

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 NOVEMBER 14, 2018 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 Management Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. 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

Kai Hintze, Commissioner

D. COMMISSION BUSINESS

1. Public Hearing - Preliminary Subdivision - Deuel Creek Place

ADMINISTRATIVE DECISION

The Commission will consider the proposed Preliminary Subdivision Application for Deuel Creek Place, three single family lots at ~ 641 East 200 South.

7:30 2. Public Hearing - Conceptual Subdivision - Barruss Place

ADMINISTRATIVE DECISION

The Commission will consider the proposed Conceptual Subdivision Plat, including four lots, Parcels ID 02-096-0010, 02-096-0011, 02-096-0012, and 02-096-0013, proposed to be a 14 (total) single family homes, at approximately 196 E Chase Lane.

7:50 3. Public Hearing - Zoning Text Amendment - Table of Uses and Definitions for Commercial Medium Zone[along Main Street]

LEGISLATIVE DECISION

The Commission will consider a recommendation to the City Council on zoning text amendments to CZC 12.12 "Definitions" and CZC 12.36 "Table of Uses",

regarding proposed amendments to the Table of Uses in the Commercial-Medium zone, which lies along Main Street, from Parrish Lane to Porter Lane.

4. Community Development Director's Report
5. City Council Report

E. MINUTES REVIEW and ACCEPTANCE

October 24, 2018

F. ADJOURNMENT

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
11/14/2018**

Item No. 1

Short Title: Public Hearing - Preliminary Subdivision - Deuel Creek Place

Initiated By: Tony Thompson, Davis County, Applicant

Scheduled Time:

SUBJECT

ADMINISTRATIVE DECISION

The Commission will consider the proposed Preliminary Subdivision Application for Deuel Creek Place, three single family lots at ~ 641 East 200 South.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- PC Report Deuel Creek Place Preliminary Subdivision
- Deuel Creek Place Preliminary Submittal

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

**STAFF REPORT
AGENDA: ITEM 1**

**PROPERTY OWNER/
APPLICANT:** **DAVIS COUNTY
61 SOUTH MAIN STREET
PO BOX 618
FARMINGTON UT 84025**

PROPERTY LOCATION: **641 EAST 200 SOUTH**
PARCEL NUMBER: **02-104-0109**

PARCEL SIZE: **0.9783 ACRES**

ZONING DISTRICT: **RESIDENTIAL LOW**

APPLICATION: **PRELIMINARY SUBDIVISION – THREE (3) LOTS**

STAFF RECOMMENDATION: **RECOMMEND APPROVAL WITH CONDITIONS**

BACKGROUND

On April 11, 2018, the Planning Commission accepted the Conceptual Plan for the Deuel Creek Place Subdivision. The applicant has submitted for and desires to obtain preliminary review and approval to enable the preparation of the final subdivision plat and construction plans for three (3) house lots within the R-L Zone.

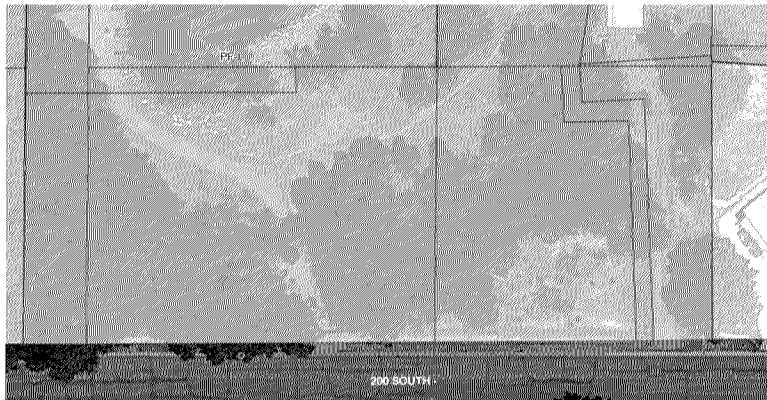


Figure 1 Area of Discussion - see Plat for Actual Subdivision Layout

PREVIOUS CONCEPTUAL SUBDIVISION ACCEPTANCE

In April of this year, the Planning Commission accepted the Conceptual Plan for the Deuel Creek Place Subdivision, with the following directives:

1. A Preliminary Subdivision Application shall be submitted in accordance of CMC 15.03 of the Subdivision Ordinance, including but not limited to:

- Utility Provider sheets need to be signed and returned (*sewer and secondary water provided - incomplete*)
 - Description of water rights, irrigation systems, water shares shall be provided by the applicant (*complete*)
 - Description, size, and location of sanitary sewer and storm drains shall be provided by the applicant (*lines shown – sizes not shown*)
 - A description of those portions of property included in FEMA flood maps (*complete*)
 - Addresses of lots to be confirmed with the Public Works Director (*provided and under review by PW Director*)
2. As part of the preliminary subdivision plans, a Geotechnical and Soils Report and study needs to be submitted and deemed compliant and acceptable by the City Engineer. (*complete*)

PRELIMINARY SUBDIVISION REVIEW - CHAPTER 15.2

15.03.010 Preliminary Plat - Purpose – The purpose of the preliminary plat is to require formal preliminary approval of a subdivision in order to minimize changes and revisions which might otherwise be necessary on the final plat and to ensure compliance of the subdivision with City ordinances and regulations. The preliminary plat and all information and procedures relating thereto, shall in all respects, be in compliance with the subdivision provisions and any other applicable City ordinances and regulations.

GENERAL REQUIREMENTS FOR ALL SUBDIVISIONS - CHAPTER 15.5

Layout Section 15.5.101 and Lots Section 15.5.102

The proposed Deuel Creek Place Subdivision consists of three (3) lots fronting 200 South Street. From staff's review the preliminary plans, the proposed lots exceed the minimum lot standards and are within the density allowance of the R-L Zone.

R-L Zone Development Standards

R-L Development Standards, Table 12.32.1			
Development Standard	Required	Actual	Compliance
Lot and Parcel Standards			
Minimum Area	None	13,941 to 14,366 Sq. ft.	Null
Minimum Width	60 Feet	105 to 109 Feet (needs verification)	Yes
Density	Max. 4 units per gross acre	3.0 units/acre	Yes
Site Standards			

Buildable Area	2,000 Feet	Not Shown (appears to exceed minimums)	Likely
Buildable Area Ratio	Between 2:1 and 1:2	Not Shown (appears to exceed minimums)	Likely

Street, Drainage, and Utility Improvements Section 15.5.103, 105, 106

The application contains utility provider responses for sewer, secondary water, power. So far, these utility providers indicated they have capacity to serve the development. Additionally, the preliminary subdivision plan show depicts utility easements on all four sides of each lot. However, the ordinance only requires three (3) public utility easements (*each lot*).

For staff, the main ordinance and preliminary design concern is regarding drainage and storm water management and more particularly for Lot 1. These rear yard areas for these lots are located along the Deuel Creek Drainage Channel. Additionally, the soils report indicates that some fill has been added in the past. These conditions create the following design concerns:

- As the lots are excavated for installation of the house foundations (particularly a basement excavation). Water from the drainage channel can travel through the soils and infiltrate over to and undermine the structures.
- Consequently, the City Engineer is recommending that a “check pipe” be installed to a depth of about 10 feet and monitored for groundwater infiltration.
- Additionally, as part of the subdivision plat, a “plat note” should be listed indicating that any excavation for footings and foundation for “occupied/living space” are to be free of groundwater or at least 1-foot above in elevation from the established groundwater level.
- The 100-year flood plain for the Deuel Creek Drainage encroaches into the rear yards of the lots. Currently, the channel contains a berm to keep the flooding contained. The City Engineer is recommending that a protection easement be provided to ensure that any grading changes desired by the lot owners maintains the grades necessary to keep any flooding from expanding outside the current flood plain channel.

