

# 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 OCTOBER 11, 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 Meeting -- Final Site Plan -- SDC Investments Symphony Homes Office --  
111 S Frontage Road

ADMINISTRATIVE DECISION

Consider the proposed Final Site Plan for SDC Investments' Symphony Homes Office Building at 111 S. Frontage Road.

**E. MINUTES REVIEW and ACCEPTANCE**

7:30 September 27th, 2017

**F. ADJOURNMENT**

**CENTERVILLE  
PLANNING COMMISSION  
Staff Backup Report  
10/11/2017**

Item No. 1

Short Title: Public Meeting -- Final Site Plan -- SDC Investments Symphony Homes Office -- 111 S Frontage Road

Initiated By: Robert Miller, Applicant

Scheduled Time: 7:10

**SUBJECT**

**ADMINISTRATIVE DECISION**

Consider the proposed Final Site Plan for SDC Investments' Symphony Homes Office Building at 111 S. Frontage Road.

**RECOMMENDATION**

Refer to Staff Report

**BACKGROUND**

Refer to Staff Report

**ATTACHMENTS:**

Description

- ☐ Staff Report SDC Final Site Plan
- ☐ Elevations
- ☐ Site Plan 10-4-17

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

**STAFF REPORT  
AGENDA: ITEM 1**

**PROPERTY OWNER  
& APPLICANT:**

**ROBERT MILLER  
SDC INVESTMENTS  
526 N 400 WEST  
NORTH SALT LAKE UT 84054**

**PROPERTY LOCATION: 111 SOUTH FRONTAGE ROAD**

**PARCEL SIZE: 1.62**

**PARCEL NUMBER: 02-026-0070**

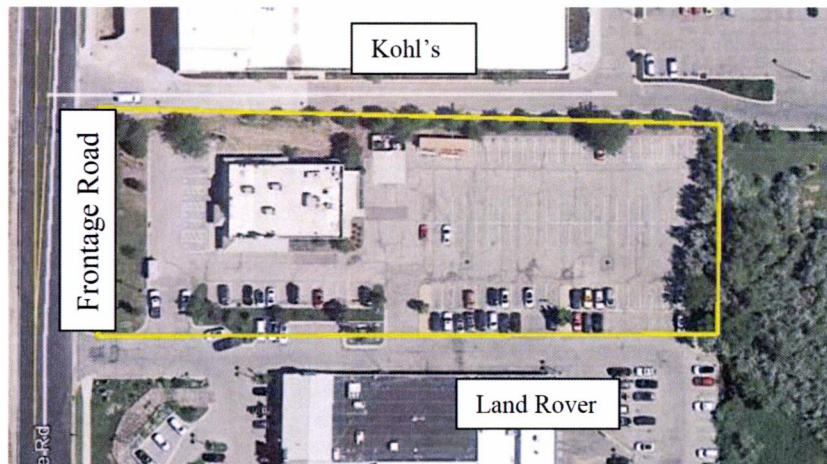
**ZONING DISTRICT: COMMERCIAL-VERY HIGH**

**APPLICATION: FINAL SITE PLAN**

**STAFF RECOMMENDATION: APPROVE WITH CONDITIONS**

**Background**

SDC Investments and Symphony Homes have proposed an office and showroom space at 111 S Frontage Road. This site was previously a Ruby River and has been sitting vacant for some time. Because this lot was previously part of the southern lot (which Land Rover is on), there was some discrepancy over whether this was legally subdivided from Land Rover back in 1997. After finding the minutes from the date of this subdivision, staff has discovered that the date of origination for this parcel is September 5, 1997.



This proposed commercial development provides predominately office uses for the building, with an upgrade in visual appeal in regards to architecture and landscaping for the area as a whole.

**Landscaping and Screening– 12.51.**

| <b>Required Landscaping Summary Chapter 12-51</b> |                                                           |                               |                          |
|---------------------------------------------------|-----------------------------------------------------------|-------------------------------|--------------------------|
| <b>Guidelines</b>                                 | <b>Standard</b>                                           | <b>Required Site Specific</b> | <b>Actual/Compliance</b> |
| Total Landscaping Area                            | 15%                                                       | 10,591                        | 14,777 SF = 21%          |
| Total Required Trees                              | 1 Tree per 500 square feet of <i>required</i> landscaping | 14                            | 17+<br>6<br>Yes          |
| Trees for Street Frontage                         | 1 per 25 linear feet                                      | 6                             |                          |
| Building Frontage/Foundation                      | 50%                                                       | ~30 feet                      |                          |
| Total Interior Parking Lot Landscaping            | 7%                                                        | 3027 SF                       | 4,693= 11% = Yes         |
| Total Interior Parking Lot Trees and Shrubs       | For every six <i>required</i> stalls: 1 tree              | 16.3                          | Yes                      |
|                                                   | For every six <i>required</i> stalls: 2 shrubs            | 32.6                          | Yes                      |

Some of the landscaping is existing on the site already and will not be torn up during renovations.

**Parking – 12.52**

| <b>Parking requirement</b>            | <b>Calculation</b> | <b>Needed</b>         | <b>Provided</b> | <b>Compliance</b> |
|---------------------------------------|--------------------|-----------------------|-----------------|-------------------|
| <b>Construction Sales and Service</b> | 1 per 250 SF       | <b>6,913/ 250= 28</b> |                 |                   |
| <b>Office</b>                         | 1 per 200 SF       | <b>12,698/200= 63</b> |                 |                   |
|                                       |                    | <b>91</b>             | <b>102</b>      | <b>+11</b>        |

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

All drive aisles within the parking lot shall be at 25 to allow to two way traffic.

**Signs 12.54**

No signs have been submitted for this property yet – when ready, they will need to follow the CZC 12.54 (Signs) and submit proper permits.

### **Architectural Design**

Submitted architectural design (see attached) include a three story building with brick or stone at the bottom, many dimensions throughout the building, with balconies and a patio in the back.

