

CENTERVILLE CITY PLANNING COMMISSION AGENDA

ATTN: MARSHA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON WEDNESDAY, NOVEMBER 18, 2015, AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

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

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

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. This agenda is also posted on the City's Website: www.centervilleut.net and on NovusAgenda at the following link: <http://centerville.novusagenda.com/agendapublic>

Tentative Time: (The times shown below are tentative and are subject to change during the meeting)

- 7:00 A. **WELCOME AND ROLL CALL**
 B. **PLEDGE OF ALLEGIANCE**
 C. **PRAYER OR THOUGHT – To be assigned**
 D. **MINUTES REVIEW AND ACCEPTANCE – October 28, 2015**
 E. **COMMISSION BUSINESS**
- 7:10 1. **PUBLIC HEARING | RASBAND RESIDENTIAL BLDG LOT | 85 E CHASE LN**
 Consider proposed Conceptual Site Plan for an unplatted residential building lot, for the purpose of constructing a new dwelling on property located at 85 East Chase Lane. Glade Jones, Calute Homes, Applicant
- 7:30 2. **PUBLIC HEARING | CODE TEXT AMENDMENT, SECTION 12-61-062 – DEUEL CREEK HISTORIC DISTRICT**
 Consider proposed Zoning Code Text Amendment for Section 12-61-062–Deuel Creek Historic District; which purpose is to help promote preservation of the original town site. Centerville City, Applicant
- 7:50 3. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
 • PC Meeting December 9, 2015:
 Huffaker Dental Duplex Rezone & Conceptual Subdivision for 134 S Main Street,
 Holbrook Property Rezone & Lot Split for 1851 North Main Street
- 7:55 F. **ADJOURNMENT**

Posted November 13, 2015 by Community Development



PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, October 28, 2015

7:00 p.m.

A quorum being present at Centerville City Hall, 250 North Main Street, Centerville, Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Cheylynn Hayman
David Hirschi, Chair
Gina Hirst
William Ince
Logan Johnson
Scott Kjar
Kevin Merrill

STAFF PRESENT

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

VISITORS

Interested Citizens

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER Chair Hirschi

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held October 14, 2015 were reviewed and amended. Commissioner Ince made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Johnson and passed by unanimous vote (6-0).

PUBLIC HEARING | MAVERIK INC. | CORNER OF PARRISH LANE & 1250 WEST - Consider proposed Conditional Use Permit for a "Gasoline Service Station" and Final Site Plan for a Maverik Convenience Store, on property located at the corner of Parrish Lane and 1250 West, in the Legacy Trail Apartments Development. Don Lilvquist, Maverik Inc., Applicant.

1 Cory Snyder, Community Development Director, reported the applicant proposed to
2 build a Maverik gas station/convenience store as part of the Legacy Trail Apartment
3 Development. The applicant is ready for final site plan approval, which also requires a
4 conditional use permit for the fuel sales. In addition, the applicant is requesting a landscape
5 waiver. The construction of the Maverik is part of Phase 1 of the Legacy Trail Development. Mr.
6 Snyder reviewed the site plan explaining the layout, the circulation pattern, parking, landscaping,
7 and amenities. The submitted final site plan is substantially compliant with previous approvals.
8 The applicant has adjusted the site plan to include additional parking on the west side of the
9 building. This is a change from the original design (landscape/fence). Staff believes this revision
10 is minor and acceptable.

11
12 Mr. Snyder reminded the Commission that they previously recommended approval for a
13 change to the architecture for the Maverik to include a pitched-roof and the use of timbers. This
14 change was approved by the City Council and the final site plan reflects these changes. The
15 applicant will be required to include a rock wainscot on the base of the building and on all pillars
16 as required by the Parrish Lane Design Guidelines. Staff suggested the decorative lighting
17 fixtures also be carried to the east side of the building, since this too will be prominently seen by
18 the public. Mr. Snyder explained the required "corner feature" is currently being discussed. The
19 original plan was to include landscaping and a small decorative wall. The City and the applicant
20 are now discussing the possibility of a bike trailhead/rest stop. The City has hired a landscape
21 architect to design a plan for all four (4) corners of Parrish Lane and 1250 West in order to tie
22 together all trails/pathways in this area. The Redevelopment Agency is also involved.

23
24 Mr. Snyder explained the requirements for landscaping for the entire Legacy Trail
25 Apartment Development. The development as a whole meets landscape requirements. In
26 addition, the applicant is also developing the perimeter pedestrian pathway. The applicant is
27 requesting a landscape reduction of 3% on the Maverik site. Staff agrees the master planned
28 development exceeds the normal landscaping requirements for the Commercial-Very High Zone
29 and thus believes the applicants request is acceptable.