PLANNING STAFF RECOMMENDATION

I hereby make a motion for the Planning Commission to APPROVE the Preliminary Subdivision Plan for the Deuel Creek Place Subdivision, with the following directives/conditions:

1. *A Final Subdivision Application and Plat shall be submitted in accordance of CMC 15.04 of the Subdivision Ordinance.*
2. *The Final Subdivision Submittal shall also provide the applicable subdivision infrastructure construction plans for the subdivision in accordance with CMC 15.04.104.*
3. *A plate note shall be prepared addressing the excavation for footings and foundation for “occupied/living space” to be free of groundwater or at least 1-foot above in elevation from the established groundwater level, as deemed acceptable to the City Engineer*

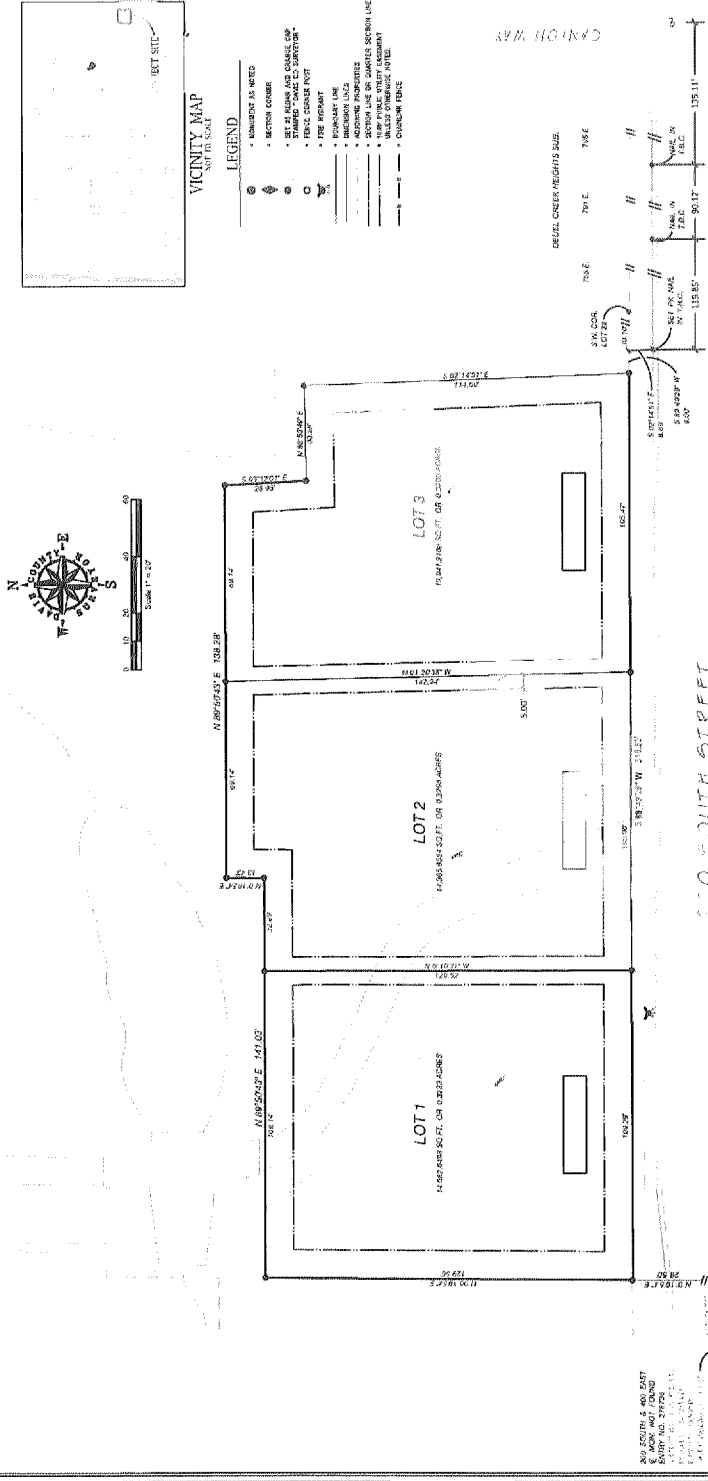
4. *An easement and plat note shall be prepared and prepared addressing any grading changes desired by the lot owners to maintain the grades necessary to keep any flooding from expanding outside the current flood plain channel, as deemed acceptable by the City Engineer.*
5. *The Final Subdivision Submittal shall address the compliance with the standards for the “buildable area” and “buildable area ratio” for the R-L Zone.*
6. *Any remaining “utility provider” sheets shall be submitted with the Final Subdivision Application.*

Suggested Reasons for the Action:

- a) *The Planning Commission finds that Preliminary Subdivision Plans are substantially consistent with the previous Conceptual Plan Acceptance.*
- b) *The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the Subdivision Ordinance.*
- c) *The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the City’s Zoning Ordinance, regarding lot development within the R-L Zone.*

DEUEL CREEK PLACE SUBDIVISION

A PART OF BLOCK 15 IN PLAT "A", CENTERVILLE TOWNSHIP SURVEY AND PART OF PLATTED ROAD WEST OF BLOCK 15, ALSO LOCATED IN THE SOUTHWEST QUARTER OF SECTION 08, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
CENTERVILLE CITY, DAVIS COUNTY, UTAH



CENTERVILLE CITY APPROVAL
This is to certify that the plat and subdivision in this plan were duly and lawfully approved by the City Council of Centerville City, Utah, this _____ day of _____, 20____.

Attest: _____ Mayor
Title: _____

CENTERVILLE CITY ENGINEER
I hereby certify that I have carefully investigated the line of Survey of the foregoing plat and subdivision and find them to be correct and to agree with the facts and monuments on record in this office. Signed _____ day of _____, 20____.

Signature: _____
Title: _____

CENTERVILLE CITY ATTORNEY
Approved by the Attorney of Centerville City on this _____ day of _____, 20____.

Signature: _____
Title: _____

CENTERVILLE PLANNING COMMISSION
Approved by the Planning Commission of Centerville City on the _____ day of _____, 20____.

Chairperson: _____

DAVIS COUNTY
County Clerk

LEGAL DESCRIPTION
A PART OF BLOCK 15 IN PLAT "A", CENTERVILLE TOWNSHIP SURVEY AND PART OF PLATTED ROAD WEST OF BLOCK 15, ALSO LOCATED IN THE SOUTHWEST QUARTER OF SECTION 08, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
CENTERVILLE CITY, DAVIS COUNTY, UTAH

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CENTERVILLE CITY, DAVIS COUNTY, UTAH

RECEIVED MAR 21 2018

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
11/14/2018**

Item No. 2.

Short Title: Public Hearing - Conceptual Subdivision - Barruss Place

Initiated By: Roy Barrus, Applicant

Scheduled Time: 7:30

SUBJECT

ADMINISTRATIVE DECISION

The Commission will consider the proposed Conceptual Subdivision Plat, including four lots, Parcels ID 02-096-0010, 02-096-0011, 02-096-0012, and 02-096-0013, proposed to be a 14 (total) single family homes, at approximately 196 E Chase Lane.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ▣ PC Report Barrus Cove Conceptual Subdivision
- ▣ Barrus Cove Conceptual Submittal

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

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNER: **ROY BARRUS**
196 EAST CHASE LANE
CENTERVILLE, UTAH 94014
(jodibarrus@ymail.com)

AGENT FOR OWNER: **KYLE HONEYCUTT**
1793 EAST 12600 SOUTH
DRAPER, UTAH 94020
(kyle@lavantaconsulting.com)

PROPERTY: **196 EAST CHASE LANE**
PARCELS: **02-096-0010**
 02-096-0011
 02-096-0012
 02-096-0013

ACREAGE: **3.66 ARCES (*COUNTY RECORDS*)**

TOTAL LOTS: **14 SINGLE-FAMILY LOTS**

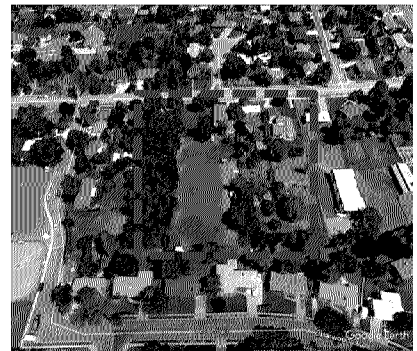
CURRENT ZONING: **RESIDENTIAL-LOW (R-L)**

APPLICATION: **CONCEPTUAL SUBDIVISION**

RECOMMENDATION: **ACCEPT THE CONCEPTUAL SUBDIVISION PLANS**

BACKGROUND

The owner/applicant desires to further develop several underutilized parcels, while maintaining the existing four (4) homes fronting Chase Lane. The parcels are located with the Residential-Low Zone. The other owners of the various parcels have provided their sanction to include their properties for further subdividing. The proposal is to develop 14 single-family lots (*including the existing homes*). A new proposed cul-de-sac would



provide reconfigured lots (*smaller*) for the existing homes (*four*) an additional 10 new lots for future homes.

