

- 8:45 6. **KING COMMERCIAL DEVELOPMENT | 330 WEST PARRISH LN**
Consideration of a final site plan and final subdivision plat for the King Commercial Development, located on Lots 2 & 3 of Parrish Park Subdivision, approximately 330 West Parrish Lane, in the C-VH Zone. Eldon Haacke, TerraForm Companies, Applicant
- 9:05 7. **PUBLIC HEARING | ZONING TEXT AMENDMENT | NOTICING & PUBLIC HEARINGS**
Tabled from November 13, 2013 meeting
Consideration of various proposed zoning ordinance text amendments regarding noticing and public hearing requirements for the City. Lisa Romney, City Attorney, Applicant
- 9:25 8. **DISCUSSION ONLY | WORK GOAL FOR WEST CENTERVILLE NEIGHBORHOOD PLAN**
Recommend the preferred process and public input for amending the West Centerville Neighborhood Plan
- 9:35 9. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
a. Upcoming Meetings
 • PC Meeting January 8, 2013: *Review the 2014 Commission Schedule; Elect Chair & Vice-Chair; Community Park Rezone; Fred Hale PDO Development*
- 9:40 E. **Adjournment**

Posted December 6, 2013 by Community Development



PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, November 13, 2013

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

Tamilyn Fillmore
David Hirschi
Brian Holman
Scott Kjar
Kevin Merrill, Chair
Debra Randall
Steven Markham

STAFF PRESENT

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

VISITORS

Eldon Haacke
Doug Coons

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Hirschi

MINUTES REVIEW AND APPROVAL

Minutes of the Planning Commission meeting held October 23, 2013 were reviewed. Commissioner Randall made a **motion** to approve the minutes as written. The motion was seconded by Chair Merrill and passed by unanimous vote (7-0).

PUBLIC HEARING | KING COMMERCIAL DEVELOPMENT | 330 WEST PARRISH LANE - Consideration of a conceptual site plan amendment to the King Commercial Development, located on Lots 2 & 3 of Parrish Park Subdivision, approximately 330 West Parrish Lane, in the C-VH Zone. Eldon Haacke, TerraForm Companies, Applicant

1 Brandon Toponce, Assistant Planner, reported the Planning Commission approved a final
2 site plan for King Commercial earlier this year. Following that approval the applicant discovered
3 the site had some ground water issues. The applicant has reconfigured the site and the plan is
4 now ready for conceptual site plan approval. The Jiffy Lube is now located in the middle of the
5 property with the Beans and Brew on the west and Subway to the east. This change now allows
6 for an oil pit within the Jiffy Lube building. All three uses are allowed within the Commercial-
7 Very High Zone in which they will be located and are consistent with the intent of the General
8 Plan for this area. The newly proposed layout includes appropriate parking for all three uses and
9 a circulation pattern that is better suited for the entire site. The site plan includes the required
10 landscaping with the exception of two (2) trees. Staff recommends these trees be added to the
11 parking lot landscape area. The applicant will need to submit the details regarding the trash
12 enclosure at final site plan approval. The proposed buildings (color, materials, and articulation)
13 have not changed and continue to meet the Parrish Lane Design Guidelines. The applicant has
14 included the necessary public amenities and pathways. Lighting (building, decorative, and street)
15 is currently being reviewed by staff and will be approved at a later date. The applicant will also
16 be required to receive a subdivision approval by the Planning Commission and the City Council
17 according to City ordinances.

18
19 The Commission reviewed the site plan and agreed the circulation pattern proposed is
20 better than the previous site plan. Commissioner Fillmore suggested the pedestrian pathway
21 connecting the Jiffy Lube to the Subway be extended through the drive-thru to the Subway
22 building. She suggested stripping or stamped concrete be used to designate this pathway and
23 possibly pedestrian signage be added for awareness. She also suggested the walkway on the east
24 side of Jiffy Lube be extended north through the parking lot to the property line. She said this
25 will help direct pedestrians through the parking lot to the building.

26
27 Eldon Haacke, applicant, agreed that extending the sidewalk to the parking on the north
28 would be beneficial. He also agreed with extending the pedestrian pathway between Jiffy Lube
29 and Subway. He explained the water table issues and said this is a much better layout which will
30 provide for all the needs of these tenants. He said traffic circulation is also much better and
31 Subway is happier with this configuration. He explained there is seventeen (17) feet between the
32 sidewalk on Parrish Lane and the Beans and Brew in order to accommodate the drive-thru. He
33 will be seeking a variance for this diminished setback. He said during the last approval process
34 the Planning Commission allowed a reduction of the two (2) trees and that all details regarding
35 the trash enclosures was submitted. These items were both continued on this new site plan. He
36 also stated they hope to begin construction early 2014.

37
38 Mr. Toponce said staff will verify the trash enclosure details and the reduction in trees as
39 stated by the applicant. Cory Snyder, Community Development Director, explained staff is

currently reviewing the lighting plan with regard to the Parrish Lane corridor. A new plan will be prepared early 2014. The applicant will be required to install lighting, but the details for this particular application will be forth coming once staff has finalized their review. The applicant is aware of this process.

Chair Merrill opened the public hearing. There was no comment; he closed the public hearing.