30
31 Mr. Snyder reviewed the conditional use permit application. The proposed use is
32 consistent with the goals and objectives of the General Plan. The proposed use is part of an
33 overall master planned development with appropriate access and circulation. The use will not
34 generate any issues not already anticipated with the master planned project and the applicant has
35 mitigated the impacts as required.

36
37 Don Lilyquist, Applicant, said Maverik is excited to build this new building in
38 Centerville. He believes this is an attractive building and a great plan for this area. He confirmed
39 that the building and all pillars will have a rock wainscot at the base. He reviewed the double
40 entrance and large window on the front of the building. This is a new design that will allow
41 employees to have a full view of both the store and fuel canopy area. He said this design also

allows for greater visibility by patrons, the public, and law enforcement. He said the store will be open 24-hours a day. He also explained there is signage on the front and east sides of the building only.

Chair Hirschi opened the public hearing. Seeing no one wishing to speak; he closed the public hearing.

Commissioner Merrill said he likes the use of the heavy timbers and believes it is a nice addition to the architecture of the building. He is also accepting of the landscape waiver. He said a 3% loss is insignificant compared to the pedestrian pathway and possible bike trailhead/rest stop.

MOTION - Landscaping, Waiver of Strict Compliance

Chair Hirschi made a **motion** for the Planning Commission to approve a Waiver of Strict Compliance for landscaping related to the site for the Maverik Convenience Store to be located at the southwest corner of 1250 West and Parrish Lane, as follows:

1. Landscape Depth Along Parrish Lane - Allow the use of provided Legacy Trail's Master Planned Development Trail System along Parrish Lane to function as the required landscaping (22.5 feet along Parrish Lane) and count the on-site 2.5 feet for a total of width of 25 feet from back of curb.
2. Overall On-site Landscape Percentage - Allow an on-site landscape reduction from the required 10% to 7%.

Reasons for the Action:

- a. The Planning Commission finds that there is an extra 12.5 landscaping depth in the ROW that exists to accommodate the trail system. Therefore, the actual design request is to reduce the site design distance expectations from 20 feet to 15 feet.
- b. The residential area of the master planned development (Lot 4) consists of an overall on-site landscaping amount of 33%. If the applicant's request of 7% is approved, the master planned area for Lots 1 and 4 would contain 40% landscaping. Thus, the Commission does not believe that such reduction compromises the PDO approval expectations verses the standard C-VH Zone regulations.

The motion was seconded by Commissioner Kjar and passed by unanimous roll-call vote (6-0).

MOTION - Final Site Plan

Commissioner Merrill made a **motion** for the Planning Commission to accept the Final Site Plan for the Maverik Convenience Store to be located at the southwest corner of 1250 West and Parrish Lane, with the following conditions for approval:

1. This final site plan is subject to the development of the site in accordance with the submitted final plans, as submitted to the City and as amended by this approval or by the City.
2. The pillar materials of the canopy design are to match the main building, which will require a brick or rock base element for the pole structures.
3. The dumpster and/or mechanical equipment behind the main building shall be screened from public view with materials compatible with the main building.
4. The east elevation wall pack fixtures shall be replaced with the decorative wall fixtures, as found on the north wall (front of store) of the main building.
5. The final plans shall address the placement of the required pedestrian path street lamps, which shall be deemed acceptable to the City's Public Works Director.
6. The final plans shall address the installation of the required decorative pedestrian access path from 1250 West to the storefront.
7. The site landscaping plans shall be stamped by a licensed landscape architect.
8. The landscaping plans shall be corrected to be compliant with the street tree frontage requirement of 17 trees and deemed acceptable by City staff.
9. At the request of the Parks and Recreation Committee, the City and Maverik may negotiate a partnership to construct a trailhead/bike rest area to function as the required site feature. If this does not happen, the applicant shall return to the Planning Commission and present an alternative design for Commission approval.
10. The required final site plan corrections shall be performed with the submittal of the site and building construction plans, which are to be reviewed by City staff for compliance with this approval.
11. The applicant shall post and/or pay any outstanding development related costs consistent with City Ordinances and fee schedules.

Reasons for the Action:

- a. The Planning Commission finds that the final site plan, with the conditions listed; depict how the property is being developed in accordance with City Ordinances, which include the following:
 - The site plan procedures of Chapter 12-21 of the Zoning Ordinance
 - Substantial compliance with the C-VH/PD approval for the Legacy Trails Subdivision
 - The General Development Standards for Commercial Zones, which includes Off-Street Parking, Landscaping and Screening, and Supplementary Development Provisions of the Zoning Ordinance, and
 - The Parrish Lane Gateway Design Standards

The motion was seconded by Commissioner Johnson and passed by unanimous roll-call vote (6-0).