### **PREVIOUS CONDITIONS FROM CONCEPTUAL:**

1. Legality of the subdivision of the property between 111 S Frontage Road and 155 S Frontage Road should be determined before accepting Final Site Plan. **COMPLETE – Subdivision minutes provided from September 5<sup>th</sup>, 1997.**
  - a. If legally subdivided, the applicant shall provide a cross-access agreement to establish a legal shared access between this site and the Land Rover site at 155 S Frontage Road. – **An easement agreement was found between Lone Star Steakhouse and Saloon of Utah and Benchmark, Inc. from 1997.**
  - b. If not legally subdivided, the applicant shall also submit a Lot Split/Small Subdivision application along with the Final Site Plan, in accordance with CMC 15.02.070.
2. A Final Site Plan application shall be submitted following the criteria found in CZC 12.21.110(e)(2). **COMPLETE**
3. A complete landscape plan shall be prepared by a licensed landscape architect and follow the criteria found in CZC 12-51 (Landscaping and Screening). This plan shall be submitted with the final site plan and indicate the following: Type and location of all vegetation, total calculations and percentages of landscaping vegetation, and irrigation plan. Preference is given to designs and plans with xeriscaping and drought tolerant species. **COMPLETE**
4. A fence surrounding the outdoor storage shall be included in the Final Site Plan. **N/A**
5. If the applicant shall have a tenant that follows under “Retail, general”, a Conditional Use Permit shall be required. The CUP will need to comply with the objectives found in CZC 12.21.100. **N/A**
6. Applicant shall submit with Final Site Plan application a title report or other documentation evidencing all easements of record recorded against the subject property. Applicant shall address any issues regarding the swale area and/or easements restricting improvements in this area of the property along Frontage Road. **TITLE – YES, BUT NO EASEMENTS RECORDED**
7. Applicant shall dedicate public utility easements in accordance with applicable City Ordinances if not currently existing on the property. **NOT COMPLETE**

**PROPOSED ACTION:** I hereby make a motion for the Planning Commission to APPROVE the Final Site Plan for the SDC Investments Commercial Office at 111 S Frontage Road, with the following conditions:

1. Applicant shall dedicate to the City the required public utility easements on three sides of the parcel or lot in accordance with applicable City Ordinances. Applicant shall be required to prepare the legal descriptions (and associated drawings) for the public utility easements and submit the same to the City Attorney and City Engineer for review. The City Engineer shall review the easement descriptions for accuracy. Thereafter, the City Attorney shall prepare the associated easements for review and acceptance by the City Council. All public utility easements must be submitted to the City Council for acceptance and recording prior to the issuance of a building permit.

2. All drive aisles and parking stall measurements shall meet our City Ordinances, as stated in our Code. Drive aisles within the parking lot shall be at 25' to allow for two way traffic as states in our Code.
3. Final Site Plan is approved as submitted on October 4, 2017, and the Landscaping Plan as submitted September 20<sup>th</sup>, 2017.

**REASONS FOR ACTION**

- a) The final site plan submittal has adequately shown how the property may be developed [CZC 12.21.110(e)].
- b) The development appears to be consistent with the goals and objectives found within the Centerville City General Plan 12-480-2, 2 (c)
- c) "Office" and "Construction, Sales and Service" are permitted uses in a Commercial-Very High Zone, as found in the Table of Uses, CZC 12.36.040.



**NIELSON**  
ARCHITECTURE/PLANNING, INC.  
Kelly Nielson, Architect  
1333 South 2375 West, Suite 64075  
Salt Lake City, UT 84119  
(801) 564-7200, kellynielson@gmail.com

IN ASSOCIATION WITH:



1438 S. LEGEND HILLS DR. #200  
CLEARFIELD, UTAH 84015  
801.217.3727

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PROJECT NAME:  
**SYMPHONY  
DESIGN CENTER**

**LOCATION INFO:**

XXX  
XXX  
XXX

**PLAN NAME:**

XXX

**REVISION DATE:**

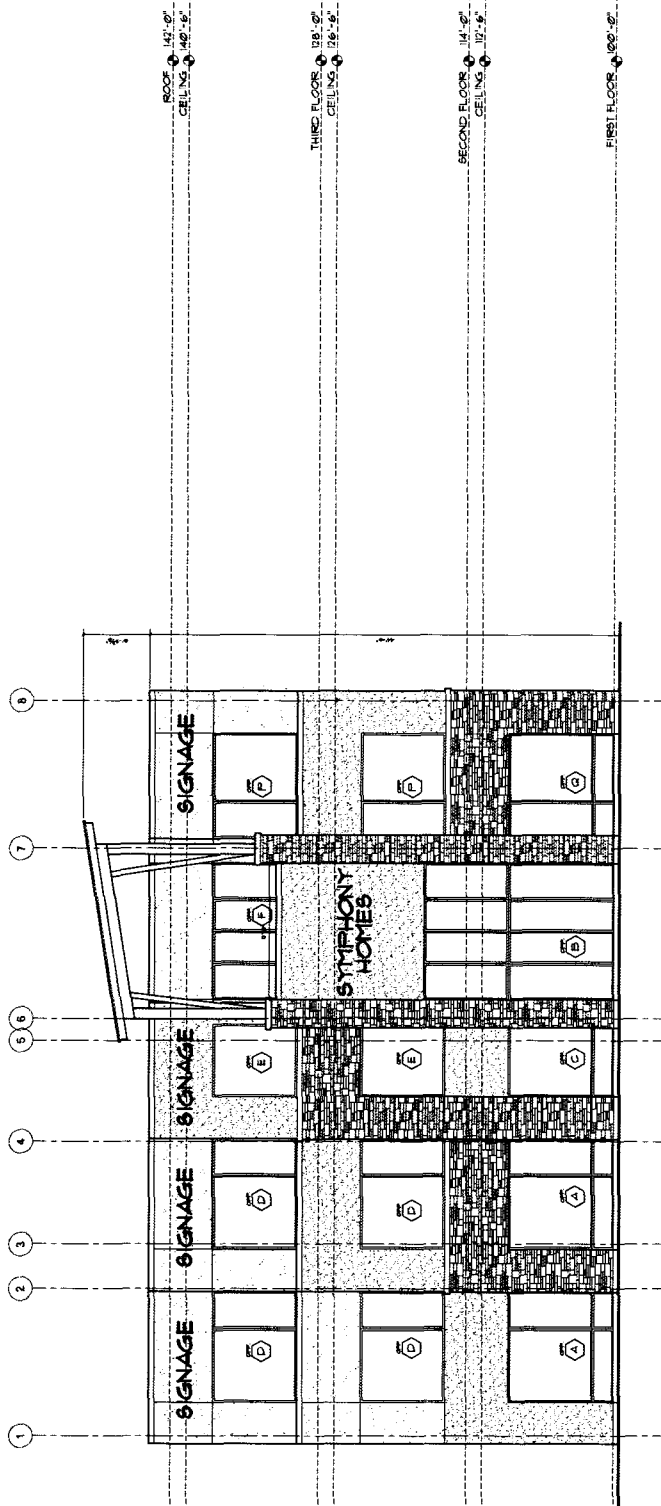
APRIL 11, 2018

SYMPHONY DESIGN CENTER - 2ND FLOOR

**WEST  
ELEVATION**

**A2|1**

| EXTERIOR MATERIALS |                         |
|--------------------|-------------------------|
| 1. STONE           | 100% - 100' x 10' x 10' |
| 2. BRICK           | 100% - 100' x 10' x 10' |
| 3. GLASS           | 100% - 100' x 10' x 10' |
| 4. METAL           | 100% - 100' x 10' x 10' |
| 5. WOOD            | 100% - 100' x 10' x 10' |
| 6. CONCRETE        | 100% - 100' x 10' x 10' |
| 7. TERRAZZO        | 100% - 100' x 10' x 10' |
| 8. CERAMIC TILE    | 100% - 100' x 10' x 10' |
| 9. GRANITE         | 100% - 100' x 10' x 10' |
| 10. MARBLE         | 100% - 100' x 10' x 10' |