Commissioner Fillmore made a **motion** for the Planning Commission to accept the conceptual site plan amendment for the King Commercial Development located at 330 West Parrish Lane, with the following conditions:

Conditions:

1. All pedestrian pathways that cross through vehicular areas shall be stamped-colored concrete.
2. Detail concerning the dumpster enclosures and other screening shall be indicated on the final site plan and meet the requirements found in Section 12-51-110 of the Zoning Ordinance.
3. Specific lighting design shall be submitted as part of the final site plan application.
4. A bond shall be established for all on site improvements by the City Engineer and posted by the applicant prior to receiving any building permits.
5. All proposed signage shall be depicted on the final elevation drawings.
6. The applicant shall submit a final site plan application in accordance with Section 12-21-100 of the City's Zoning Ordinance, which shall be subsequently reviewed and approved by the Planning Commission.
7. The applicant shall re-address the previously approved landscaping waiver requests with the final site plan.
8. The applicant shall submit a final subdivision plat for a re-review and approval by the Planning Commission with the final site plan application.
9. The applicant shall receive subdivision approval prior to receiving any building permits.
10. All related professional services fees shall be paid to Centerville City.
11. The sidewalk on the east side of Jiffy Lube shall be extended through the landscaped area to the curb on the north property line in order to connect the north parking stalls to the Jiffy Lube building. In addition, the pedestrian pathway connecting Jiffy Lube and Subway shall be extended across the Subway drive-thru to the Subway building and pedestrian signage shall be added.

Reasons for Action (findings):

1. If an approved site plan is modified, and does not meet the requirements for a Zoning Administrator's approval, the site plan must go through the same approval process as the first [Section 12-21-110(i)(3)].
2. A complete conceptual site plan application has been submitted [Section 12-21-110(d)(1)].
3. The proposed uses of specialty retail, vehicle repair limited and a fast-food restaurant is allowed within the C-VH Zone [Chapter 12-36].
4. With the above conditions being addressed, the proposed development will meet the Parrish Lane Guidelines [Chapter 12-63].
5. A final site plan shall be required prior to any on site construction taking place [Section 12-21-110(e)(1)].

The motion was seconded by Commissioner Hirschi.

Commissioner Kjar made a **motion to amend** to extend the walkway on the west side of the Jiffy Lube building through the landscaped area to the north property line identical to the east side. This will create balance on the site. In addition, the applicant should add pavers to the landscape strip between Jiffy Lube and the Beans and Brew. This will provide direction and access for pedestrians. Commissioner Fillmore seconded the motion to amend. The motion to amend passed with a unanimous roll-call vote (7-0).

Commissioner Holman made a **motion to amend** to eliminate the pedestrian signage with regard to the pedestrian pathway between Jiffy Lube and Subway. He believes the pathway is sufficient and additional signage is not necessary and only adds additional cost to the developer. Chair Merrill seconded the motion to amend. The motion to amend passed with a roll-call vote (5-2). Commissioners Fillmore and Hirschi opposed.

Chair Merrill called for a vote on the motion as amended. The motion as amended passed with a unanimous roll-call vote (7-0).

PUBLIC HEARING | ZONING TEXT AMENDMENT | NOTICING & PUBLIC HEARINGS - Consideration of various proposed zoning ordinance text amendments regarding noticing and public hearing requirements for the City. Lisa Romney, City Attorney, Applicant

Lisa Romney, City Attorney, reported staff has reviewed the noticing and public hearing requirements for various land use applications as set forth in the City Zoning Ordinance. Such review was initiated in response to State law amendments as adopted during the 2013 legislative

1 session. Ms. Romney reviewed the City's current noticing practices and explained staff's
2 recommendations for future practices. Staff recommends a greater focus on electronic noticing.
3 The proposed amendments are intended to bring City ordinances into compliance with State law
4 and in some cases continue to exceed State law. The proposed amendments are intended to
5 provide more meaningful and less costly noticing practices. Ms. Romney recommended the
6 Commission open the public hearing and then continue this item to the next Planning
7 Commission meeting at which time the Commission can review the proposed amendments line
8 by line.

9
10 Chair Merrill opened the public hearing.

11
12 Chair Merrill made a **motion** to table this item and the public hearing until December 11,
13 2013. The motion was seconded by Commissioner Hirschi and passed by unanimous vote (7-0).

14
15 **DOUG COONS RESIDENTIAL BUILDING LOT | 82 WEST WALTON LANE**
16 **Consideration of a final site plan for an un-platted residential building lot, located at 82**
17 **West Walton Lane, for the purpose of constructing a new dwelling, in the R-L Zone.**
18 **Douglas Coons, Property Owner & Applicant**

19
20 Brandon Toponce, Assistant Planner, reported the applicant desires to build a single-
21 family dwelling. The applicant has complied with the conditions set during conceptual site plan
22 approval and is now ready for final site plan approval. The applicant will be required to pay all
23 applicable fees, including fees associated with the Walton Lane Special Improvement District.
24 Staff has received utility provider sheets as required. The applicant has shown three (3) public
25 utility easements on the plan but it appears there may be some discrepancies with the legal
26 description. The applicant will need to work with the City Engineer to verify these easements.
27 The applicant will also be required to work with the City Engineer and Public Works Director
28 regarding water table issues and final grading of the property. Staff has received a title report for
29 this site which will need to be reviewed by the City Attorney. Mr. Toponce explained the
30 applicant and the neighbor have disagreed about the trimming/removal of an existing tree along
31 the property line. This is a matter that will have to be worked out between the two private parties.
32 The City is not allowed to require action on this matter.