CONCEPTUAL SUBDIVISION REVIEW - CHAPTER 15.2

Conceptual Review Expectations

The Conceptual Subdivision review gives the applicant an opportunity to receive guidance from the Planning Commission in relation to subdivision regulations and the layout. It also allows the public an opportunity to express their Ordinance concerns regarding the proposed subdivision. The Conceptual Subdivision acceptance does not constitute an approval or disapproval of the proposed subdivision (*see 15.2.105.3*).

General Plan (12.480.4)

The property is located within the Northeast Neighborhood of the City's General Plan. The residential provisions indicate that development within this area are to be low-density single-family development (*12.480.4.1.a*). Low density in the General Plan is four (*4*) units per acre or less (*12.420.2.1*). Thus, subdividing the property meeting the regulatory parameters of the R-L Zone would be consistent with the City's General Plan.

R-L Zone Development Standards

R-L Development Standards, Table 12.32.1			
Development Standard	Required	Actual	Compliance
Lot and Parcel Standards			
Minimum Area	None	5,920 to 16,359 Sq. ft.	Null
Minimum Width	60 Feet 70 Feet (corner lot)	60 to 95 Feet (needs verification)	Likely
Density	Max. 4 units per gross acre	3.8 units/acre 14 proposed lots - Lots are miss numbered (#12)	Yes
Setbacks (existing homes)			
Front	25 Feet	20 - 25+ Feet	Complies or Likely Non-conforming
Street Side (front)	20 Feet	Less than 20 Feet (Lot 15)	No
Rear	20 Feet	20 Feet	Yes
Side	8 feet Minimum total width of both side yards: 18 Feet	(Home on Lot 2 may not comply)	Undetermined
Site Standards			
Buildable Area	2,000 Feet	Not Shown	Undetermined
Buildable Area Ratio	Between 2:1 and 1:2	Not Shown	Undetermined

Supplementary Considerations

✓ **Right Angles for Property Lines** – The common lot line between Lots 1, 5, and 6 and Lots 11 and 12 (missed labeled as 13), do not fully comply with the right-angle language standards (see ordinance quote in this section). However, it appears minimal and is related to efficient placement of the new public roadway (*cul-de-sac*) to serve the develop, while maintaining the existing homes and their associated lot size desires of the various property owners.

According to the subdivision ordinance, “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]

✓ **Various Accessory Buildings** – According to Section 12.32.040.b.2, “No accessory use, building, or structure shall be allowed on a lot or parcel unless a permitted or conditional use has been and is currently established.” In reviewing the conceptual plan submittal, it appears that there are various accessory buildings present on the property that, if subdivided, would render the accessory building non-complaint with the ordinance.

It is the opinion of City Staff, that the demolition strategy is needed to resolve the matter and suggests that the following be addressed and can be accomplished with the next step of Preliminary Subdivision submittal:

- Address how and when the accessory buildings without a home on the lot will be demolished prior to the recording the subdivision plat.
 - If there is a useable accessory building, meaning it’s not conflicting with construction of a future home and meets the accessory building setbacks of the R-L Zone. Show such accessory buildings to be preserved on the preliminary subdivision plans.
 - If an accessory building is to remain, the developer shall enter into an agreement, acceptable to the City, describing that if the future recorded lot has not been developed with a primary use in the 18-month public subdivision improvement bond period, then the developer must remove the structure prior to releasing the bond amount OR the City may call on such funds for demolishing the structure.
- ✓ **Small Lot 9 Size** – Although the gross area calculations indicate general compliance with the density limits of the R-L Zone, staff has a concern that Lot 9 is rather small being slated for only 6,000 square feet. It is staff’s opinion that this size is on the margin of being too small. Thus, without the depiction that the lot has a buildable area of 2,000, as required, it may be problematic for a home to constructed on Lot 9 that also meets the setbacks.

GENERAL REQUIREMENTS FOR ALL SUBDIVISIONS - CHAPTER 15.5

Layout Section 15.5.101 and Lots Section 15.5.102

“Subdivision means any land that is divided, re-subdivided or proposed to be divided into two or more lots...” [Section 15.1.104(48)]. The Barrus Cove Subdivision will have 14 lots (*actual count was missed labeled*). The general layout appears to substantially meet the requirements for lots within the R-L Zone, with the noted exceptions mentioned earlier in this report.

Street, Drainage, and Utility Improvements Section 15.5.103, 105, 106

The maximum length of a cul-de-sac is 400 feet from the centerline of the intersecting road and the center point of the cul-de-sac. No more than 20 lots are allowed for a cul-de-sac subdivision. From review of the conceptual plan, it appears to be compliant with these requirements.

Since the overall property, including the area devoted to the existing homes are un-platted (i.e. metes & bounds descriptions) parcels, all utility easements will be required for all lots within the subdivision area. The ordinance requires three (3) public utility easements (*for each lot*) with the front measuring 10 feet along the street frontage of each lot and a side and rear a minimum of 7 feet. Also, the applicant will need to provide to and then submit all “utility provider sheets (*several have already been submitted*) to notify and ensure there is capacity for providers to deliver needed services. This also includes the secondary water provider to ensure that sufficient secondary water shares have been purchased to serve the subdivision. Finally, the applicant will need to depict all fire protection, including the existing and proposed fire hydrants (*if required by the Fire Marshal*).

The applicant has provided adequate information to depict how the property is proposed to be developed. Staff believes that the proposed subdivision has the potential to meet or satisfy the City’s Subdivision regulations. Consequently, the Planning Commission should consider acceptance of the Conceptual Subdivision Plan to allow the applicant to proceed to the Preliminary Subdivision Submittal stage.

PLANNING STAFF RECOMMENDATION

The applicant has provided adequate information to depict how the property is proposed to be developed. Staff believes that the proposed subdivision has the potential to meet or satisfy the City’s Subdivision regulations. Consequently, the Planning Commission should consider acceptance of the Conceptual Subdivision Plan to allow the applicant to proceed to the Preliminary Subdivision Submittal stage, as follows:

Suggested Motion for the Conceptual Subdivision Plan for Barrus Cove Subdivision: I hereby make a motion for the Planning Commission to accept the Conceptual Subdivision Plan for the Barrus Cove Subdivision, located at approximately 196 East Chase Lane, with the following directives:

1. *The applicant shall submit an application for a preliminary plat and meet all the submittal requirements listed in Chapter 15.3 of the Subdivision Ordinance.*
2. *The preliminary plat shall indicate the following information:*
 - a. *Depict/correct the lot count to 14 lots, including the lots for the existing homes.*
 - b. *Adjust the interior side yard and corner lot street front setbacks to meet the R-L Zoning setback regulations.*

- c. *Depict the Buildable Area for each lot, providing a minimum of 2,000 square feet meeting the Buildable Ratio of the Zoning Ordinance. Also, address this matter even more particularly for Lot 9.*
 - d. *The preliminary plans need to depict three (3) public utility easements (each lot) with the front measuring 10 feet along the street frontage of each lot and the side and rear yard easement a minimum of 7 feet.*
 - e. *The preliminary plans need to address adequate fire protection including all existing fire hydrants and any new fire hydrants as required by the Fire Marshal.*
- 3. *The preliminary subdivision submittal shall address the "accessory building" matter, as outlined in the Staff Report for Conceptual Subdivision.*
- 4. *A soil report and drainage information shall be created or performed and must be submitted to City staff for review as part of the preliminary subdivision plans.*
- 5. *A preliminary title report for the subdivision area to be prepared, submitted and deemed acceptable to the City Attorney.*
- 6. *All missing utility provider sheets shall be submitted with the preliminary subdivision plans indicating all utility providers can service each lot.*