**WEST ELEVATION**

SCALE: 1/8" = 1'-0"





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PROJECT NAME:  
**SYMPHONY  
DESIGN CENTER**

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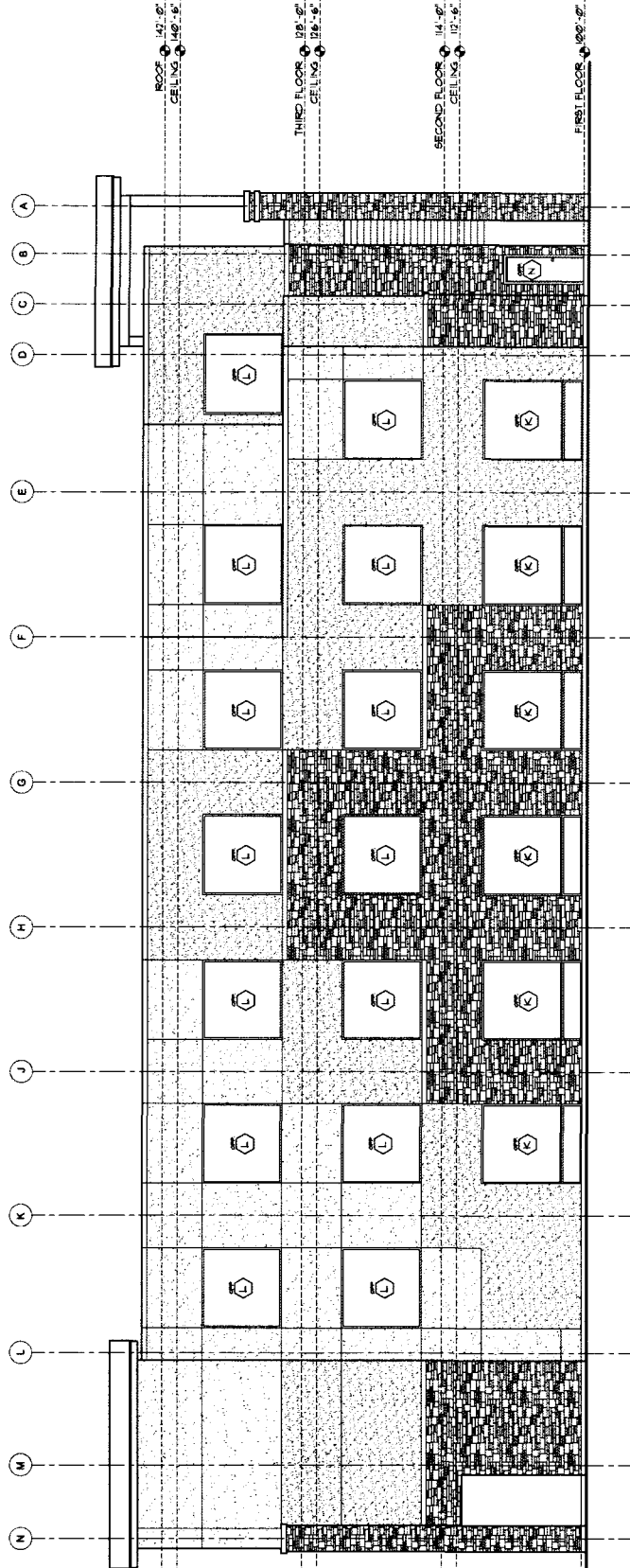
**REVISION DATE:**

APRIL 11, 2018

**NORTH  
ELEVATION**

**A2 | 2**

| EXTERIOR MATERIALS                                   |        |
|------------------------------------------------------|--------|
| 1. BRICK                                             | 100 SF |
| 2. STONE                                             | 100 SF |
| 3. GLASS                                             | 100 SF |
| 4. METAL                                             | 100 SF |
| 5. WOOD                                              | 100 SF |
| 6. CONCRETE                                          | 100 SF |
| 7. TERRAZZO                                          | 100 SF |
| 8. CERAMIC TILE                                      | 100 SF |
| 9. GRANITE                                           | 100 SF |
| 10. MARBLE                                           | 100 SF |
| 11. SLATE                                            | 100 SF |
| 12. LAMINATE                                         | 100 SF |
| 13. VINYL                                            | 100 SF |
| 14. RUBBER                                           | 100 SF |
| 15. POLYURETHANE                                     | 100 SF |
| 16. POLYESTER                                        | 100 SF |
| 17. POLYPROPYLENE                                    | 100 SF |
| 18. POLYETHYLENE                                     | 100 SF |
| 19. POLYIMIDE                                        | 100 SF |
| 20. POLYACETAL                                       | 100 SF |
| 21. POLYCARBONATE                                    | 100 SF |
| 22. POLYETHERETHERKETONE                             | 100 SF |
| 23. POLYETHERETHERSULFONE                            | 100 SF |
| 24. POLYETHERKETONE                                  | 100 SF |
| 25. POLYETHERSULFONE                                 | 100 SF |
| 26. POLYIMIDESULFONE                                 | 100 SF |
| 27. POLYACETALSULFONE                                | 100 SF |
| 28. POLYCARBONATESULFONE                             | 100 SF |
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| 49. POLYCARBONATESULFONESULFONESULFONESULFONE        | 100 SF |
| 50. POLYETHERETHERKETONESULFONESULFONESULFONESULFONE | 100 SF |



**NORTH ELEVATION**

SCALE: 1/8" = 1'-0"