33
34 Doug Coons, applicant, said he will continue to work with staff on those outstanding
35 items and concerns.

36
37 Lisa Romney, City Attorney, said staff has reviewed the water table issues and the
38 proposed basement will be required to be constructed to eliminate any conflicts. She suggested
39 an additional condition be added regarding this issue.

Commissioner Hirschi made a **motion** for the Planning Commission to approve the final site plan for the Doug Coons residential lot, located at 82 West Walton Lane, subject to the following conditions:

Conditions:

1. All professional service fees and development fees shall be paid.
2. All outstanding fees concerning the Walton Lane Special Improvement District shall be paid prior to receiving a building permit.
3. A bond shall be posted for any public improvements.
4. All utility easements and legal descriptions shall be reviewed and approved by the City Engineer prior to City acceptance by the City Council, and recording at the Davis County Recorder's Office. This recording shall take place prior to the issuance of a building permit.
5. The current title report shall be reviewed and approved by the City Attorney prior to a building permit being issued.
6. No construction shall take place on the lot prior to the issuance of a building permit.
7. Applicant shall work with City Engineer and Public Works Director to address potential ground water issues and to determine lowest floor elevation for future construction prior to issuance of a building permit.

Reasons for Action (findings):

1. The applicant submitted a full application regarding a final site plan [Section 12-21-110(e)].
2. The final site plan conformed to the conceptual acceptance criteria [Section 12-21-110(f)(1)].
3. All development standards have been satisfied in regard to development within the R-L Zone [Table 12-32-1].

The motion was seconded by Commissioner Fillmore and passed by unanimous roll-call vote (7-0).

**DISCUSSION | WORK GOAL FOR WEST CENTERVILLE NEIGHBORHOOD
PLAN - Desired process for amending the West Centerville Neighborhood Plan**

Cory Snyder, Community Development Director, reviewed the proposed project timeline for the West Centerville Neighborhood Plan amendment process. The proposed schedule can be tailored as needed. The Commission agreed with the proposed timeline. They also discussed main ideas for the west side including residential and mass transit.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be Wednesday, December 11, 2013.

The meeting was adjourned at 9:00 p.m.

Kevin Merrill, 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 2**

APPLICANT: BRAD LARSEN
PARADISE AUTO LLC
1155 WEST 650 NORTH
CENTERVILLE, UT 84014

PROPERTY OWNER: DON YOUNGBLOOD
905 NORTH OAKRIDGE DRIVE
FARMINGTON, UT 84025

PROPERTY: 1155 WEST 650 NORTH

ZONING: INDUSTRIAL-HIGH (I-H)

APPLICATION: CONDITIONAL USE PERMIT – VEHICLE SALES

BACKGROUND

Brad Larsen has submitted an application for a conditional use permit for the use of vehicle sales located at 1155 West 650 North. Mr. Larsen currently leases the space from Mr. Youngblood for the operation of vehicle repair. The portion of his current business he is dedicating to the use of vehicle sales will be small and he has stated that only 5-10 cars will be sold a month. He is not looking to expand the building or outside space and is only utilizing the space he is already leasing from Mr. Youngblood.

Table of Uses Allowed 12-36

The Table of Uses Allowed, indicates a vehicle rental, sale, used limited, is allowed in the Industrial-High Zone with a conditional use permit. This use is defined in the Zoning Ordinance as, "An establishment engaged in the retail, sale or rental, from the premises, of used motorcycles, automobiles, and/or light trucks, along with incidental service or maintenance" [12-12]. Although Paradise Auto will be selling a very small number of vehicles, they are still required to come before the Planning Commission for review and approval of a conditional use permit.

CONDITIONAL USE PERMIT

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

Mr. Larsen stated that he will have one other employee and he does not plan to increase the size of the operation. The cars will not be considered junk and will mostly remain inside the building. Staff believes this site will be adequate for a small dealership, since it appears to be a low impact to the community. The General Plan states that in order for the City to generate revenue for local services "...Centerville City should provide for the establishment and viability of commercial and industrial services in *designated* areas of the community" [12-430-1]. Therefore, the proposed Paradise Auto LLC auto sales is consistent with the goals and objectives of the General Plan.

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

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

The proposed use will be located within the industrial area, which over the years has had several auto dealerships similar to what Mr. Larsen is proposing. Currently within the area, Freewheel Mobility and Henderson Auto are the only businesses with a conditional use permit for auto sales. Other businesses within the area include; warehousing, car repair, manufacturing, sales and the Public Works complex is located directly across the street on 1250 West. Since the proposed use will be occupying an already existing building, they will not be making any impact on the built environment in the way of additional needed services or parking. It appears the proposed use will not have a negative impact on the existing development within the area and will be in harmony with what is found on site.

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

Paradise Auto will be in the business of selling a limited number of used cars and will not be creating a large amount of noise, or other harmful irritants to the surrounding community. Since the auto dealership will only receive a small number of customers, they will not be increasing the amount of traffic within the area. In order to maintain a positive aesthetic appearance, Paradise Auto must follow all signage criteria found within Chapter 12-54 of the Zoning Ordinance. In addition, they must maintain their portion of the property with cleanliness and ensure the vehicles on display are operable and in good aesthetic condition, meaning, that no junk vehicles, vehicles in need of repair or wrecked vehicles may be found on site. One concern that will need to be answered by the applicant is will the vehicles be washed on-site, or off-site? This will need to be determined prior to the issuance of a business license. If he so desires to wash the vehicles on-site, he will need to ensure that best management practices have been established for proper draining. Mr. Henderson would need to work with the City Drainage and Utility Supervisor to ensure that all EPA Standards have been satisfied. All deliveries must take place on-site and not in the public street. In addition, all deliveries must take place between 6:00 a.m. to 9:00 p.m. to ensure compliance with the Noise Ordinance found in Title 07-09-020 of the Municipal Code.