MOTION – Conditional Use Permit

Commissioner Hirst made a **motion** for the Planning Commission to approve a Conditional Use Permit associated with the final site plan for the Maverik Convenience Store to be located at the southwest corner of 1250 West and Parrish Lane, with the following conditions for approval:

1. This CUP is for Gasoline Service Station associated with the Maverik Convenience Store Site Plan.
2. The installation of the Parrish Lane access and traffic mitigation measures as deemed required with the associated subdivision development for the Legacy Trails development.

Reasons for the Action:

- a. The Planning Commission finds that the proposed use is consistent with the goals and objectives of the General Plan.
- b. The Planning Commission finds that the implementation of the Legacy Trail System access spur along Parrish Lane is a strong visual addition that would be greatly enhanced by the possible trailhead/bike rest stop area being considered by the City and Maverik.
- c. The Planning Commission finds that proposed use is part of an overall master planned development that included the proposed use.
- d. The Planning Commission finds that access drives and common integrated lanes in and through the development create a cohesive and functional development area.
- e. The Planning Commission finds that traffic capacity and mitigation measures were previously identified and plans to mitigate such concerns have already been implemented with approval and development of the original subdivision for the Legacy Trail development.

The motion was seconded by Commissioner Kjar and passed by unanimous roll-call vote (6-0).

PORTER WALTON TOWNHOMES PLANNED UNIT DEVELOPMENT | 564 WEST PORTER LANE - Consider proposed Final Subdivision Plat for the Porter Walton Townhomes Planned Residential Unit Development, on property located at 564 West Porter Lane, for the purpose of platting the approved multi-family project. Taylor Spendlove, Brighton Homes, Applicant.

Brandon Toponce, Assistant Planner, reported the Planning Commission previously approved a conceptual subdivision plat, a preliminary subdivision plat and a conditional use permit for this project and the applicant is now ready for final subdivision plat approval. The developer is currently working on the public infrastructure for the entire site. The applicant has

1 met the conditions set during previous approvals and the final subdivision plat is consistent with
2 previous approvals. The applicant has completed the plat notes, survey notes, and addressing as
3 required. The applicant has also provided the title report and CC&Rs. All notes and documents
4 are currently under review by City staff. The applicant will be required to comply with all
5 conditions that remain in effect including bonds, fees, and the development agreement.

6
7 Chair Hirschi questioned if the traffic mitigation fee should be called out as a condition?
8 He also asked when the monitoring of the traffic will be completed.

9
10 Taylor Spendlove, applicant, said development of the infrastructure is moving along and
11 that the curbing and pavement should be complete in the next few weeks. He too asked when the
12 traffic study would be completed. He said they are willing to pay their portion of the impact fee
13 for traffic and would like to get this done soon. He said they are not able to record the plat and
14 sale lots until this is complete and are anxious to move forward. He said they already have a
15 waiting list for lot purchases.

16
17 Cory Snyder, Community Development Director, said the traffic study is underway, but
18 he is unsure when it will be completed. He said the final subdivision plat is ultimately approved
19 by the City Council. He suggested the Commission allow the Council to discuss the time frame
20 for the traffic study.

21
22 Commissioner Hirschi made a **motion** for the Planning Commission to accept the Final
23 Subdivision Plat and recommend approval to the City Council for the proposed Porter Walton
24 Townhomes Development, located at approximately 564 West Porter Lane, subject to the
25 following:

- 26
27 1. The final plat shall be submitted to the City Council for approval and shall be
28 recorded at the Davis County Recorder's Office prior to the sale of any individual
29 units.
30 2. The applicant shall address all corrections and edits as stated by the City Engineer
31 and City Attorney prior to the printing of the final linen plat.
32 3. The applicant shall address all corrections and edits to the CC&Rs as stated by the
33 City Attorney.
34 4. All applicable development fees shall be paid prior to the recording of the final plat.
35 5. The applicant shall enter into an improvements agreement and related bonding for
36 remaining public improvements prior to recording the plat.
37 6. The applicant shall meet all applicable conditions as approved by the Planning
38 Commission and set forth within the final site plan approval and the conditional use
39 permit including but not limited to the continuation of traffic monitoring and a
40 determination by the City Engineer of any applicable impact fees to be paid by the
41 applicant.