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SYMPHONY  
DESIGN CENTER

**LOCATION INFO:**

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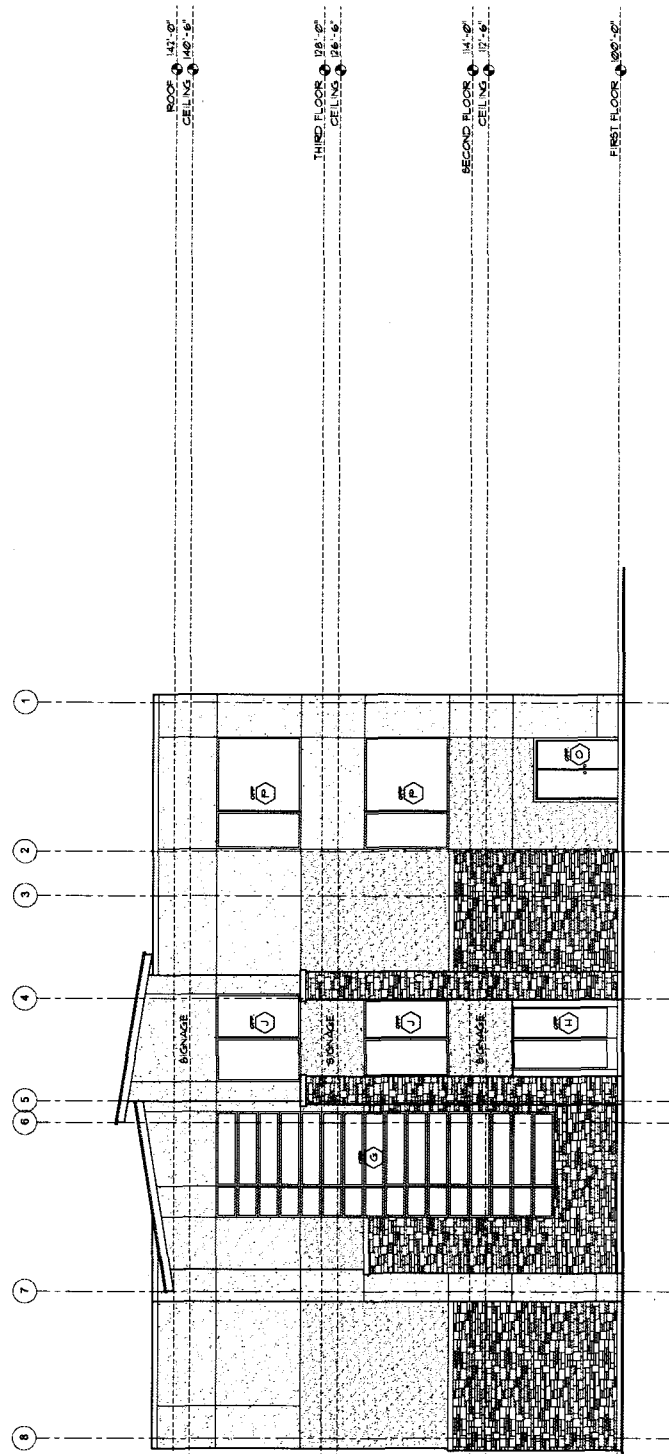
**REVISION DATE:**  
APRIL 11, 2018

PROJECT: SYMPHONY DESIGN CENTER

**EAST  
ELEVATION**

**A2 | 3**

PAGE 9 OF 18



**EAST SIDE ELEVATION**



SCALE: 1/8" = 1'-0"



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**SYMPHONY  
DESIGN CENTER**

**LOCATION INFO:**  
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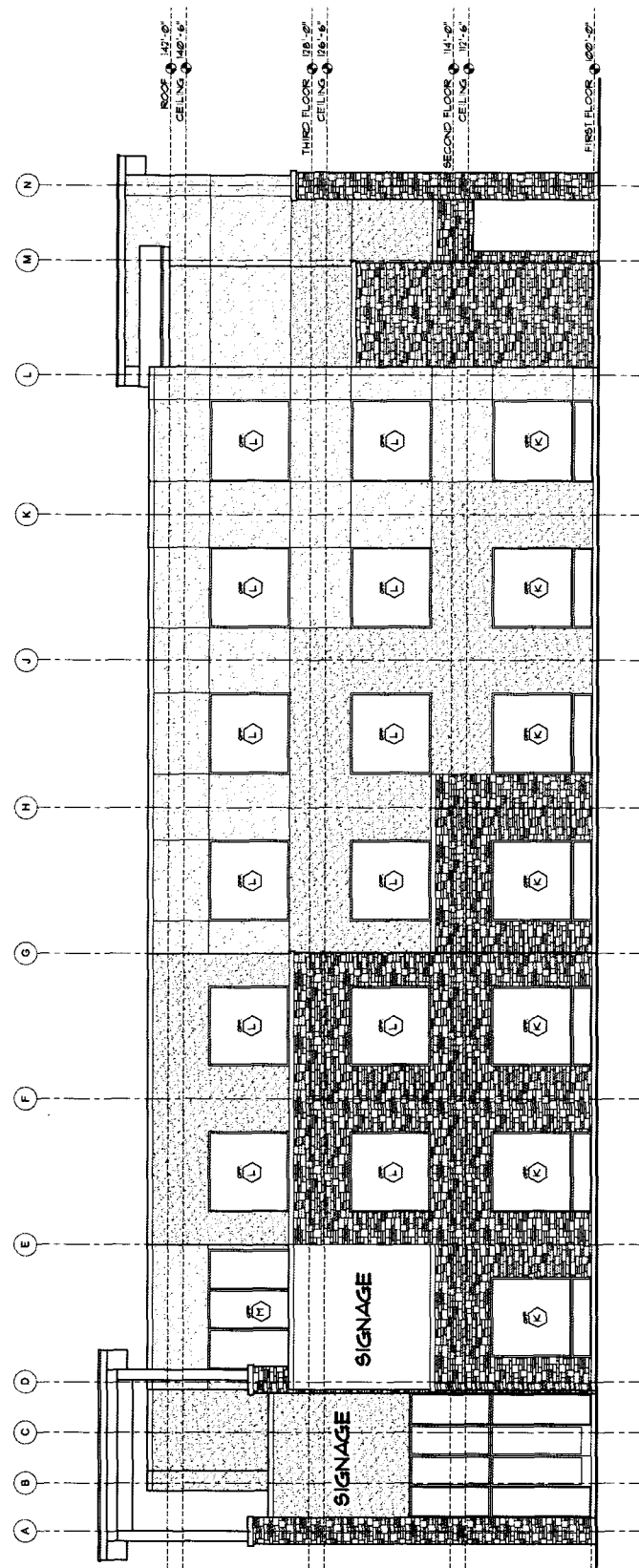
**REVISION DATE:**  
APRIL 11, 2018