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

Since the proposed use will be located on an existing site, proper fire protection, lighting, vehicular access and circulation have already been reviewed and approved. The use of auto sales will not require any additional changes to the site, in regard to the above items. In addition, Mr. Larsen will not be modifying any utilities and landscaping. Again, if the applicant desires to wash the vehicles on site, he will need to work with the Drainage and Utility Supervisor, which may require the on-site drains to be modified. According to the site

plan, the property has 14 parking stalls, which is found to be adequate for the site. According to Table 12-52-1 of the Zoning Ordinance, vehicle rental or sales requires one space per 250 square feet of floor area, plus one space for every 10 vehicles, with a minimum of 4 stalls. The applicant is utilizing his existing building for any display of vehicles and designating 250 square feet for office space. This would require at least 4 stalls designated for his customers.

CONCLUSION

It appears the site is suitable for a car dealership and will not have a negative impact on the surrounding community. Finally, Mr. Larsen will need to submit an Automobile Dealer License from the State of Utah to the Business License Coordinator, prior to selling vehicles.

PLANNING STAFF RECOMMENDATION

Suggested motion for a conditional use permit located at 1155 West 650 North

I hereby make motion for the Planning Commission to approve the conditional use permit for Paradise Auto LLC, located at 1155 West 650 North, with the following conditions:

1. All applicable fees shall be paid.
2. This conditional use permit shall apply only to the space that Paradise Auto LLC will occupy, located at 1155 West 650 North.
3. The applicant shall designate at least 4 stalls to the auto sales business.
4. All display vehicles shall be operable and in good condition, and the display of vehicles shall be limited to no more than 5 vehicles placed on the cement pad on the north side of Paradise Auto's building.
5. If the applicant desires to wash the vehicles on-site, he shall work with the Centerville City Drainage and Utility Supervisor to create a BMP to ensure EPA and City requirements for drainage of water from the washing of vehicles have been satisfied.
6. All deliveries and transporting of vehicles shall occur between the hours of 6:00 a.m. to 9:00 p.m.
7. All deliveries shall occur on-site and not in the street.
8. The applicant shall submit an Automobile Dealer License from the State of Utah to the Business License Coordinator.
9. A sign permit application shall be submitted to City staff for approval of any proposed signage.

Suggested Reasons for the Action (Findings):

1. The applicant has submitted a full application for a conditional use permit [Section 12-21-100(d)(1)].
2. The use of vehicle and equipment rental or sales is a permitted use within the Industrial-High Zone with a conditional use permit [Chapter 12-36].
3. The use is consistent with the General Plan of Centerville City [Section 12-430-1].
4. The use does not appear to have any negative impacts to the existing property and the surrounding community [Section 12-21-100(e)(3)(A-D), 12-21-100(e)(5)(A-K)].

Drawing 1 - Plot Plan

W 650 N

150

Youngblood's Hot Rods

Dewhals
Auto Body
Repair

gas

PARKING
(shared)

G&L Elect
Service

150

electrical panel

Office 11'

22

Paradise Auto
LLC

Youngblood
Hot Rods

25

80

gas meter

sign location

interior
wall

Wilkinson
RV & Auto
Repair

W 650 N

Childs Ln (1250 W)

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

**STAFF REPORT
AGENDA: ITEM 3**

OWNER: RAY ANDERSON ENTERPRISES
792 SOUTH 500 WEST
BOUNTIFUL, UT 84010
steve@raysmuffler.com

APPLICANT: CHARLES "CHIP" ASHLEY
CEI ENGINEERING
3108 SW REGENCY PKWY, STE. 2
BENTONVILLE, AR 72712
cashley@ceieng.com

PROPERTY: 250 WEST PARRISH LANE (EXISTING BUSINESS: RAY'S
MUFFLER, 258 WEST PARRISH LANE)

ACREAGE: 0.58 ACRES

ZONING: COMMERCIAL – VERY HIGH (C-VH)

APPLICATION: CONCEPTUAL SITE PLAN ACCEPTANCE FOR SONIC
RESTAURANT

BACKGROUND

The applicant desires to demolish the existing building and redevelop the property into a Sonic Restaurant. A conceptual site plan acceptance is not an official approval, but is required by City Ordinances to discuss how the property may be developed, and for the Planning Commission to give direction or discuss pertinent issues related to such a proposal in preparation of submitting finalized plans and applications for receiving any official approvals. As part of this process, the public is invited to comment during the public hearing about compliance with City Ordinances and regulations.

CONCEPTUAL SITE PLAN REVIEW & PLANNING STAFF ANALYSIS

C-VH Zone Uses Allowed.

According to the Table of Uses, Section 12-36-1 of the City's Zoning Ordinance, a "fast-food" restaurant may be established through applying for a conditional use permit (CUP) within the Commercial-Very High (C-VH) Zone. Thus, prior to or as part of any final site plan submittal,

the applicant will be required to submit for obtaining a CUP approval from the Planning Commission. If approved, the CUP or use will need to be executed (i.e. obtain a permit to begin developing) within 180 days, whereas, any final site plan approval will need to be executed within one year of the date of official approval. In both cases, the development must be substantially completed within 2 years from the original approval date, or such approvals will expire.