Suggested Reasons for the Action (Findings):

- a) *The conceptual subdivision appears to be consistent with the applicable Neighborhood Plan, expecting low density residential development.*
- b) *The proposed subdivision appears to likely be able to meet the Development Standards of the Residential-Low Zone.*
- c) *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.*

REVISIONS	DATE	DESCRIPTION

Concept Plan

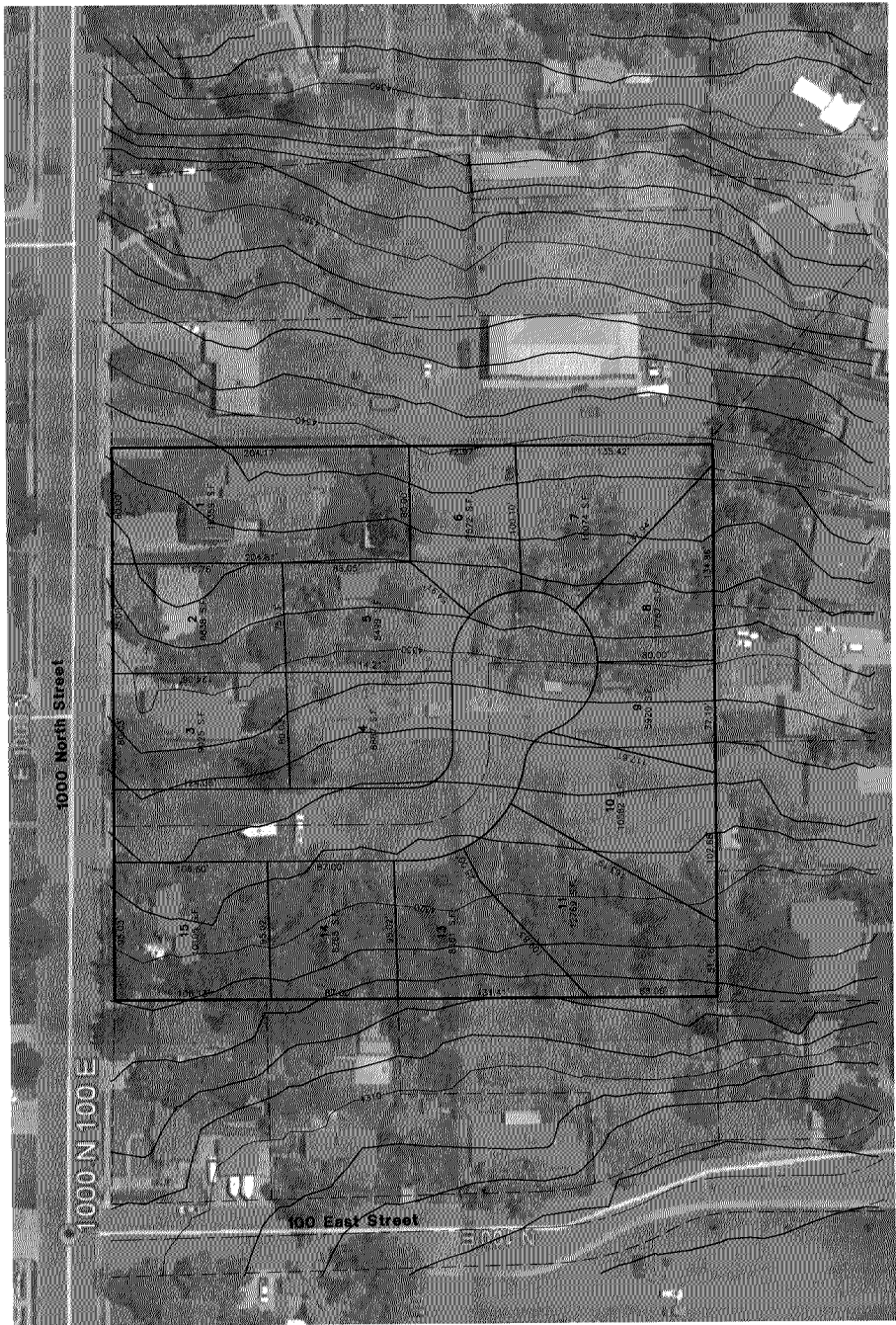
Barrus Cove Subdivision

PART OF THE NORTH 1/2 OF SECTION 7, T.2N., R.1E., S.1B. & M., U.S. SURVEY
 CENTREVILLE CITY, DAVIS COUNTY, UTAH

Project Info:
 Engineer: N. Reeve
 Designer: C. Coe
 Date: 11.1.2018
 Name: BARRUS COVE SUBD.
 Number: 70432-01

1	1
1	1

Reeve & Associates, Inc. - Subdivision You Can Build On



SCALE:
 1"=40'

NOTES:

1. THERE IS AN EXISTING 8" SANITARY SEWER IN 1000 NORTH STREET LOCATED ALONG THE NORTH OF THE ROADWAY.
2. THERE IS AN EXISTING 21" STORM SEWER LOCATED ALONG THE SOUTH OF THE ROADWAY.
3. THE PROPERTY IS NOT LOCATED IN A FEMA FLOOD ZONE.

DESIGN SPECS.

TOTAL AREA.....3.64 ACRES +/-
 NUMBER OF UNITS PROPOSED: 15 UNITS (4-12/AC)

Developer:
 Kyle Honeycutt
 Lavanta Consulting
 (801) 870-2543

Barrus Cove Subdivision

Centerville City, Davis County, Utah

RECEIVED: 07.2.2018
 THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED, RE-SOWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREOF WITHOUT THEIR CONSENT.

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
11/14/2018**

Item No. 3.

Short Title: Public Hearing - Zoning Text Amendment - Table of Uses and Definitions for Commercial Medium Zone[along Main Street)

Initiated By: Planning Commission & City Council

Scheduled Time: 7:50

SUBJECT

LEGISLATIVE DECISION

The Commission will consider a recommendation to the City Council on zoning text amendments to CZC 12.12 “Definitions” and CZC 12.36 “Table of Uses”, regarding proposed amendments to the Table of Uses in the Commercial-Medium zone, which lies along Main Street, from Parrish Lane to Porter Lane.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ 11-14-18 PC Staff Report Text Amendment C-M Table of Use
- ☐ Uses Definitions
- ☐ Main Street Forum - Property Owners
- ☐ Main Street Forum - Local Residents
- ☐ Main Street Forum - General Public

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

**STAFF REPORT
AGENDA: ITEM 3**

APPLICATION: **ZONING TEXT AMENDMENTS FOR
DEFINITIONS & TABLE OF USES IN C-M ZONE,
CZC 12.12 AND 12.36**

ZONING DISTRICT: **COMMERCIAL- MEDIUM**

STAFF RECOMMENDATION: **SEE TABLE BELOW**

Background

Since February, the Planning and City Council have discussed potential changes to the Main Street district corridor, specifically the area between Parrish and Porter Lane as an area in need of revitalization. As a first step, they agreed to start examining potentially expanding the uses allowed in this zone, which is zoned entirely Commercial-Medium, as a way to open up business possibilities and future tenants to currently vacant or underused properties. Multiple public meetings were held on this issue in order to receive as much public feedback as possible, including meeting with the property owners, adjacent residents, and the general public as a whole.

The Planning Commission narrowed down the list to those below, adding most new uses as a Conditional Use Permit, along with modifying or adding some new definitions to the list of uses.

Public Meetings Held:

September 12th, 2018 -- Property Owners of those located on the Commercial Medium Zone
September 26th, 2018 – Local Residents to those that abut Main Street properties
October 12th, 2018 – Open to the General Public
October 24th, 2018 – Public meeting and Commission discussion without hearing

New or Amended definitions: CZC 12.12

Agricultural Sales and Service: An establishment primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products, anhydrous ammonia, farm supplies and the like, and including accessory food sales and machinery repair services.

Instead of adding an “Agricultural, Sales and Service, limited” similar to what Staff proposed for Construction Sales and Service, Staff decided to simply add onto the definition for “Garden Center” to include agricultural products, so as to not to overlap use definitions. Outdoor Nursery/ Growers Outlet also is defined in our code and a Conditional Use Permit in the C-M Zone.