SYMPHONY DESIGN CENTER - 1436 S. LEGEND HILLS DR. - 200

**SOUTH  
ELEVATION**

**A2 | 4**

PAGE 10 OF 18



**SOUTH SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"





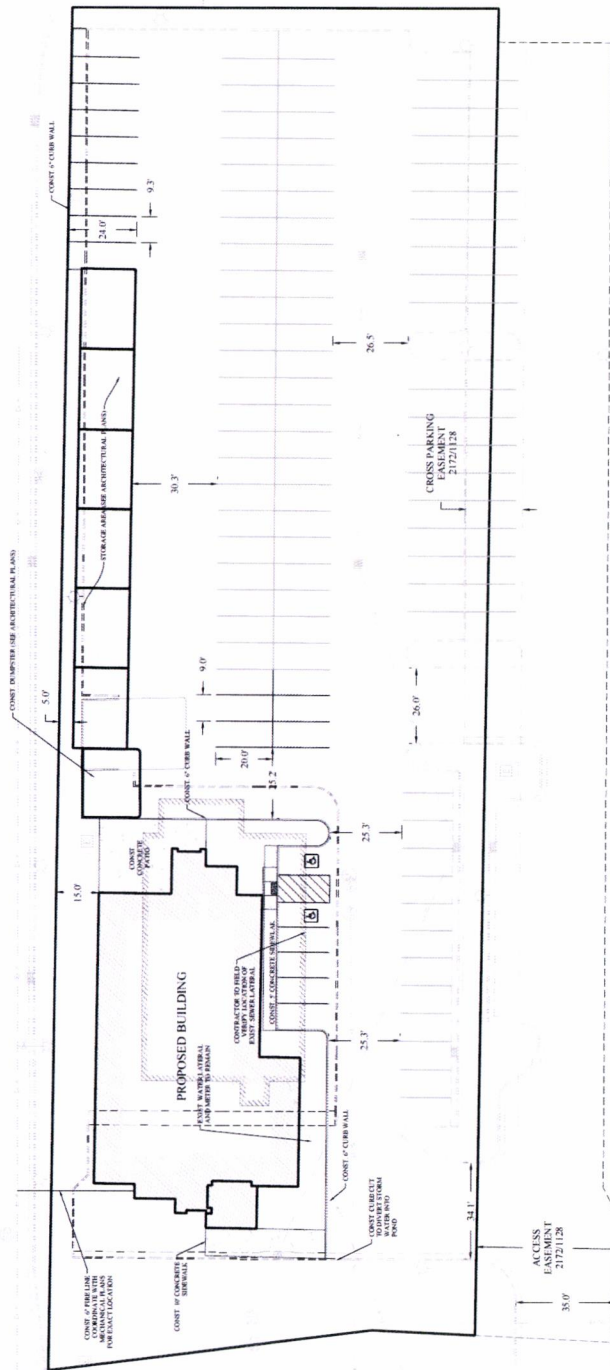
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| 100        | 100 | 100        | 100 |

1. THE PROPERTY IS CURRENTLY LOCATED IN THE EXISTING 100 YEAR FLOOD PLAN MAP. APPLICANT IS CURRENTLY IN THE PROCESS OF GETTING A CLOMA LETTER FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
2. CONSTRUCTION SCHEDULE: TO START BUILDING SHORTLY AFTER ALL APPLICABLE APPROVALS HAVE BEEN GRANTED.

LOCATED IN CENTERVILLE, UTAH

|                              |                   |
|------------------------------|-------------------|
| TOTAL FLOOR SPACE (3 FLOORS) | 21,048 SQFT       |
| MAIN                         | 6913 SF           |
| SECOND FLOOR                 | 6666 SF           |
| THIRD FLOOR                  | 6032 SQFT         |
| OPEN SPACE                   | 14,777 SQFT (21%) |
| PARKING SPACES               | 102 SPACES        |
| PARKING LOT AREA             | 43,254 SQFT       |
| PARKING LOT LANDSCAPE        | 4,693 SQFT (11%)  |
| TOTAL AREA                   | 70,612 SQFT       |

LOT 202  
CENTERVILLE MARKETPLACE  
SUBDIVISION  
PHASE 2



FRONTAGE ROAD (PUBLIC - 80' WIDE)

C02 SITE AND  
UTILITY PLAN  
- XX

|       |                                |          |        |
|-------|--------------------------------|----------|--------|
| Sale: | 1 <sup>st</sup> N <sup>o</sup> | Station: | GBD    |
| Date: | 01/11/17                       | Adm #:   | 16-305 |
| Back: |                                |          |        |

SDC INVESTMENTS - OFFICE BUILDING  
CENTERVILLE CITY, DAVIS COUNTY, UTAH  
C02 SITE AND UTILITY PLAN - XX



DESCRIPTION

**CENTERVILLE  
PLANNING COMMISSION  
Staff Backup Report  
10/11/2017**

Item No.

Short Title: September 27th, 2017

Initiated By:

Scheduled Time: 7:30

**SUBJECT**

**RECOMMENDATION**

**BACKGROUND**

**ATTACHMENTS:**

Description

- ▣ 9-27-2017 Planning Commission meeting minutes

**PLANNING COMMISSION MINUTES OF MEETING**

**Wednesday, September 27, 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 7:00 p.m.

**MEMBERS PRESENT**

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

**MEMBER ABSENT**

Kevin Daly

**STAFF PRESENT**

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

**VISITORS**

Interested citizens (see attached sign-in sheet)

**PLEDGE OF ALLEGIANCE**

**OPENING COMMENT/LEGISLATIVE PRAYER**

Chair Hirschi

**PUBLIC HEARING – ZONE TEXT AMENDMENT – “CATERING, LIMITED” IN C-M ZONES**

Cassie Younger, Assistant Planner reviewed the Staff Report outlining the history of CupBop, the applicant, and their desire to establish a location with an industrial kitchen to provide catering services. Ms. Younger explained that the Zoning Code currently does not contain a definition for catering services.

Ms. Younger presented the proposed new definition for “Catering, Limited” to be added to the Table of Uses to include both catering and food services contract including a *limited* number of catering transport vehicles. A specific number of permitted catering transport vehicles was intentionally not included due to differences in size and capacity of businesses. By using the term *limited*, the definition should sufficiently prohibit a large

1 fleet of vehicles at any given location. The definition specifically calls out the prohibition  
2 of mobile food trucks, food carts, or any other mobile food service uses.

3  
4 Ms. Younger noted the location that CupBop is considering at 200 South Main  
5 Street does fall in the Main Street Overlay Zone. Staff believes the applicant generally  
6 fits the General Plan guidelines of what uses are permitted in commercial zones and  
7 recommends a Conditional Use Permit be required for this type of use within  
8 commercial zones.

9  
10 Nate Hatch, representative of CupBop, addressed the Commission regarding  
11 viability of the building and basic operation of the business.

12  
13 At 7:21 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to  
14 comment, Chair Hirschi closed the public hearing.

15  
16 Commissioner Helgesen expressed concerns about this type of use along Main  
17 Street. Commissioner Wright agrees with Commissioner Helgesen and is concerned  
18 about the appropriateness of the use relating to this type of business. Mr. Snyder  
19 reminded the Commission that the permitted uses right now are low and it is preventing  
20 growth on Main Street. He believes that the City should not limit growth to businesses  
21 that will only serve Centerville citizens. Commissioner Johnson believes there is  
22 considerable benefit to having a good tenant in the building.

23  
24 Commissioner Hayman made a **motion** to approve the stated definition of  
25 "Catering, Limited" as stated in the Staff Report and the allowed use of a Conditional  
26 Use Permit in Commercial-Medium Zone with the following directive in the Staff Report  
27 and Reasons for Action (a) through (f). Commissioner Johnson seconded the motion. A  
28 roll-call vote was taken with Commissioners Johnson, , Hirst and Hayman assenting  
29 and Commissioners Wright and Helgesen dissenting. The motion passed by majority  
30 vote (4-2).

31  
32 Directive:

- 33  
34 1. Parking calculations should be established by the zoning administrator at the  
35 time the use is approved.