General Plan

The Centerville City General Plan indicates this area is within Neighborhood 4, Northwest Centerville [Section 12-480-5]. In relation to commercial development, an appropriate boundary is established along Parrish Lane. It indicates that high to very-high intensity commercial uses must be located within 500 feet of Parrish Lane. Furthermore, the General Plan establishes Parrish Lane as the "dominant commercial center of Centerville" [Section 12-430-2(3)]. Therefore, the General Plan is in support of the proposed type of use and re-development of the site.

C-VH Zone Development Standards 12-34-1

Development Standards for a Commercial - Very High Zone			
Development Standards	Required	Actual	Compliance
Building Standards			
Distance Between Buildings	6 Feet	Not Applicable	-
Maximum Height	45 Feet	Not Listed, but shown as 1-story	Likely
Setbacks			
Front	20 Feet	20.5 Feet to canopy	Yes
Rear	None	49.31 Feet	Yes
Side Yard	8/10 feet	East 32.25+ Feet	Yes
Side Yard	(Minimum total width of both side yards: 18 feet)	West 44 Feet	

General Development Standards of Title 12 – Zoning Ordinance

Parking (Chapter 12-52)

Parking Calculations				
Business	Use	Required	Actual	Compliance
Sonic	Fast-Food Restaurant	1 space per 100 square feet of floor area: 23 stalls req'd	21	No
		Stacked Parking – 5 per lane req'd	Not Shown Appears 5+	Likely

The applicant has expressed to staff that they believe they have a sufficient number of off-street parking stalls (i.e. 21 stalls) for their particular business model. However, staff has informed the applicant that such a change requires them to submit a "parking study" to be reviewed and approved by the Planning Commission in order to modify the parking stall requirements. This will need to be submitted and secured prior to or as part of any final site plan or CUP approval for redeveloping the Sonic site.

Additionally, the site plan depicts the use of a landscaped median separating the Sonic site and the Big O Tire store to the east. It is staff's understanding that when these properties were subdivided and developed, there was a shared access established between the properties. This median will create a circulation problem for the tire store about the parking located to the west of the tire store. In order to resolve this, a north end egress needs to be installed to allow the parked vehicles to circulate in a forward direction (rather than back a significant distance) over onto the Sonic site, and around the building back out to the shared entrance between the two properties. It staff's opinion this would also be an overall improvement to the circulation system currently in place between the two properties.

Landscaping 12-51

Required Landscaping Summary Chapter 12-51			
Guidelines	Required	Actual	Compliance
Total Area Landscaping	15%	Not Depicted	Undetermined
Total Required Trees	1 Tree per 500 square feet of landscaping	Not Depicted	Undetermined
Trees for Street Frontage	1 Tree per 25 linear feet	Not Depicted	Undetermined
Building Frontage/Foundation	50%	42.3 feet (50%)	Yes
Total Interior Parking Lot Landscaping	7% (268.1 req'd)	480.9 sq. ft. 13%	Yes
Total Interior Parking Lot Trees and Shrubs	For every six required stalls: 1 tree	Not Depicted	Undetermined
	For every six required stalls: 2 shrubs	Not Depicted	Undetermined

The applicant will need to address and prepare a full site-landscaping plan with the final site plan application. However, due to the site being less than 1 acre, it will not need to be stamped by a licensed landscape architect.

Screening 12-51-110

According to Section 12-51-110 of the Zoning Ordinance, the dumpster area must be screened from view by a wall or fence that is at least 6 feet in height, provides complete visual screening and be compatible in material and color with the main building. Additionally, all electrical and mechanical equipment must be screened as viewed from a public street. The site plan indicates

the location of both dumpster areas, but does not depict how it will be built and screened. These issues will need to be addressed with the final site plans.

As will be addressed later in this report, an opening is needed on the northeast end to establish circulation for the adjacent property. To facilitate this, the single-use parking stall should be moved over to the west and maybe the proposed dumpster location relocated to this area. Staff will explain this reconfiguration idea at the Planning Commission Meeting.

Signage

All signage requires a separate permit and must be reviewed by staff for approval at the time a sign permit application has been submitted following Chapter 12-54 of the Zoning Ordinance. The applicant will need to depict the use and location of all monument or freestanding signage on the final site plan.

PARRISH LANE GATEWAY DESIGN 12-63

The General Plan has established Parrish Lane as the “dominant commercial center of Centerville” [Section 12-430-2(3)]. In order to enhance the economic and aesthetic value of the community, the Parrish Lane Gateway Standards have been established. The Zoning Ordinance defines the Parrish Lane Gateway as being “property that has frontage on Parrish Lane, is part of a larger project that has frontage on Parrish Lane, or has a significant visual presence on Parrish Lane, between Main Street and the Legacy Highway right-of-way” [Section 12-63-020(b)].

Architecture 12-63-040

Articulation 12-63-040(a)

“A building *should* reflect a human scale and be inviting to the public.” This *must* include breaking up the mass of the building with the stepping of the building horizontally and vertically. In addition, the entrance *must* be accessible from the public sidewalk.

- **Staff Response:** The building design has a stepping pattern both horizontally and vertically and utilizes material and details that reflect the human scale. The plans depict the required pedestrian pathway from the building to the public sidewalk system.