Reasons for the Action:

- a) The final subdivision plans and plat are in harmony with the relevant provisions of the City's General Plan [Section 12-480-1(a)].
- b) The Porter Walton Townhomes Development is in harmony with the provisions of the Residential-Medium Zone [Chapter 12-32].
- c) The Porter Walton Townhomes Development is in harmony with the final site plan and conditional use permit as approved by the Planning Commission [July 22, 2015].
- d) The City Council is the authorized body to grant approval for a final subdivision plat [Section 15-4-107].
- e) With the directives listed, the acceptance is consistent with the expectations for PUD subdivisions, as outlined in Chapter 15-6, Planned Unit Development.

The motion was seconded by Commissioner Kjar and passed by unanimous roll-call vote (6-0).

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next regularly scheduled Planning Commission meeting will be Wednesday, November 18, 2015.
2. Upcoming Agenda Items:
 - Rasband Residential Building Lot, Conceptual Site Plan
 - Deuel Creek Historic District

The meeting was adjourned at 8:20 p.m.

David Hirschi, Chair

Date Approved

Kathleen Streadbeck, Recording Secretary

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

**STAFF REPORT
AGENDA: ITEM 1**

PROPERTY OWNER: ROY D. RASBAND
1031 EAST 250 SOUTH
BOUNTIFUL, UT 84010

APPLICANT: GLADE JONES
CALUTE HOMES
905 24TH STREET
OGDEN, UT 84401

EMAIL: GLADE@CALUTEHOMES.COM

PROPERTY: 85 EAST CHASE LANE

ACREAGE: .482

ZONING: RESIDENTIAL-LOW (R-L)

APPLICATION: CONCEPTUAL SITE PLAN ACCEPTANCE

RECOMMENDATION: ACCEPT THE CONCEPTUAL SITE PLAN

BACKGROUND

Roy Rasband purchased the property at 85 East Chase Lane and desires to construct a home on the property. On September 23, 2015, the property was rezoned from Agricultural-Low to Residential-Low. Since the lot has stood vacant for some time, the lot is now considered abandoned and must go through the full approval process to place a home on the lot. According to Section 12-21-110(c)(2)(E), of the Zoning Ordinance, the site plan approval process must be completed for any residential development outside a platted subdivision. Therefore, in order for Mr. Rasband to receive a building permit and construct a new home on the lot, he must first receive approval from the City for development. The sole purpose of this review and approval is to ensure that the lot is buildable, meeting all the applicable standards of the Zoning Ordinance, and to place the proper public utility easements on the property.

CONCEPTUAL SITE PLAN SECTION 12-12-110(d)

A conceptual site plan is not intended to permit actual development of property, yet it is intended to represent how the property may be developed so that the applicant can receive feedback from the Planning Commission. A final site plan approval is still required prior to the issuance of a building permit.

Table of Uses Allowed Chapter 12-36

The property located at 85 East Chase Lane is found within the Residential-Low (R-L) Zone. According to Chapter 12-36-Table of Uses Allowed, a single-family dwelling is acceptable. A single-family dwelling is defined as a building having only one dwelling unit (Chapter 12-12). Mr. Rasband would like to construct a single-family home on the lot, which meets the allowable use found in the Table of Uses.

General Plan

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

Development Standards

The following is a review of the Development Standards for the proposed lot and future home.

Development Standards Residential-Low Zone 12-32-1			
Development Standard	Required	Actual	Compliance
Building Standards			
Distance Between Buildings	6 Feet	N/A	N/A
Maximum Height	35 Feet	Not yet available	
Lot and Parcel Standards			
Minimum Frontage	60 Feet	114.18	Existing nonconforming
Setback Standards			
Front	25 Feet	25 Feet	Yes
Rear	20 Feet	105.4 Feet	Yes
Side	8 Feet Minimum total width of both side yards: 18 feet	East: 10 Feet	Yes
		West: 8 Feet	
Site Standards			
Buildable Area	2,000 Square Feet	7,200	Yes
Buildable Area Range	2:1 and 1:2	75' x 96'	Yes
Gross Density	4 Units Per Acre	1 home on a single lot	Yes

UTILITIES AND EASEMENTS

The applicant has provided utility provider sheets for South Davis Sewer District, Deuel Creek Irrigation, Rocky Mountain Power, and Questar Gas, all stating that they will adequately be able to provide service. The final site plan must show all utilities being properly stubbed into the property, along with the closest fire hydrant being indicated on the plans. The site plan indicates the proper utility easements to be located on site with the front at 10 feet and two other sides measured at 7 feet. As a reminder, these easements will need to be accepted by the City Council after the final site plan has been approved and then recorded with the Davis County Recorder's

Office. The property owner will also be required to pay any development fees that may be applicable for the development of this lot.