36  
37 Reasons for the Action:

- 38  
39 (a) *The Planning Commission finds that the "decision to amend the Zoning*  
40 *Code is a matter within the legislative discretion of the City Council" as*  
41 *described in [CZC 12.21.060(a)(1)(C)].*  
42 (b) *The new definition of "Catering, Limited" while listing it as a Conditional*  
43 *Use in Commercial-Medium Zones is consistent with the goals, objectives*  
44 *and policies of the General Plan [Section 12-420-2.2].*  
45 (c) *The Planning Commission finds that the Main Street commercial area is*  
46 *old now and somewhat deteriorating, though a few new buildings have*  
47 *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 [CZC 12.52.060].*

Commissioner Johnson made a **motion** that the Planning Commission recommends that Staff further examine the acceptable zones for this use and review amending the Zoning Code accordingly with Reasons for Action (a) through (b) in the Staff Report. Commissioner Hayman seconded the motion. The motion passed by unanimous vote (6-0).

Reasons for Action:

(a) *The Planning Commission finds that the “decision to amend the Zoning Code is a matter 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.*

**PUBLIC HEARING – CONCEPTUAL SUBDIVISION PLAT – MOSS ACRES –  
2026 NORTH MAIN**

Cassie Younger, Assistant Planner, reviewed the history of the property being rezoned from Agriculture-Low to Residential-Low as well as the historical home on the site. This property also lies in the Hillside Overlay. Ms. Younger reviewed the requirements for single-family lots on a slope for frontage allowances. Cory Snyder, Community Development Director, explained that because there is no minimum lot size, under State law, the Land Use Management Act states that if there is something unclear or that is being debated, the Commission is required to interpret it in favor of the property owner.

Chad Morris, representative of applicant, addressed the issues regarding access to the property by rerouting the existing driveway or doing some shared driveway access. Mr. Morris would like to see the frontage requirement for slope based on a ratio. Mr. Snyder agrees there needs to be a balance between lots sizes and requirements. The applicant could achieve this by requesting an amendment to the Zoning Code or seeking to qualify for a variance from the Board of Adjustment.

Chair Hirschi pointed out that one of the conditions (#2) is that the preliminary subdivision plat shall also meet the requirements of the Hillside Overlay for Preliminary Review and that the issue regarding slopes and frontage would be revisited at that point. For now, the Planning Commission is only voting on the conceptual subdivision plan generally.

At 7:53 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to comment, Chair Hirschi closed the public hearing.

Commissioner Wright made a **motion** that the Planning Commission accept the Conceptual Subdivision Plat at 2026 North Main, with Directives (1) – (5) and Reasons for Action (a) through (f) as outlined in the Staff Report. Commissioner Helgesen seconded the motion. The motion passed by unanimous vote (6-0).

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 in CZC 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.

Reasons for Action:

- (a) *The conceptual subdivision appears to be consistent with the General Plan.*
- (b) *Adequately meets the Subdivision Ordinance Standards in CMC 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 [CZC 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).*

**PUBLIC HEARING – ZONE MAP AMENDMENT AND CONCEPTUAL PLAN –  
LEGACY COMMONS – NW CORNER OF 1250 WEST AND PARRISH LANE**

Commission Johnson excused himself from the meeting for this agenda item due to a conflict of interest.

1 Cory Snyder, Community Development Director, reviewed the history of this  
2 property located at the northwest corner of Parrish Lane and 1250 West. Generally, the  
3 applicant wishes to use the West Centerville Neighborhood Plan that allows for mixed  
4 use with both commercial and residential uses.  
5

6 Mr. Snyder outlined a few of the issues with the property including access to the  
7 property from Parrish Lane that is owned by the Utah Department of Transportation  
8 (UDOT). The applicant and Staff have both met with UDOT separately to discuss the  
9 access issues. At a conceptual level, the City Engineer believes this proposal could  
10 move forward and reach a consensus as more detailed plans are presented.  
11

12 Mr. Snyder next outlined the uses of the property which include a hotel, two  
13 commercial pads (such as a restaurant and coffee house), and residential units. As far  
14 as the layout of the design, Mr. Snyder reviewed the Parrish Lane Design Guidelines  
15 and how they were applied to the project. Part of the discussion with the applicant has  
16 been to use concrete instead of asphalt as a better product in the market place and a  
17 better way to the trail. Mr. Snyder considers this type of project would create synergy in  
18 this neighborhood and that opposition to density on the Westside of Centerville is low.  
19 At this time, with the amount of details provided by the applicant, Staff recommends  
20 moving forward with the proposed PDO rezone amendment.  
21

22 Spencer Wright, applicant, addressed the Commission regarding the property  
23 and proposed development. Applicant desires to have this PDO applied to this property  
24 with commercial on the southern portion and residential, multi-family, on the northern  
25 portion.  
26

27 Mr. Wright explained the hotel developer is a local group that owns other hotels  
28 in the area. The proposed hotel would be four (4) stories and include about one hundred  
29 (100) rooms. Mr. Wright was unsure whether the hotel would include conference and  
30 meeting rooms but feels it could be included.  
31

32 Commissioner Wright asked for clarification regarding the color palette. The  
33 applicant is open to suggestions and would like to use a color scheme that the City  
34 approves of and that meet the Design Standards.  
35

36 At 8:24 p.m., Chair Hirschi opened the public hearing. Seeing no one wishing to  
37 comment, Chair Hirschi closed the public hearing.  
38

39 Commissioner Hayman expressed excitement for this use and feels it is a great  
40 use of the space.  
41

42 Commissioner Hirst made a **motion** that the Planning Commission recommend  
43 approval for the PDO Rezone and Conceptual Plan for the Legacy Commons, with the  
44 Directives (a) through (f) as outlined in the Staff Report and with the Reasons for Action  
45 (a) through (h) outlined in the Staff Report (note numbering changes from Staff Report).  
46 Commissioner Hayman seconded the motion. The motion passed by unanimous vote  
47 (5-0).

Directives:

- a. The **Development Design for the Legacy Commons** shall be substantially consistent with the plan layout received by the City on September 7, 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 located 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 be 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 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)d*
- f. The **Development Variations Allowed** for the Legacy Commons are limited to the following:
- Parrish Lane Gateway Design Standards [Section 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 [CZC 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.

Reasons for Action:

- (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:*
  - *Farmington Station Park was developed after the West Centerville Plan adoption*
  - *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.*
- (f) *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.*
- (g) *Master Planning the entire area is better suited to address any impacts than to piecemeal development under already long list of permitted commercial uses.*
- (h) *Lastly, considering a PDO rezone provides an enhanced tool to address any development related concerns and maximize the development opportunities for the entire site.*

**PUBLIC HEARING – ZONE TEXT AMENDMENTS FOR RESIDENTIAL MEDIUM ZONES**

Cory Snyder, Community Development Director, provided a summary on the matter. The General Plan caps R-L at four (4) units per acre, medium density is four (4) to eight (8) with high density as eight (8) to twelve (12). The issue is with zoning and the General Plan not being congruent. In order to resolve this, Staff proposes creating a R-M global architecture of the multi-family zones and the R-M-4 is the lower base. The goal is not to allow the General Plan to be interpreted as only R-M-4. Staff agrees that the R-L Zone should be revisited in the future regarding single-family at five (5) units per acre versus multi-family that is only at four (4) units per acre. This issue is not addressed in this proposal.