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental, **agricultural**, or landscaping purposes. **May include renting or selling of landscaping equipment and yard or animal care products.**

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.

[ADD] Construction Sales and Service, Limited: An establishment engaged in the retail or wholesale of various small materials, supplies, and services used in the construction of buildings or other structures with activities which are conducted within an enclosed building, but not including outdoor storage of large construction equipment or materials yards on lot or parcel other than a construction site. Typical uses include, electrical, plumbing, air conditioning and heating supply stores, swimming pool contract sales and supplies, construction and trade contractors' offices including small equipment and supplies.

See a full list of definitions of all uses included in this list in the Backup Materials in this packet, or refer to CZC 12.12

Commission proposed Amendments to the Table of Uses in the Commercial Medium Zone, CZC 12.36:

Use	Current	Proposed
Agricultural sales and service	N	N
Assisted Living Facility	N	C
Business equipment rental, services and entertainment	N	C
Car wash	N	C
College or university	N	C
Construction Sales and service	N	N
+ Construction Sales and service, <i>limited</i>	N/A	C
Garden Center (amended)	C	C
Indoor Recreation and entertainment	N	C
Mortuary	N	C
Outdoor recreation and entertainment	N	C
Park	N	N
Printing, general	N	C
Protective Service	N	C
Reception Center	N	C
Research Service	N	C
Restaurant, fast food*	N	C
Restaurant, general	N	C
School, elementary, middle or high	N	N
Secondhand store	N	P
Shopping Center	N	C
Veterinary Clinic (<i>added by Staff</i>)	N	C
Vocational School (<i>added by Staff</i>)	N	C
Catering, limited	C	C
Bank or financial institution*	C	P
Bed & Breakfast	C	C
Cultural service	C	P
Church or place of worship	C	C

**No drive thrus shall be allowed for these uses in the C-M Zone*

Park, elementary, middle and high school, as well as colleges and universities are all exclusively permitted in Public Facility Zones, so in order to maintain consistency within our code, Staff

would recommend for these uses remain Public Facility only, with the exception of college or university. Since many colleges are more frequently hosting smaller off campus classrooms, staff believes there could be value to adding this use within a Commercial zone, so as to not have to rezone an entire parcel into Public Facility. For this reason staff has added vocational schools onto the list, which is a permitted use in every other Commercial, Industrial and Public Facility Zones.

Veterinary Clinic is another existing use that is currently not permitted in the C-M Zone. Medical clinics, offices, and dental offices already are prevalent on this street, making veterinary clinic a good fit for this district.

12.21.080 Zoning Map and Zoning Code Amendments: Approval Standards

1. Whether the proposed Zoning Code or Zoning Map amendment is consistent with goals, objectives and policies of the General Plan;

General Plan, 12-430-2

Main Street commercial area . 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.

South Main Street Corridor Plan

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 service residents, businesses, and visitors.

- 1.A. Preserve the existing mix of land uses along the South Main Street Corridor, recognizing that each District has a different character and different land use needs.
 - The C-M Zone from Parrish to Porter is the highest concentration of small, local, commercial activity along Main Street and is somewhat of a local businesses and civic center of the City, while Parrish Lane is the big box, fast food commercial hub of the city. The character of this Main Street is taken into consideration when adding new uses to the Commercial Medium Zone. Staff and the Planning Commission would like to keep this street occupied with local businesses, and have reached out to the property owners as to what their wants and need for this area are and have tailored the list to encourage further small businesses on this street.
- 1.B. Minimize, to the extent possible, potential conflicts between adjacent land uses.

- By listing the new uses as Conditional Use Permits, potentially adverse conflicts between uses can be minimized by the conditions of the Planning Commission, as outlined in CZC 12.21.100, including traffic circulation, aesthetics, noise and odors that may impact surrounding properties.

1.C. Encourage additional single family and multi-family residential land uses, by way of mixed-use development, throughout the South Main Street Corridor.

- Although the residential uses were not included on this list, a residential mixed-use component is still included in the South Main Street Overlay Zone, as outlined in CZC 12.48.

1.D. Encourage greater intensity in land uses in appropriate areas along the South Main Street Corridor. Examples include mixed use developments, such as a retail use with a housing component above, and greater floor-area-ratios (FAR), such as a two-story building rather than a one-story building of the same footprint.

- While these proposed modifications do not affect the building footprint, FAR, or height of the building, they are encouraging a wider range of uses allowed in this zone. Commercial Medium is *only* located along Main Street from Parrish Lane to Porter Lane, the highest concentration of commercial along Main Street. Expanding the permitted uses to other low impact but commercially viable businesses intends to revitalize this street without adversely affecting surrounding properties as much as possible.

1.E. Incorporate Main Street into the neighborhood planning process for both the east and west side neighborhood plans to allow for consistency and coordination.

- Residents adjacent to the C-M zone were invited to participate in multiple public forums. Residents spoke up about traffic concerns, pedestrian safety, but were ultimately supportive in trying to improve this street by adding new uses that they would find useful and appealing.

Staff Response:

The purpose of the Commercial Medium Zone, as defined in 12.30.020, is to “promote a combination of retail and service facilities that meet day to day needs of nearby residents which are compatible in character and scale with adjacent development”. There is also a 10,000 square foot floor area limit to this zone, as well as a height limit of 35 feet. [CZC 12.34.400]

By adding the new uses as Conditional Use Permits, the City can expand the number of services and business to the city residents, while the Planning Commission retains the right to control and limit any negative impacts that may occur with these new uses, including effects on traffic, noise, odor, light, aesthetics, and overall harmony with the surrounding area. [As outlined in 12.21.100(5)(A-J)] These conditions limit the potential negative impact to the surrounding residents and neighbors that any new uses may cause.

The purpose behind limiting drive thrus on Main Street is the high traffic flow of this corridor at 40 mph speeds. Drive thrus have the effect of limiting flow traffic through a site, and can cause congestion problems that spill onto the street. Also, the Commission's overall goals for this zone are to improve the pedestrian experience and site design of these buildings, of which drive thrus do not contribute to these goals.

The Commission has gathered the opinions of many interested stakeholders – many stated they were interested in improving the look and feel of Main Street, along with the safety and congestion of the street, in addition to adding desirable businesses for the community. Staff believes these amendments to the definitions and Table of Uses in this zone balances the needs of businesses and residents in the community and will encourage a wider variety of uses as well as bringing non-conforming uses into conforming status. Further steps will be needed in the future to possibly amend to South Main Street Overlay for a full revitalization effort.

STAFF RECOMMENDATION AND MOTION

I hereby make a motion to recommend to the City Council was the following amendments to CZC 12.12 “Definitions” and CZC 12.36 “Table of Uses”:

12.12 “Definitions”

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental, agricultural, or landscaping purposes. **May include renting or selling of landscaping equipment and yard or animal care products.**

***[ADD] Construction Sales and Service, Limited:** An establishment engaged in the retail or wholesale of various small materials, supplies, and services used in the construction of buildings or other structures with activities which are conducted within an enclosed building, but not including outdoor storage of large construction equipment or materials yards on lot or parcel other than a construction site. Typical uses include, electrical, plumbing, air conditioning and heating supply stores, swimming pool contract sales and supplies, construction and trade contractors' offices including small equipment and supplies.*

12.36 “Table of Uses”

Use	C-M
Agricultural sales and service	N
Assisted Living Facility	C
Business equipment rental, services and entertainment	C
Car wash	C
College or university	C
Construction Sales and service	N
+ Construction Sales and service, <i>limited</i>	C
Garden Center (amended)	C

Indoor Recreation and entertainment	C
Mortuary	C
Outdoor recreation and entertainment	C
Park	N
Printing, general	C
Protective Service	C
Reception Center	C
Research Service	C
Restaurant, fast food*	C
Restaurant, general	C
School, elementary, middle or high	N
Secondhand store	P
Shopping Center	C
Veterinary Clinic <i>(added by Staff)</i>	C
Vocational School <i>(added by Staff)</i>	C
Catering, limited	C
Bank or financial institution*	P
Bed & Breakfast	C
Cultural service	P
Church or place of worship	C

**No drive thrus shall be allowed for these uses in the C-M Zone*

Reasons For Action:

- a) Consistent with General Plan, Commercial and Industrial Development 12-430 and the South Main Street Corridor Plan, 12-480-7
- b) Amendments are consistent with the purpose of the Commercial Medium Zone, 12.30.020(d).