Public Amenities 12-63-040(b)

The creation of public amenities to enhance the pedestrians comfort and experience *should* be encouraged.

- **Staff response:** The site plan depicts the use of canopies and overhangs to create the desired public amenities for the building. It also depicts an outdoor seating area with tables and chairs. However, they do not appear to be installed in a fixed or semi-permanent manner, as desired by the guidelines. These features also include the accessibility measures for use by those who are physically disabled.

Colors and Materials 12-63-040(c)

The colors and materials used *should* harmonize with the existing and surrounding development by providing *required* architectural upgrades for visual relief.

- **Staff Response:** Pictorial example elevations were submitted and as mentioned previously, utilize rock, brick, metal awnings, large windows and differing colors. It appears the plans do provide the articulation upgrade requirements for a primary facade of 25%, the secondary wall at 15%, and all other walls at 5%.

Also for the Sonic business, they have an iconic drive-up order parking stalls covered with a Sonic style car-canopy. This canopy will be located between the building and the landscaped berm along Parrish Lane. For staff, it visually competes with the building architecture and with the desired pedestrian emphasis of the Parrish Lane Design Guidelines. To mitigate this, staff suggests the use of a landscape feature wall similarly located at other establishments (e.g. Iggy's, In & Out Burger, Chick-Fil-A, etc.). This will add to the visual buffer of the landscape berm and lessen the drive-up order stall or vehicle predominate emphasis of the Sonic fast-food use.

By precedence, the Planning Commission has not approved the use of primary color schemes in building design (e.g. Dairy Queen) and has required a muted variation for use of such strong colors (exception: corporate logos and images on signs). For the archways and canopies features, it appears a yellow primary color is proposed. Staff suggests that the final plans address a use of a muted or different color for these particular features.

Lastly and according to Section 12-63-040(c)(1), a storyboard is required as part of review for the final site plan approval. Thus, the finalized details of the actual colors, types of material and lighting fixtures, must be submitted on the required storyboard.

Screening 12-63-040 (d)

Screening *must* be used in order to mitigate the visual impact of utility equipment, service areas and dumpster locations.

- **Staff Response:** Any roof or wall-mounted equipment must be properly screened from view, as also mentioned earlier in this report. In addition, landscaping may be used to satisfy the screening element on the outside of the building and if used, must be depicted on the required formalized landscaping plan.

Landscaping and Features Section 12-63-050**Overall Design Concepts, Section 12-63-050(a), Ground Cover, Section 12-63-050(d), Plant Material, 12-63-050(e)**

Landscaping found on-site *should* contribute to the overall character of the community. The landscaping *must* include pedestrian circulation and an overall design that adds variety and interest.

- **Staff Response:** As mentioned previously, the submitted landscaping plan lacks sufficient detail. All requirements in regards to the landscaping need to be submitted with the final site plan addressing the criteria found in Chapter 12-51 of the Zoning Ordinance. The landscaping must blend in with the surrounding area and have less than 75% high water use plants (i.e. at least 26% drought tolerant plantings should be incorporated into the design).

The overall design of the landscaping should have a theme that carries throughout the development; including the parking lot. This could include rock features throughout all the planting beds, or the same type of plantings, decorative gravel, or perhaps specific shaped planting beds.

The guidelines put an emphasis along Parrish Lane for pedestrian circulation. As stated in Section 12-63-050(e) of the Zoning Ordinance, vegetation should be selected as to give pedestrians a sense of comfort and safety while enhancing the community image.

Site Grading, Drainage Section 12-63-050 (b)(c)

Existing land features *should* be kept as part of the design with drainage being integrated in to other landscaping elements.

- **Staff Response:** Since the location of construction has already been developed with the muffler shop, there are no existing land features there or ought to be kept. Generally, all drainage flows to the west along a designated drainage easement. The applicant will need to submit all applicable drainage calculations to the City Engineer for review and approval.

Water Features and Art and Furnishings Section 12-63-050(f)(g)

A way to enhance the unique character of a development is to add water features, public art or street furniture, which *should* be encouraged on each development.

- **Staff Response:** The applicant has not proposed any water elements, art features or street furniture. As suggested earlier, a lighting design plan for building and landscaping may be used to satisfy the desired elements. Additionally, as staff previously indicated, the use of a landscape wall integrated with unique landscaping such as decorative rock and gravel,

will meet the intent of this guideline for the artistic design of the property.

Maintenance 12-63-050(h)

Projects *should* demonstrate that maintenance factors have been considered in the landscaping design.

- **Staff Response:** All of the onsite landscaping will be maintained by single owner and will not be shared with adjacent developments.

Off Street Parking – Layout Section 12-63-060

Surface Parking Lot Design and Overall Design Concepts, Section 12-63-060(a)(b)

Parking *should* be designed to provide sufficient and safe vehicular and pedestrian traffic with minimized curb cuts and enhanced internal landscaping.

Staff Response: The site layout provides an ingress/egress that is shared with the Big O Tire store. From that point, the circulation reduces to a single one-way lane on the east side of the building and then splits to two (2) one-way lanes along the north side (one for drive-through staging) with angled parking. This system continues around the west and south sides and back to the entrance area. The drive-in order stall parking is located along the south side adjacent to the landscaped berm. This seems to work, provided all required dimensions are provided and ordinance compliance is verified at the time of final site plan review and approval.