CONCLUSION

After reviewing the Conceptual Site Plan, staff believes the applicant has clearly shown how the property may be developed. The City Engineer has also reviewed the conceptual plans and gave the following directions to the property owner to be completed on the final site plan:

- A 4' park-strip is required to meet City Standards. This may also require a 1' sidewalk easement.
- Existing drive approach will need to be removed.
- If a new bridge will be created they will need to receive a permit from Davis County.
- The culinary water line will need to be determined based on the number of fixture units.
- The question of a basement will need to be addressed.
- A bond will need to be posted for all public improvements.

PLANNING STAFF RECOMMENDATIONS

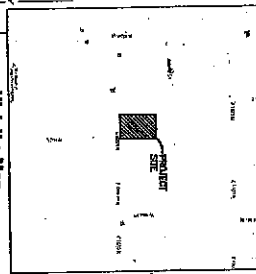
PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the Conceptual Site Plan for the Rasband Residential Lot to be located at 85 East Chase Lane, with the following conditions:

1. All fees shall be paid; including all related development fees.
2. The applicant shall submit a final site plan application meeting the standards found in Section 12-21-110(e) of the Ordinance.
3. A final site plan shall be approved prior to the issuance of a building permit
4. All utilities shall be indicated on the final site plan.
5. Building sketches shall be provided as part of the final site plan application identifying the total building height.
6. The closest fire hydrant shall be indicated on the final plan.
7. The following engineering concerns shall be addressed and reviewed by the City Engineer:
 - A 4' park-strip shall be indicated with a 1-foot sidewalk easement
 - The existing drive approach shall be removed.
 - If a new bridge is created approval by Davis County shall be obtained
 - A fixture count must be completed to determine the size of the culinary water line
 - The existence of a basement shall be determined
 - A bond shall be posted for all public improvements

SUGGESTED REASONS FOR THE ACTION:

1. The applicant has clearly shown how the property may be developed [Section 12-21-110(d)(2)].
2. The applicant has submitted a full application [Section 12-21-110(d)(1)].
3. Proposed utility easements are required on all developed lots [Section 12-21-110(e)(2)(iii)(d), 15-5-106(8)].
4. A final site plan application shall be required for submittal [Section 12-21-110(e)].

CITY OF CENTERVILLE, DAVIS COUNTY, UTAH
OCTOBER, 2015



- ### Good Description

BEA 10.33 CHAINS WEST OF SOUTHEAST CORNER OF SECTION 8-17N-R1E, S14W; THENCE NORTH 2.92 CHAINS WEST 17.3 CHAINS; THENCE SOUTH 2.82 CHAINS TO CHASE LANE; THENCE EAST 1.23 CHAINS; THENCE NORTH 0.10 OF A CHAIN TO THE BEGINNING, CONTAINING 0.48 ACRES

Developer Contacts

1031 East 250 South
Bountiful, UT. 84010
Pitt (801) 541-0852

Blue Stacks Location Center
Call Toll Free
1-800-662-4111
Two Working Days Before You Die

CITY OF CENTERVILLE, DAVIS COUNTY, UTAH

Cover/Index Sheet



REVISIONS	
DATE	DESCRIPTION



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Leo Reeve • Eva D'Amico • Lisa Edwards
TRAFFIC ENGINEER • STRUCTURAL ENGINEER • ENVIRONMENTAL ENGINEER

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
11/18/2015**

Item No. 2

Short Title: Public Hearing - Zoning Code Text Amendment, Section 12-61-062-Deuel Creek Historic District

Initiated By: Centerville City, Applicant

Scheduled Time: 7:30

SUBJECT

Consider proposed Zoning Code Text Amendment for Section 12-61-062-Deuel Creek Historic District; which purpose is to help promote preservation of the original town site

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- 11-18-2015 PC Staff Report Zoning Code Text Amendment Deuel Creek Historic District

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

**STAFF REPORT
AGENDA: ITEM 2**

APPLICANT: CENTERVILLE CITY LANDMARKS COMMISSION

**APPLICATION: ZONING CODE TEXT AMENDMENT TO CREATE THE DEUEL
CREEK HISTORIC DISTRICT**

**RECOMMENDATION: ACCEPT THE ZONE TEXT AMENDMENT AND
RECOMMEND APPROVAL TO THE CITY COUNCIL**

BACKGROUND

Reconnaissance Level Survey

In the summer of 2011, Korral Broschinsky, Historic Preservation Consultant, completed a reconnaissance level survey, which evaluated the historic fabric of the community. As part of her recommendation, she suggested Centerville City create an historic district in the central region of the City. A map created by Mrs. Broschinsky indicates a large concentration of homes 50 years and older within the area East of Main Street from Parrish Lane to Porter Lane.