Agricultural Sales and Service: An establishment primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products, anhydrous ammonia, farm supplies and the like, and including accessory food sales and machinery repair services.

Assisted Living Facility: A residential facility, licensed by the State of Utah, with a home-like setting that provides an array of coordinated supportive personal and health care services, available 24 hours per day, to residents who have been assessed under Utah Department of Health or the Utah Department of Human Services rules to need any of these services and who have a service plan based on the assessment, which may include: (1) specified services of intermittent nursing care; (2) administration of medication; and (3) support services promoting residents' independence and self-sufficiency. An assisted living facility does not include adult day care provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

Auditorium or Stadium: An open, partially enclosed or fully enclosed facility used or intended to be used primarily for spectator sports, entertainment events, expositions and other public gatherings. Typical uses include convention and exhibition halls, sports arenas and amphitheaters

Bank or Financial Institution: An organization involved in deposit banking, finance, investment, mortgages, trusts, and the like. Typical uses include commercial banks, credit unions, finance companies, and savings institutions.

Bed and Breakfast: A limited commercial activity where paying guests:

1. Obtain lodging on a day-to-day basis in a room or rooms without cooking facilities,
2. May obtain breakfast or other meals, and
3. May engage in other limited related activities

Business Equipment Rental, Services, and Supplies: An establishment primarily engaged in the display, storage, sale, rental or repair of equipment and supplies used by office, professional or business service establishments, or individuals. Excludes automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops and hotel equipment and supply firms.

Car Wash: A place for the cleaning or detailing of motor vehicles, whether self-service, automatic or by hand.

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. This use is intended to be a low-intensity use permissible in commercial areas commonly located adjacent to residential uses and shall prohibit the off-site dissemination of any detectable ambient food-source odors.

Cemetery: Land used or intended to be used for the burial of the dead, whether human or animal, including crematoriums and mausoleums.

Church or Place of Worship: Any structure or site such as a church, synagogue, chapel, sanctuary or cathedral, used primarily for collective or individual involvement with a religious activity, such as rites, rituals, ceremonies, prayers and discussions, and for church-related activities.

College or University: An institution of higher education offering undergraduate or graduate degrees and including, but not limited to, extension services and accessory uses such as dormitories, museums, stadiums, and theaters.

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.

Cultural Service: A library, museum or similar public or registered nonprofit organizational use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

Garden Center: An establishment primarily engaged in the retail sales of horticultural specialties, such as flowers, shrubs and trees, intended for ornamental or landscaping purposes.

Hotel: An establishment with or without fixed cooking facilities in individual rooms offering transient lodging accommodations to the general public, and which may provide additional services such as restaurants and meeting rooms.

Indoor Recreation and Entertainment: An establishment offering recreation, entertainment or games of skill to the general public that is wholly enclosed in a building. Typical uses include bowling alleys, indoor theaters, bingo parlors, pool halls, billiard parlors, video game arcades, racquetball and handball courts, and amusement rides.

Mortuary: An establishment engaged in preparing human deceased for burial and conducting funerals.

Multiple-Family Dwelling: A dwelling having three or more dwelling units.

Outdoor Recreation and Entertainment: An establishment offering recreation, entertainment or games of skill to the general public or members wherein any portion of the activity takes place in the open. Typical uses include archery ranges, batting cages, golf driving ranges, drive-in theaters, miniature golf courses, tennis courts, and amusement rides.

Outdoor Nursery/Grower's Outlet: An establishment or premises where nursery products, such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes, are sold at retail to the general public from covered or open air areas on a temporary or seasonal basis.

Park: A playground or other area or open space providing opportunities for active or passive recreational or leisure activities.

Post Office: A facility or structure owned by the U.S. Postal Service and used for collecting, sorting or distributing mail within one or more zip code areas, or providing limited retail services for the general public, such as the sale of stamps, postcards and postal insurance.

Printing, General: The production of books, magazines, newspapers and other printed matter, as well as publishing, engraving and photoengraving, but excluding Printing and Copying, Limited uses.

Protective Service: A facility for conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services.

Reception Center: A facility rented for private social gatherings.

Research Service: An establishment engaged in industrial, medical, or scientific inquiries.

Restaurant, Fast-food: An establishment that sells ready-to-eat food and beverages quickly and which has one or more of the following characteristics:

1. Food and beverage orders are not taken at the customer's table;
2. Food and beverages are generally served in disposable wrapping or containers; or
3. Food and beverages are offered directly to the customer in a motor vehicle from a "drive-up" service window.

Restaurant, General: An establishment that derives not less than 50% of its gross receipts from the sale of food and beverages for consumption on the premises and which has one or more of the following characteristics:

1. Food and beverage orders are taken at the customer's table from an individually-provided menu;
2. Food and beverages are served in non-disposable containers by a restaurant employee at the same table or counter where said items are consumed;
3. Food and beverages are generally self-served in non-disposable containers and consumed on the premises; or
4. A restaurant having some characteristics of a fast-food restaurant, other than drive-up service, which is located exclusively within a shopping center, shares common parking facilities with other businesses within the center, and has access to a common interior pedestrian access way.

School, Elementary, Middle, or High: Any building or group of buildings or premises approved by the State of Utah for public or private elementary or secondary instruction.

School, Vocational: An establishment, for profit or not, offering regularly scheduled instruction in technical, commercial or trade skills, including but not limited to business, real estate, building and construction trades, electronics, computer programming and technology, automotive and aircraft mechanics and technology, and similar types of instruction.

Secondhand Store: A retail establishment that engages in the purchase and resale of used goods such as clothing, furniture, appliances, books, and other household items.

Shopping Center: A group of three or more commercial establishments that is planned, developed, and managed as a unit with common areas for off-street parking and landscaping provided on the property.

Single-Family Dwelling : A building having only one dwelling unit.

Twinhome: Two single-family dwelling units connected by a common wall and located on adjacent, contiguous, and individually owned lots or parcels.

Two-Family Dwelling: A dwelling having only two dwelling units.

Veterinary Service: An establishment providing medical care and treatment for animals, which may include accessory grooming or boarding services.

MAIN STREET USE FORUM

Property Owners Invite

09/12/2018 | 6:00 p.m. at *City Hall*

Planning Commissioners Attending

Chair Hayman | Kevin Daly | Gina Hirst | Kathy Helgeson

#	Comment	Category
1	Issues Involving Consistency	Long Range Commitment
2	Residential Status Questions	Housing
3	Concerns with diminishing uses, specifically mixed-use	Long Range/ Housing
4	Where does mixed-use fit in?	Expansion/ Housing
5	Potential lack of trust	Long Range Commitment
6	Creating potential options for façade upgrades, but with constraints	Design/ Layout
7	Don'ts are in place. Where are the do's	Design/ Layout
8	Making a Living Matters – Allow Market Patterns	Economic Needs
9	What are the historic uses – e.g. Construction, fuel/gas stations, City Hall, missed opportunity for the Library	Community Identity
10	May NOT be retail – But it's a local business area	Economic
11	What to Do (use) verse What to Design (buildings)	Design/ Layout
12	Substantial conversion of buildings may NOT be feasible	Economic
13	Limitation of Old Fire Station/ No remodel beyond 30% Expansion	Design/ Layout
14	Create considerations for existing buildings/ layouts	Design/ Layout
15	Parking to the rear may create increased traffic near residential uses	Design/ Layout
16	What are the incentives to upgrade – Are they equitable?	Design/ Layout

MAIN STREET USE FORUM

Local Residents Invite

09/26/2018 | 6:00 p.m. at *City Hall*

Planning Commissioners Attending

Chair Hayman | Kevin Daly | Gina Hirst | Kathy Helgeson | Kia Hintze | Becki Wright