Off Street Parking – Lighting Section 12-63-070

Standards and Lighting Plans

Parking lot lighting *should* be designed to illuminate the parking and loading areas, but decrease the impact on surrounding development.

- **Staff Response:** It is the understanding of staff that drive-in order canopy has lighting and, as stated previously, staff is recommending decorative wall lighting to be placed on the building. The plans do not address other lighting options for parking and required streetscape pedestrian lights. Staff has a concern about how lighting will be directed downward and shielded sufficiently so light splay is not directed horizontally and competes with the pathway lighting. In addition, this side of the street utilizes the overhead cobra lights for street traffic. Thus, there may be an excessive use of lighting. This needs to be addressed with the final site plans by providing a photometric plan.

Regarding the streetscape pedestrian lights, the applicant will need to meet with the Public Works Director on the exact style and location of

installment. This location will then need to be depicted on the final site plan.

Streetscape Standards Section 12-63-070(a)-(j)

In addition to the required street trees, the Parrish Lane Gateway Design Standards requires a 2-foot high undulating berm to be integrated into the landscape design along Parrish Lane, streetscape lighting, and stamped-concrete pathways; where such pathways cross vehicle travel lanes.

- Staff Response: The applicant has not provided any detail on the streetscape standards and will need to show this information on the final plans.

PLANNING STAFF RECOMMENDATIONS

Conceptual Site Plan - Suggested Motion for the Conceptual Site Plan Acceptance:

PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the conceptual site plan for Sonic Restaurant to be located at 250 West Parrish Lane, with the following directives:

1. The applicant must submit a final site plan application in accordance with Section 12-21-100 of the City's Zoning Ordinance.
2. An application and approval for the conditional use permit is required before the fast-food use can be operated.
3. A Parking Modification Request must be submitted and a decision rendered by the Planning Commission regarding whether the parking requirements may be reduced to 21 stalls.
4. A storyboard shall be submitted with the final site plans depicting all colors and materials to be used on the proposed building and parking canopy. Additionally, the use of primary color schemes in building design is to be a muted variation for use of such strong colors (exception: corporate logos and images on signs).
5. The proposed median may create a circulation problem for the tire store concerning the parking located to the west of the tire store and the final plans must address and provide a resolution.
6. A landscaping plan must be submitted with the final site plan, following all applicable standards found in Chapter 12-51 and 12-63 of the Zoning Ordinance and must depict the following details:
 - a. Location and type of all vegetation
 - b. The total number of trees and shrubs
 - c. Overall landscaping and parking lot percentages
 - d. An irrigation plan
 - e. The integration of an undulating berm along Parrish Lane
 - f. Depiction of a landscaping theme throughout the site that may include, rock features, types of gravel, or specific shape of planting beds.
 - g. Vegetation around all walkways should be emphasized.
 - h. At least 26% of on-site landscaping shall be in drought tolerant plantings.