Selecting a Location

The Landmarks Commission reviewed the recommendation of Mrs. Broschinsky and conducted a site visit through the central core of the City. After finding the area rich in history, they concluded the creation of a historic district would be an appropriate way to celebrate the history of the original town site. The Commission visited the subject at several meetings to address the geographic boundaries, by looking at the specific concentration of historic homes and an area that would be convenient for walking. The area chosen was the east side of Main Street from Parrish Lane to Porter Lane, the south side of Parrish Lane from Main Street to 400 East, the west side of 400 East from Parrish Lane to Porter Lane and both sides of Porter Lane from 400 East to Main Street. The name of the district was chosen as the Deuel Creek Historic District, which is reminiscent of the first settlement along the Deuel Creek.

Type of District Chosen

There are many types of historic districts ranging from national to local and from restrictive to celebratory. A nationally registered district offers tax incentives to those structures that are found eligible and that follow the Secretary of the Interiors Standards for Rehabilitation. A property owner is still allowed the right to choose what they believe is best for their property. Often a

local jurisdiction will then place additional guidelines and restrictions on the district in order to have more control over design and development.

The Landmarks Commission believed the public might have a misconception of a National District and be concerned that federal regulations could be implemented. Therefore, they believed a local district would be more fitting for the community. The proposed district would only be recognized by Centerville and not subject to any state or national guidelines. This informal style allows the community to create an individual incentive program and gives the neighborhood a chance to become more involved in shaping the future of their community.

Additional Research

After the proposed area was chosen and the type of district selected, the Landmarks Commission wanted to find similarities and differences among the physical characteristics of the built environment. In the summer of 2014, the Community Development Department had Alex Shirley, an intern with the University of Utah, create a report documenting similarities within the district. Alex addressed architectural features, setback, height, detached garages and more. This information helped the Commission establish a consistent pattern among the properties and to address possible design standards.

Public Comment

The Landmarks Commission held three separate meetings to receive input from those living within the proposed district area. The first meeting was an introduction to the idea of a district, and to hear specific concerns from the neighborhood. At the second meeting, the citizens and the Commission worked together to create a vision of what would fit the needs of the community. The final meeting was conducted to display the proposed Ordinance amendments for the implementation of the district.

The Landmarks Commission has worked diligently to come up with a proposal that will help the City to celebrate the historic core of the community, while at the same time addressing the needs of the citizens living within the district boundaries. The document presented to the citizens focused on the following:

- The district is being created to celebrate the historic fabric of Centerville and to help educate the public on the importance of preservation
- The Deuel Creek Historic District will be designated as a local district only
- Incentives are only given to those who comply with the voluntary guidelines
- The Ordinance was drafted in response to public comment and the comments of the Landmarks Commission
- Development guidelines were based on research that compared the built environment within the proposed district area

Creating a new Ordinance is the first step in implementing the new district. After the Ordinance has been approved, the Landmarks Commission will propose a change to the zoning map to create an overlay district. This overlay zone will not affect the underlying zoning and will allow a property owner to utilize their property as they see fit. However, in order for the program to work, worthwhile incentives have been proposed. These incentives would allow for reduced

setbacks and a reduction in the building permit fee of 25%. The Landmarks Commission is hopeful that by creating the district, it will encourage future preservation projects within the neighborhood such as:

- Kiosk located near the church well site sharing the history of the community and spotlighting people and buildings within the Deuel Creek District
- Neighborhood members come up with a slogan and logo
- District neighborhood activities

ZONE TEXT AMENDMENT, SECTION 12-21-080

With the introduction to the historic district, an addition to the Zoning Ordinance is proposed. This section was created in response to the desires of the Landmarks Commission and the concerns of the citizens who attended the work sessions. Originally, the Landmarks Commission believed the additions would fit within Section 12-61, Historic Buildings and Sites. However, the City Attorney, Lisa Romney, suggested that since it is considered an overlay district, it should be placed in its own section. The Planning Commission may discuss this alternative and create a new Section found in Article 4, of the Zoning Ordinance under Special Purpose and Overlay Zones. The possible new section may be called out as Section 12-49, if the Commission so desires. The following reference would then be placed in Section 12-61-060(g):

(g) Deuel Creek Historic District. The City hereby creates the Deuel Creek Historic District consisting of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South), north and south facing sides of Porter Lane (400 South) from Main Street to 400 East, west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North) and the south facing side of Parrish Lane (400 North) from 400 East to Main Street. Refer to Section 12-49, Deuel Creek Historic District, for further standards and detail.