#	Comment	Category
1	Things can and should be improved (e.g. Old Williams Barn)	Long Range Commitment
2	Not in favor of high-density residential (e.g. SLC Apartments)	Housing
3	Centerville is a commuter City – like the country feel of the city	Community Identity
4	Parrish Lane is likely the City's Main Street (1970s Parrish Interchange)	Community Identity
5	No gas stations, theater, car wash – issues regarding Cup-Bop	Economic
6	Youth need to feel safe – need a local place to go instead of Ogden/SLC	Community Identity
7	Maybe small restaurant or satellite education uses – Nothing illegal/immoral	Community Identity
8	Residents & businesses need to compromise – a unified outcome	Economic Needs
9	Business hours of use need to respect surrounding residents	Community Identity
10	How much do we desire to bring people to the city?	Community Identity
11	Local businesses may or may not need to rely on new traffic for achieving success	Economic Needs
12		

MAIN STREET USE FORUM

General Public Invite

10/12/2018 | 6:00 p.m. at *City Hall*

Planning Commissioners Attending

Chair Hayman | Kevin Daly | Gina Hirst | Kathy Helgeson | Kia Hintze | Logan Johnson | Becky Wright

#	Comment	Category
1	Are there future plans for redeveloping Main Street	Long Range Commitment
2	How do you blend the historical pattern of residential & local commercial	Community Identity
3	Tourism/Group Tours like the small town feel – like the people of the community	Community Identity
4	Main Street has good access, there is local beauty, things are pretty good already	Community Identity
5	Three principles; How do they feel, What do they see, and blending local appeal with commercial success	Community Identity & Economic Needs
6	We love Centerville – but need to develop or maintain it's quaintness.	Community Identity
7	Main should not be like Parrish – ability to walk should be important	Land Use & Design Patterns
8	Main Street can get congested – specifically for left hand turn movements	Transportation
9	Better manage traffic flow and vehicle spacing	Transportation
10	Main Street needs to be more walkable and safer	Transportation

11	Main Street needs wider sidewalks (think Strollers) and eliminate goat head weeds.	Transportation
12	Main Street is an elephant – how do you tackle future changes	Long Range Commitment
13	Are there other places to use as examples?	Long Range Commitment
14	Uses that demand parking could be a problem	Transportation
15	Uses should be in context with the traffic flow and speeds – sidewalk style restaurants may not be appropriate	Transportation
16	The higher the speed the less town feel is present – keep speeds less than 40 mph – more like 30 to 35 mph.	Transportation
17	Keep in mind the needs of the local youth – local jobs, closer to get to work	Economic Needs
18	A pleasing streetscape will improve the look of Main Street and help commercial be successful	Land Use & Design Patterns

PLANNING COMMISSION MINUTES OF MEETING
Wednesday, October 24, 2018
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 7:01 p.m.

MEMBERS PRESENT

Kevin Daly, Vice Chair
Cheylynn Hayman, Chair
Kathy Helgesen
Gina Hirst
Logan Johnson
Becki Wright

MEMBERS ABSENT

Kai Hintze

STAFF PRESENT

Lisa Romney, City Attorney
Cassie Younger, Assistant Planner
Mackenzie Wood, City Recorder
Jamie Brooks, Recording Secretary

STAFF ABSENT

Cory Snyder, Community Development Director

VISITORS

Interested citizens

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER Commissioner Wright

**PUBLIC HEARING – PRELIMINARY SUBDIVISION – SHEFFIELD DOWNS
PLANNED DEVELOPMENT OVERLAY – 274 EAST PAGES LANE**

Chair Hayman turned the time over to Cassie Younger, Assistant Planner, who outlined Planned Development Overlay, including what was to be maintained by the Home Owner's Association. There were some concerns regarding the amount of space between streets and a nearby elementary school. A traffic movement study had been requested regarding 300 East. Some utility easements and other minor corrections would need to be added to the final plat.

Commissioner Wright inquired about Ace Hardware parking which was depicted in the staff report.

Chair Hayman invited the applicant to address the Commission.

Taylor Spendlove of Brighton Development explained that Community Economic Development Director Cory Snyder had asked him to see if there would be any space left over for

1 Ace Hardware. Mr. Spendlove pointed out that the Ace property was separate from the
2 applicant's property.
3

4 Commissioner Wright inquired about neighboring plots #30-#33 on the southeast corner
5 of the plat. Mr. Spendlove responded that the lots in question were designed to be wider. Plans
6 included rambler-style homes on those lots.
7

8 Regarding the spacing of entrances/accesses to the subdivision, Mr. Spendlove stated that
9 they were spread out as far as possible. He also wished to point out that a full traffic study was
10 not requested—merely a traffic *movement* study which was less comprehensive.
11

12 Commissioner Daly asked about coordinating with the school district regarding traffic
13 safety matters as they applied to school crossings in the area. Mr. Spendlove pointed out that
14 potential property buyers would learn of their boundary schools when signing disclosure
15 documents at the time of sale.
16

17 Chair Hayman asked Mr. Spendlove if he had considered providing just a single entrance
18 to the development. He responded that there was a shared easement with access rights. Future
19 development also required that a second access point be in place.
20

21 Commissioner Hirst inquired regarding the width of the roadway. Mr. Spendlove
22 responded that there were sidewalks on both sides of the street with no parking allowed on the
23 roadway itself.
24

25 Chair Hayman opened the public hearing at 7:17 p.m. There was no one who wished to
26 speak. Chair Hayman closed the public hearing.
27

28 Commissioner Johnson indicated he was not sure that a traffic evaluation was necessary.
29 Chair Hayman and Commissioner Wright both agreed with Commissioner Daly regarding a
30 traffic movement study being best.
31

32 Commissioner Hirst made a **motion** to approve the preliminary subdivision plat for the
33 proposed Sheffield Downs Planned Development Overlay located at 274 East Pages Lane with
34 conditions 1-7 and both reasons for action listed in the staff report.
35

36 ***Conditions:***

- 37 1. The Final Subdivision Plat shall reflect the design, layout, and all related items as
38 stated in Ordinance 2018-20, Sheffield Downs Planned Development Overlay, as
39 approved by the City Council on September 18th, 2018.
40 a. A note on the Final Plat shall state that the plat is subject to this ordinance
41 2. A final subdivision application and plans shall be submitted, within one (1) year, in
42 accordance with the requirements of Title 15, Subdivisions and of Title 12-Zoning
43 Ordinance.
44 3. Final utility and construction plans shall be reviewed and approved by the City
45 Engineer, including, but not limited to:
46 a. Provide Building, pavement, & demolition plan
47 b. Distinguish which utilities are private and which are public
48 c. Show existing utility or access easements
49 d. Provide a cross section for street improvements
50 e. Show all accesses along the north side of Pages Lane from 400 East to the west
51 entrance to J.A. Taylor Elementary and provide traffic movement study to support
52 locations of new entrances into Subdivision.
53 f. Provide detention calculations

4. The applicant shall place a note on the Final Plat in reference to any CC&Rs that would be created for the subdivision, including notes that stated:
 - a. The use of outside storage of Recreational Vehicles (RVs) for dwellings or in the common space areas for longer than 48 hours shall be prohibited.
 - b. HOAs shall be responsible for the continuation and maintenance of open space and referenced in the Final Plat notes.
5. The Applicant shall post a bond for all public improvements, open space, and utilities prior to the recording of Final Plat. The applicant shall submit a phasing plan to be approved by Staff and the Commission, or Open Space amenities shall be installed prior to a certificate of occupancy for any dwelling.
6. A title report shall be submitted to City Staff Prior to Final Plat.
7. This subdivision was approved with unique setbacks for perimeter and interior lots, as outlined in their PDO Approval. Front, side, and rear yard setbacks for each lot shall be noted on the plat.

Reasons for Action

- a. The Commission found that the preliminary subdivision plan complied with the terms and conditions of Sheffield Downs PDO Zone Map Amendment and associated Conceptual Plan acceptance that was approved in September of 2018, Ordinance No. 2018-20, Centerville City Planning Commission October 10, 2018
- b. The Commission found that the conditions of the preliminary plan approval, subject to terms and conditions of the PDO, were consistent with the requirements for preliminary subdivision review [Section 15-3-103].

