisions are based on objective



conditions. A balance between the political tension and the law needs to be achieved. Ms. Romney agreed stating that the elected officials are coming to the conclusion that the CUP is not an opportunity to deny the density, it is an opportunity to mitigate any proven negative impacts. Mr. Snyder cautioned about being black and white in the guidelines and being fearful of permitted uses at the expense of providing moderate income housing options.

Chair Hirschi proposed that the issue be tabled and that the public hearing be continued at the next meeting.

Commissioner Hayman made a **motion** to table the discussion regarding the Zoning Text Amendment – for Residential Medium Zones and to continue the public hearing until the next meeting. Commissioner Hirst seconded the motion, which passed by unanimous vote (5-0).

#### **MINUTES REVIEW AND ACCEPTANCE**

The minutes of the August 23, 2017 Planning Commission meeting were reviewed and amendments requested. Commissioner Hayman made a **motion** to accept the minutes, as amended. Commissioner Johnson seconded the motion, which passed 4-0, with Commissioner Helgesen abstaining.

Commissioner Hayman made a **motion** to make an agenda change to move the review of the minutes to the end of the meeting prior to the Community Development Director's Report for future agendas. Commissioner Hirst seconded the motion, which passed by unanimous vote (5-0).

#### **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

The next Planning Commission meeting is scheduled for September 27, 2017.

#### **ADJOURNMENT**

At 9:36 p.m., Chair Hirschi made a **motion** to adjourn the meeting. Commissioner Hayman seconded the motion, which passed by unanimous vote (5-0).

\_\_\_\_\_  
David Hirschi, Chair

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

\_\_\_\_\_  
Katie Farnsworth, Recording Secretary