1 Commissioner Wright expressed that she is uncomfortable with the idea of four  
2 (4) units an acre being termed Medium Density.

3  
4 Mr. Snyder explained the General Plan currently does not permit residential  
5 density at five (5) units an acre for single-family but it does allow for four (4) units multi-  
6 family in a multi-family expected zone. This allows for townhomes that are generally  
7 considered more affordable than single-family stand-alone dwellings. This is required  
8 under residential medium.

9  
10 City Attorney Lisa Romney commented that Section 12-420-2 of the General  
11 Plan defines low density residential as 0-4, medium density residential as 5-8, and high  
12 density residential as 9-12 units per acre. Staff agreed with Ms. Romney and reiterated  
13 that the Council simply wants tools for more variation in the R-M Zone. Mr. Snyder also  
14 expressed that the purpose statements are important in the construction of the  
15 language due to the fact that in creating R-M-4, R-M-6 and R-M-8 categories, the  
16 concern is that the default will be R-M-4. In response to concerns from the Planning  
17 Commission about the R-M-4 proposal, Ms. Romney said they could just go with the R-  
18 M-6 and R-M-8 zones with four (4) units permitted with five (5) and six (6) conditional in  
19 the R-M-6 Zone and four (4) to six (6) units permitted and seven (7) and eight (8) units  
20 conditional in the R-M-8. Commissioners Hayman and Wright concurred with Ms.  
21 Romney. However, Mr. Snyder reminded the Commission that the Zoning Code for the  
22 R-M density zones include four (4) units per acre "permitted" with eight (8) units per  
23 acre conditional and that this particular part of the Zoning Code is not being amended at  
24 this time.

25  
26 Chair Hirschi discussed his concerns regarding developers coming in with a  
27 request for a six-plex on a piece of property that would qualify for R-M-6 and it is just  
28 zoned R-M, how is a developer to know this unless they were to ask? Mr. Snyder  
29 explained they will look at the map first and then go to the ordinance for the explanation.  
30 The purpose statements explain what type of R-M is allowed. Commissioner Johnson  
31 questioned if this isn't a backdoor approach to obtaining a conditional use. Mr. Snyder  
32 acknowledged that it is a backdoor approach by getting rid of the ranges, and having  
33 strict numbers for density. However, parsing density out to strict numbers is dangerous  
34 because then the Commission or Council would have to interpret the purpose and  
35 decide which one it meets.

36  
37 Commissioner Hayman agrees with Commissioner Wright that there is a  
38 misconception on what is R-L and R-M. She expressed concern that if this change is  
39 adopted as written that future questions regarding density will cause people to insist that  
40 medium density is four (4). Mr. Snyder reminded the Commission that multi-family  
41 cannot be done in an R-L at any time.

42  
43 Commissioner Wright expressed she cannot support R-M-4 at any time. Mr.  
44 Snyder brought up the opportunity to use R-M-4 as an infill tool. Chair Hirschi agrees  
45 with Mr. Snyder to have the flexibility it allows. Commissioner Wright wonders whether  
46 the designation is playing to fears in the City and it is redefining what is not accurate.  
47 Mr. Snyder suggested he is not opposed to Commissioner Wright's concerns. However,

1 he does not feel that making drastic changes in density definitions at this time is wise.  
2 This type of change is best made over a period of time.  
3

4 Commissioner Johnson shared that in his professional experience with looking  
5 at different city's zoning codes and maps that developers often disregard what is  
6 defined as low, medium and high and focus on strict numbers. Commissioner Hayman  
7 proposed that in the near future whether the Council asks for a review or the  
8 Commission takes it on themselves, that R-L be reviewed because there are several  
9 areas in the City where R-L above four (4) units per acre would be appropriate and  
10 welcomed in our community. Mr. Snyder agreed.  
11

12 Chair Hirschi expressed that his biggest concern is not being definite on the  
13 numbers going forward. From a developer's standpoint, it is better to know up front what  
14 the numbers are going to be. Mr. Snyder agreed that at some point in the future to go  
15 back into neighborhood plans and make adjustments. There are three (3) neighborhood  
16 plans that have R-M zoning. Chair Hirschi suggests sending this proposal up to the  
17 Council for approval with a statement that a process for rezoning the R-M zones begin  
18 immediately.  
19

20 Attorney Romney suggested that the implementation of the proposed text  
21 amendments may need to have a delayed date because it becomes problematic to  
22 have a zone on the map that is no longer defined in the Code. Mr. Snyder explained  
23 that R-M-4 is permitted across the board where R-M-6 and R-M-8 remain conditional.  
24 The conditional permitted use statements determine whether the applicant qualifies for  
25 R-M-6 or R-M-8. Ms. Romney said she believes the ordinance as drafted contemplates  
26 actually creating new zones for R-M-4, R-M-6 and R-M-8 and commented that specific  
27 properties currently zoned R-M will need to be rezoned to these new zones. Mr. Snyder  
28 said that he only intends to have one zone of R-M referenced on the Zoning Map and  
29 that the density would be determined by conditional use permit. Mr. Snyder further  
30 commented that the intent is not to create new zones. Ms. Romney expressed her  
31 concern with this interpretation and commented that this approach takes the legislative  
32 decision away from the Council at the rezone level and places the density decision with  
33 the Planning Commission as a conditional use permit. Ms. Romney indicated that this  
34 is not what is currently drafted in the proposed text.  
35

36 Commissioner Hayman agrees that a delayed date be implemented to give time  
37 for the maps to be updated. Mr. Snyder said this process would take months to  
38 implement given the notice periods and hearings. He isn't sure the Council is interested  
39 in opening the neighborhood plans up for amendments. The Council has only requested  
40 a tool for now to work with the conditional R-M-6 and R-M-8.  
41

42 At 9:07 p.m., Chair Hirschi opened the public hearing.  
43

44 James Graham, (residence unidentified) applicant with Dave Bell, property owner  
45 at 644 West Porter Lane. Mr. Graham expressed that in his opinion R-M-6 would be  
46 property with R-M all around it or 20% of it is R-L around it. He also believes R-M-8 or

high, would be something more like 100% surrounded by commercial or other R-H or 50% R-M. He believes there are many ways to define density.