The following proposed Ordinance is drafted as an example of the new Chapter 12-49 however, if the Commission believes it should remain in Chapter 12-61, the numbering may be altered to reflect this change.

PROPOSED ORDINANCE

12-49 - Deuel Creek Historic District

12-49-010. Purpose.

The purpose of creating the Deuel Creek Historic District, voluntary overlay, is to preserve the integrity and characteristics of the original town site, while educating the community concerning Centerville's past.

12-49-020. Scope.

The Deuel Creek Historic District shall consist of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South), north and south facing sides of Porter Lane (400 South) from Main Street to 400 East,

west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North) and the south facing side of Parrish Lane (400 North) from 400 East to Main Street.



12-49-030. Permitted and Conditional Uses.

All permitted and conditional uses as allowed within the respective underlying zones stated within Chapter 12-36 of this Title shall still apply within the Deuel Creek Historic District.

12-49-040. General Requirements of Applicability.

Development standards as pertaining to the individual underlying zone as stated within this Title, the Centerville City Code, or other laws and standards as set forth by the governing body, shall apply to all real property found within the Deuel Creek Historic District Except to the extent such provisions are altered within this Chapter.

12-49-050. Property Classification.

- 1) Historic Landmark Register. Highest recognition of an historic resource found within the Deuel Creek Historic Districts. Properties listed on the Official Historic Landmark Register shall be found on the National Register of Historic Places and are subject to the standards found in Section 12-61-050 of this Chapter in relation to additions, alterations and demolition criteria.
- 2) Contributing Property. Any structure constructed 50 years in the past found within the Deuel Creek Historic District that contributes to the historic character of the district. This shall include all properties listed on the significant Historic Sites List as defined in Section 12-61-040 of this Chapter.
- 3) Non-Contributing Property. This shall include all properties that do not contribute to the historic character of the district: structures older than 50 years that have been significantly altered as to not resemble the original appearance, new development constructed less than 50 years in the past and future development on vacant ground.

12-49-060. Property Owner Obligation.

The Historic Preservation Program within Centerville is considered voluntary. Nothing in this section shall be construed to prevent a property owner of record within the Deuel Creek Historic District from developing his or her property as allowed by the underlying Ordinances found in this Title. Properties as listed on the Historic Landmark Register shall be subject to Section 12-61-100 of this Title in relation to modifications and alterations.

12-49-070. Procedures.

- (a) Building Permit. All properties located within the Deuel Creek Historic District shall be notified concerning the standards for construction within the Deuel Creek Historic District as stated with the Building Permit.
- (b) Review. The Zoning Administrator, or designee, shall contact the applicant to ensure they are aware of the Deuel Creek Historic District Standards and Incentives as part of the review process for an exterior building permit.

12-49-080. Property Development Standards

These standards have been created to enhance the district area and generate continuity between contributing properties, non-contributing properties and new development. The standards are desirable, yet they are not mandatory. Property owners who do not wish to follow these guidelines shall not receive any incentives as stated within Section 12-61-

062(i) of this Title, and shall be subject to all applicable Zoning Standards, fees and governing laws found within this Title for standard development.

(a) Contributing Properties:

- A. Owner of a property considered Contributing as stated in Section 12-61-062 (e)(2) of this Title, desiring to participate in the Incentive Program shall be subject to the approval standards found in Section 12-61-100(e) of this Title and may also participate within the incentive program as stated herein.
- B. This review shall take place at the time of building permit review with final incentive approval being made by the Zoning Administrator.

(b) Non-Contributing Properties and/or New Development:

- 1) Owner of a property considered Non-Contributing as stated in Section 12-61-062(e)(3) of this Title, desiring to participate in the Incentive Program shall choose at least four of the following:

i. Design Standards:

- Façade material consisting of 80% of one of the following: brick, rock, wood, cement fiberboard. The remaining 20% shall consist of like material that is consistent with contributing properties
- Detached Garage *or*
- Garage setback from the front facing building line of the main structure at 18 feet
- Construction of a two-car garage, instead of 3-car garage or larger
- Front porch of at least 25 square feet
- Gable accents consistent with those found within the district
- A driveway curb cut no larger than 18 feet and driveway at its widest point at 20 feet
- Traditional exterior details (such as pillars, shutters, ornamental designs, etc.)
- Bay window
- Dormer windows
- Historic paint colors
- Other architectural features as found throughout the district (this criteria must include a photograph of the inspirational feature)

12-49-090. Incentive Criteria.