The motion was seconded by Commissioner Helgesen. The motion passed unanimously (6-0).

TABLED – PRELIMINARY SUBDIVISION – LEGACY LANDS AT 1243 NORTH 1300 WEST

Chair Hayman stated that this item was tabled to an unknown future Planning Commission meeting.

DISCUSSION – MAIN STREET TABLE OF USES AMENDMENTS PUBLIC COMMENTS

Cassie Younger reminded the Planning Commission that several public forums had been held and that she had provided a list of the public comments that had been submitted. The staff report included a list of those uses that were currently not allowed on Main Street as well as a short list of those uses that were currently on the Conditional Use List but could potentially be moved to the Permitted list.

Chair Hayman felt the public comment meetings were very helpful, particularly in that they were less formal than typical public meetings. The next step to take was to address the acceptable use table in the C-M zone on Main Street. She pointed out that although there were many comments provided by stakeholders, there was little concern expressed about eliminating or adding any specific uses. Commissioner Johnson commented that the conditional use list was a helpful tool to assist the City in mitigating certain negative impacts.

Commissioner Wright understood that the majority of those individuals that provided input did not wish to have fast food establishments added to Main Street. Chair Hayman pointed

1 out that it was important not to confuse “fast food” with “fast casual” food. Commissioner Hirst
2 hesitated to prohibit restaurants on Main Street, as they seemed to be well-used.
3

4 Commissioner Daly did not feel that Main Street had traffic congestion or safety
5 problems. He also did not anticipate “fast casual” franchises showing a great deal of interest in
6 Main Street. Instead, he expected more local establishments. He wished to allow potential
7 business owners to be creative. He felt this was a commercial area and that the residential uses
8 should be removed from the list of businesses prohibited on Main Street. He also pointed out that
9 contrary to the staff report, “catering, limited” was now allowed. Ms. Younger agreed that it was.
10

11 Commissioner Helgesen felt that “fast food” was subjective but wished to focus on the
12 amount of traffic resulting from different types of businesses. Commissioner Wright felt that fast
13 food would cause an increase in traffic whereas Commissioner Daly disagreed. Commissioner
14 Wright expressed an interest in changing the definition of “fast food.” Commissioner Daly
15 pointed out that changing the definition would affect businesses throughout the rest of the City,
16 including on Parrish Lane. Chair Hayman stated that there was already an abundance of fast food
17 restaurants on Parrish Lane and that it was unlikely that a large number of new ones would flock
18 to Main Street if that use were allowed. She wished to err on the side of allowing property owners
19 the right to open a business and letting the market dictate whether or not it would be successful.
20

21 Commissioner Wright suggested prohibiting franchised restaurants or national chain
22 restaurants from locating in the SMSC Zone. Ms. Romney indicated that the City generally does
23 not regulate use by who owns the use, but by the use itself.
24

25 Commissioner Helgesen was primarily concerned with traffic congestion and the safety
26 of schoolchildren crossing the street in the area in question. She was fine with restaurants—just
27 not with *drive-through* restaurants.
28

29 Commissioner Johnson questioned whether or not the City could allow fast food
30 restaurants while *not* allowing drive-throughs. Ms. Romney said it is acceptable to designate
31 different uses within a zone which may include prohibiting drive-throughs on Main Street. Her
32 advice, however, was to come up with a new definition for such use in the SMSC Zone rather
33 than changing the definition of fast-food restaurant throughout the City.
34

35 The Planning Commission reviewed the list of those uses that were currently NOT
36 allowed on Main Street. Commissioner Daly wished to see a variety of business types on Main
37 Street. The Planning Commission was split regarding car washes. They decided to leave it on the
38 list of uses for now, but to address it in the future.
39

40 Commissioner Hirst was in favor of allowing multi-family dwellings although
41 Commissioner Daly had earlier indicated a preference to focus on commercial development on
42 Main Street.
43

44 Commissioner Johnson wished to tackle residential development on Main Street as a
45 separate discussion so as not to high-jack the conversation in that direction, to the detriment of
46 other uses that needed to be addressed.
47

48 Commissioner Daly was concerned about excessive chipping away at the commercial
49 base and ending up with all residential development and only a small sliver of commercial space
50 on Parrish Lane.
51

52 Commissioner Hirst wished to open up the options and give property owners more
53 commercial development options. Residential development could take place elsewhere.

1
2 Lisa Romney wished to clarify whether the Commission desired to leave multi-family
3 dwellings on the list. The Commission agreed it should be removed from the list, but understood
4 that multi-family dwellings were still allowed in the overlay under the SMSC Zone provisions.
5 The Commission agreed that all residential uses should be removed from the list so that
6 residential development was not a focal point of the discussion. It was made clear that these uses
7 are still allowed, however.

8
9 Chair Hayman proposed that fast food restaurants remained on the list for now but that
10 the Planning Commission have a separate discussion about them in the future.

11
12 Chair Hayman proposed that the four business types that were currently on the
13 conditional use list (Bank/Financial Institution, Bed & Breakfasts, Cultural Services and
14 churches/places of worship) remain as conditional uses only.

15
16 Commissioner Johnson felt that the conditional use tool was not the proper way to ensure
17 increased regulation and control of certain business types.

18
19 The changes that the Planning Commission wished to recommend to the City Council
20 were:

- 21 ■ Allow *Agricultural sales and service* as a condition use but not a permitted use
- 22 ■ Remove *Auditorium or Stadium* from the list of uses not allowed on Main Street
- 23 ■ *Catering, limited* had recently been allowed as a conditional use and should
24 continue to be allowed
- 25 ■ Remove *cemetery* from the list
- 26 ■ *Construction Sales and Service* was to remain on the list as long as it was a
27 limited use (excluding exterior storage space)
- 28 ■ Remove *hotel*
- 29 ■ Remove *multi-family dwelling*
- 30 ■ Remove *post offices*
- 31 ■ Remove *single-family dwelling*
- 32 ■ Remove *twin homes*
- 33 ■ Remove *two-family dwellings* (all residential uses were to be removed from the
34 list, with the understanding that they would be re-addressed at some point in the
35 future)

36
37 Chair Hayman wished for staff to prepare language in order to allow all non-stricken uses
38 to be conditional use permits, with the clarification that she would like to see the existing
39 definition on the *construction sales and service*, as well as on the *construction sales and service,*
40 *limited* which had previously been sent to the City Council. Include *restaurant, fast food* as
41 currently drafted but include additional language allowing the City to limit the use of drive-
42 throughs between Pages Lane and Parrish Lane along the Main Street corridor.

43
44 Commissioner Helgesen wished to look at *agricultural sales and service* on a limited
45 basis (not allowing exterior storage). Commissioner Daly thought that type of business was not
46 feasible on Main St. Chair Hayman had no objection if staff wished to look into it, modeling it
47 after *construction sales and service*.

48
49 Lisa Romney responded to Commission questions about charter schools. Ms. Romney
50 read from Section 10-9a-305 of the Utah Code and explained the law regarding municipal
51 regulation of charter schools.

52
53 **COMMUNITY DEVELOPMENT DIRECTOR REPORT**

Cassie Younger provided this report as Cory Snyder had been excused. There would be just one Planning Commission meeting in November which would be on the 14th. The Legacy Lands project might be ready. Regarding the Preliminary Subdivision Plan for the Dual Creek Project subdivision would most likely be addressed. Finally, there might be a new conceptual subdivision item ready for the Planning Commission by then, so the meeting had the potential to be fairly long.

MINUTES REVIEW AND ACCEPTANCE

The minutes of September 26, 2018 were reviewed and amendments suggested. Commissioner Helgesen made a **motion** to accept as amended. Commissioner Wright seconded the motion which passed by unanimous vote (6-0).

The minutes of October 10, 2018 were reviewed and amendments suggested. Commissioner Hirst made a **motion** to accept as amended. Commissioner Daly seconded the motion which passed by unanimous vote (6-0).

ADJOURNMENT

Chair Hayman moved to adjourn. Commissioner Wright seconded the motion. The motion passed unanimously (6-0) and the meeting adjourned at 8.38 p.m.

Cheyllynn Hayman, Chair

Date Approved

Jamie Brooks, Recording Secretary