Dave Bell, Bountiful resident and property owner at 644 West Porter Lane (the man with the palm trees). Mr. Bell owns two acres behind his shop that is no longer needed for business purposes and would like to see it zoned R-H because it is surrounded by everything that is C-H. His concern is that people need to be educated regarding density. He commended the Commissioners for trying to do the right thing and fix the density problem.

Chad Morris, (residence unidentified). Mr. Morris agreed with Mr. Bell's comments. He then counseled the Commission about moving things too quickly in order to please the Council. In his opinion, he feels the Council represents those who are "loud" instead of the "many." As a real estate agent, Mr. Morris knows of a lot of people who grew up in Centerville that would love to move back here but can't afford a home or worse yet, there are not enough homes in Centerville.

Chair Hirschi closed the public hearing.

Mr. Snyder requested to make a final comment so that the Commission is clear on the consequences. He understands that at some time in the future the plans will need to be reviewed for specific numbers. However, the Council approves the general definition of R-M but it is the Commission, through the CUP, that approve the R-M-6 or R-M-8 based on the purpose statement. Ms. Romney asked for clarification as to whether or not the intent is to create new zones. If so, she pointed out this is not how the amendment is written. Ms. Romney noted that Section 12.31.010 would need to be amended because, as drafted, the proposed amendments create three (3) new zones. Mr. Snyder apologized that it was written that way because that is not the intent. He pointed out that the table depicts what is intended and that the wording needs to be revised to reflect that.

Chair Hirschi restated that the two proposed amendments be an approved R-M-6 R-M-8 as well as the design standards and criteria. Mr. Snyder clarified that the design standards and criteria would apply to all zones—low, medium, and high. It does not include the location criteria. Commissioner Wright asked for clarification regarding the design standards and if they are consistent with what is currently in place. Mr. Snyder said they are generic standards and neither discourage or encourage R-M.

Commissioner Wright then asked to review the CZC 12.32.300, Table of Uses Standards in Residential Zones. She proposes that, if appropriate, the table be amended, regarding the gross density permitted does not say "four (4) units per acre." Commissioner Wright stated she will not vote for a motion for an R-M-4 based on principle. She believes it is important to maintain an R-L that is true and an R-M that is consistent with what is standard and appropriate.

Commissioner Helgesen made a **motion** to recommend the City Council approve the various R-M Zone amendments, as presented in the "Staff Draft – September 13<sup>th</sup>

1 Planning Commission Meeting, version 3.0,” with Reasons for Action (a) through (c) in  
2 the Staff Report also dated September 13, 2017. Commissioner Johnson seconded the  
3 motion.

4  
5 Commissioner Wright made a **motion to amend** the motion with regards to the  
6 proposed changes to CZC 12.32.300, Table of Development Standards, under the R-M,  
7 Gross Density Maximum Permitted Use, to replace “four (4) units per acre” with “five (5)  
8 units per acre.” Commissioner Johnson seconded the motion.

9  
10 Commissioner Hirst opposed the amendment because having four (4) there  
11 provides space between four (4) and five (5). Chair Hirschi agrees with Commissioner  
12 Hirst. Commissioner Wright asked if she would be more comfortable with the language  
13 “over four (4).” Commissioner Hirst responded she would be comfortable with that.  
14 Chair Hirschi does not see the logic in taking away the flexibility of the R-M-4 for infill.

15  
16 A roll-call vote on the **motion to amend** was taken with Commissioners Johnson  
17 and Wright assenting and Commissioners, Hirst, Helgesen and Hayman dissenting. The  
18 motion to amend fails.

19  
20 Chair Hirschi returned to the original motion made and asked for any more  
21 comments. Commissioner Johnson expressed that he believes this tool is generally  
22 used to reduce density and this is not the direction he wants to see the City go.  
23 Commissioner Johnson generally feels that the City should be moving away from lower  
24 densities and he would like to limit the City’s ability to do that.

25  
26 In contrast, Chair Hirschi expressed that since the six (6) and eight (8) units are  
27 conditional uses that the determination of that density decisions are going to be with the  
28 Commission. Chair Hirschi does not see this as a tool to reduce density but gives the  
29 Commission the flexibility and the ability to create density where it is appropriate.

30  
31 Mr. Snyder asked Chair Hirschi for clarification regarding structural changes to  
32 the amendment, as part of an administrative review. Chair Hirschi made a **motion** that  
33 any changes to the proposed amendment, if the motion passes, that will make the  
34 amendment more clear and better reflect the intent before it is sent to the Council, ought  
35 to be included. Commissioner Johnson seconded the motion. The motion passed by  
36 unanimous vote (6-0).

37  
38 Chair Hirschi called for a roll-call vote on the motion and invited the  
39 Commissioners to make a statement as to why they voted the way they voted in order  
40 to make it clear to the Council as they review the vote on this.

41  
42 Commissioner Hayman, ay. Commissioner Helgesen, ay. Commissioner Wright,  
43 nay, based on concerns previously discussed. Commissioner Hirst, ay. Chair Hirschi,  
44 ay. Commissioner Johnson, nay, based on concerns previously discussed. The motion  
45 passed (4-2).

**ITEM #5 – PUBLIC MEETING – SOUTH MAIN STREET OVERLAY PLAN**  
**DISCUSSION**

Chair Hirschi reviewed the discussion held at the work session on September 13<sup>th</sup> regarding the overlay zone and if it has discouraged development along Main Street. Chair Hirschi believes the only way to revitalize Main Street is to let market forces take effect and to adhere to the Public Space Plan that has been adopted. He also believes that by developing realistic standards and guidelines that encourage businesses, both old and new, as they remodel or redevelop, that this is the way to make Main Street more beautiful.

Mr. Snyder indicated that Staff is currently preparing Design Guidelines and anticipates having them ready for the November work session. Chair Hirschi expressed a desire to review the draft before the next work session. Mr. Snyder acknowledge that it would be possible to have the draft done by the second October meeting so that it can be reviewed collectively by the Planning Commission before the work session.

Based on consensus of the Commissioners, Chair Hirschi directed Staff to put this item on agenda for the second meeting in October.

Commission Wright asked to be excused and left the meeting at 9:48 pm.

**MINUTES REVIEW AND ACCEPTANCE**

The minutes of the September 13, 2017 Work Session meeting have already been approved by the City Council. A few amendments were requested which will be made and then presented to the City Council for ratification. Commissioner Hayman made a **motion** to accept the Work Session minutes as amended. Commission Hirst seconded the motion, which passed unanimously (5-0).

The minutes of the September 13, 2017 Planning Commission meeting were reviewed and amendments requested. Commissioner Hayman made a **motion** to accept the minutes, as amended. Commissioner Helgesen seconded the motion, which passed unanimously (5-0).

**COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

The next Planning Commission meeting is scheduled for October 11, 2017.

**ADJOURNMENT**

At 9:58 p.m., Chair Hirschi made a **motion** to adjourn the meeting. Commissioner Johnson seconded the motion, which passed by unanimous vote (5-0).