Incentive Criteria. These incentives shall apply to all property owners of record that have met the above Property Development Standards for those properties designated under Property Classification as found within Section 12-61-062(e) of this Title. Property owners who choose not to participate in the development standards shall not receive these incentives and shall be subject to all required Zoning Regulations and Standards as set forth in this Title and all other applicable standards and fees as set forth by the City.

- (a) All Incentives are for exterior projects only, such as:
 - 1) New development
 - 2) Alterations/additions
- 3) General exterior repairs or rehabilitation that requires a building permit
- (b) All incentives shall be reviewed and approved by the Zoning Administrator
- (c) A certificate shall be given to the property owner stating that the property has been allowed incentives based on the approved standards as stated in Section 12-61-062(h) of this Title and be placed with the building permit
- (d) These incentives shall only be for those properties found within the Deuel Creek Historic District as specified in Section 12-61-062(b) of this Title
- (e) These incentives shall only apply to properties within the Deuel Creek District from the date this section was approved by the City Council and shall not be retroactive
- (f) No incentives shall be given to property owners that have not completed all the required obligations as stated within this Section

12-49-100. Incentives.

- (a) Setback reduction. Setback shall be measured from the building line and a property or designated right-of-way line. Actual setback shall be determined by the property owner prior to approval of any setback reductions. Setback standards in relation to decks and patios shall still apply and follow standards found in Section 12-55-130(g) of this Title, except for approved front porches as indicated in this section.
 - 1) Front Yard Setback: 20 Feet
 - 2) Front Yard Setback from Porch: 15 Feet
 - 3) Side Yard Setback (each side yard): 7 Feet
 - 4) Street Side Setback: 18 Feet
 - 5) Rear Yard Setback: 18 Feet
- (b) Building Fee Reduction. All applicants who meet the above criteria found in this section shall be allowed up to a 25% reduction on the total cost of the building

permit. This reduction shall only be allowed within the Deuel Creek Historic District for the purpose of encouragement of promoting the preservation of existing contributing properties and encouraging harmony between new and historic architectural and property designs.

REVIEW AND ANALYSIS OF THE REQUEST

Factors to be considered, Section 12-21-080(e)

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

- **Staff Response:** As mentioned previously, Section 12-480-8(3), encourages the creation of historic districts. The objectives state this process is to be completed with input from property owners in order to create guiding principles of what the community desires. The Landmarks Commission has used this input and the goals and objectives found in the general plan to create an Ordinance for the district.

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

- **Staff Response:** The citizens who participated believed that each property owner should have a choice and not be obligated to follow strict regulations for each home. Yet, they were also concerned that historic homes could be demolished. Finally, they believed that instead of restrictions, incentives might be more beneficial.

The document clearly indicates the program is voluntary and that all uses currently allowed by Ordinance would still apply. If a property owner wishes to participate, a list of requirements have been created along with incentives. The requirements are derived from a study Alex Shirley conducted while an intern for the Community Development Department. Alex looked at architectural similarities throughout the proposed district area. The similarities were then gathered in a document that was used by staff and the Landmarks Commission to create the voluntary design standards. These standards reflect the overall characteristics of the area and ensure this harmony may be continued.

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

- **Staff's Response:** The Landmarks Commission desires to create the Deuel Creek Historic District and the related Ordinance to reduce adverse effects. Historic properties within Centerville may be considered fragile and in need of protection. If no program of preservation is in place, the historic fabric of the original Centerville town site could be lost. Yet, by encouraging citizens to help preserve

the area, education concerning the history of Centerville may become more important.

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

- **Staff Response:** The area is located within an already developed neighborhood with adequate facilities and services. Any future development would be reviewed by City staff to ensure that proper public utilities have been set forth and other zoning concerns have been satisfied.

CONCLUSION

The Landmarks Commission believes the proposed Zoning Code Text Amendment has been created in a way that would be considered positive for historic preservation. In addition, it appears the proposal is also in harmony with all applicable goals and objectives found within the General Plan.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the Zoning Code Text Amendment for Section 12-61-062 and the creation of Section 12-49, Deuel Creek Historic District, as depicted within the Staff Report dated November 18, 2015 and to recommend approval to the City Council.

SUGGESTED REASONS FOR THE ACTION:

1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
2. The proposed zoning text amendment meets the goals and objectives of the General Plan concerning a historic district [Section 12-480-8(3)].
3. Creating the Deuel Creek Historic District would not have a negative impact on the surrounding community.
4. Through research, site visits, three public work sessions and several meetings, the Landmarks Commission believes they have covered important aspects of location, guidelines and incentives.
5. The Landmarks Commission believes the proposed district and subsequent created documents will be beneficial to the neighborhood.