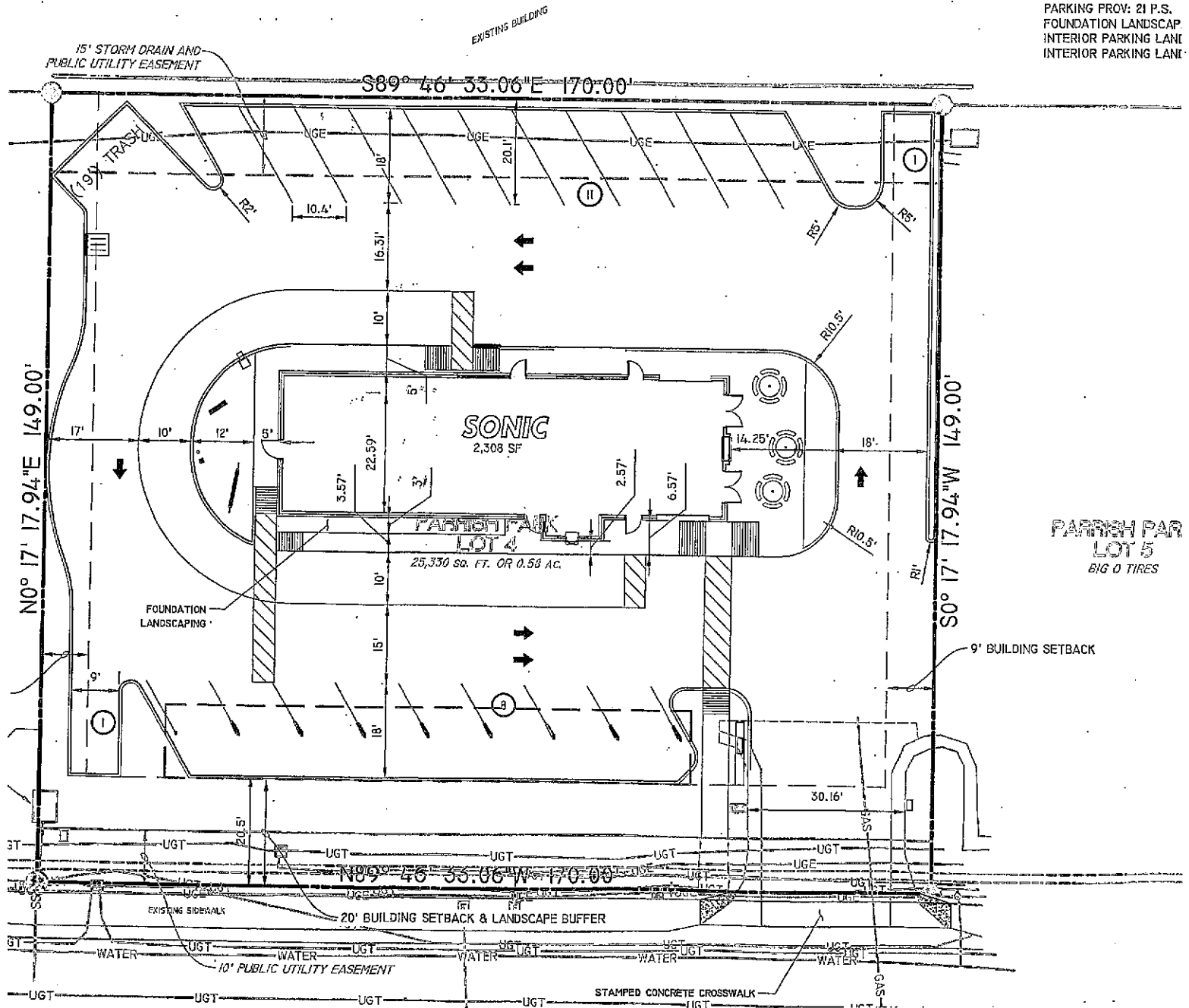
7. Screening details must be depicted as part of the final site plan submittal, indicating that all ground and roof-mounted equipment have been properly screened from view from a public street.
8. The design detail concerning the dumpster enclosures must be indicated on the final site plan and meet the requirements found in Section 12-51-110 of the Zoning Ordinance.
9. All proposed locations for the use of monument or freestanding signage must be depicted on the final plans.
10. A lighting plan must be submitted and address the following:
 - a. The type and style of the building lighting used. The wall lighting ought to be decorative in nature to enhance the architectural building design.
 - b. The use of parking lot and canopy lighting. The plans must address how the lighting will be directed downward and shielded sufficiently so light splay is not directed horizontally and competes with the pathway lighting
 - c. The location and use of the required streetscape pedestrian lighting
11. The final plans must address the required streetscape standards, including the consideration of the following:
 - a. The use of a landscape wall integrated with unique landscaping such as decorative rock and gravel, the artistic design of the property will meet the intent of the Water, Art, and Furnishings for the site.
 - b. All pedestrian pathways that cross through vehicular areas are to be stamped-colored concrete.
12. All existing, modified, or new easements and utilities must be shown on the final site plan.
13. The project is subject to all other City regulations, including drainage, utility, fire, building and other applicable development codes or specifications.
14. The project is subject to all related impact fees, bonding requirements, and professional service fees, as listed in the City's Fee Schedule.

SUGGESTED REASONS FOR THE ACTION:

- a. The Planning Commission finds that a complete conceptual site plan application has been submitted [Section 12-21-110(d)(1)].
- b. The Planning Commission finds that the proposed use if a fast-food restaurant is a conditional use within the C-VH Zone [Chapter 12-36].
- c. The Planning Commission finds that with the above conditions being addressed, the proposed development will likely meet the applicable General Development Standards [Chapters 12-43, 12-51, 12-52] and the Parrish Lane Design Guidelines [Chapter 12-63].
1. The Planning Commission finds that a public hearing was provided and with the stated directives, there are no significant issues or concerns that have not been addressed regarding how the site could be properly developed [Section 12-21-110d.5].

COLONIAL BUILDING SUPPLY

SITE SF: 25330
 SITE AC: .58
 PARKING REQ'D: (1/100SF)
 PARKING PROV: 21 P.S.
 FOUNDATION LANDSCAP
 INTERIOR PARKING LANE
 INTERIOR PARKING LANE



PARRISH PARK
 LOT 5
 BIG O TIRES









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

**STAFF REPORT
AGENDA: ITEM 4**

OWNER/APPLICANT: GARY M. WRIGHT
WRIGHT DEVELOPMENT GROUP
1572 N WOODLAND PARK DR. #505
LAYTON, UT 84041
gary@wrightdevelopmentgroup.net

PROPERTY: 1178 WEST LEGACY CROSSING BOULEVARD
(AKA: LOT 404 of Legacy Crossing @ Parrish Lane)

ACREAGE: 0.279 ACRES

ZONING: COMMERCIAL-VERY HIGH/PLANNED DEVELOPMENT
(C-VH/PD)

APPLICATION: CONCEPTUAL SITE PLAN ACCEPTANCE OR SITE PLAN
AMENDMENT

BACKGROUND

The applicant desires to construct an office building on the east building pad of Lot 4 (aka: 404 of the yet to be recorded subdivision) of the Legacy Crossing at Parrish Lane Development. However, the proposed layout has some changes to the originally approved final site plan (i.e. October 2012) encompassing the entirety of the original lot. The proposed changes are as follows:

- a. *Partial removal of the theme fencing*
- b. *Revise the street side landscaping to allow construction of an entry court for the new office building*
- c. *Removal of the east drive near the building pad*
- d. *Adjust the yet to be recorded lot line farther to the east, and*
- e. *Reconfigure the parking on the east side of the lot*

In the previous final site plan approval, Condition #5 indicates, "...Any conflicts concerning the architecture, **phase layout, or modifications** shall be brought back to the Planning Commission for review and approval" (*emphasis added*). Thus, the applicant has submitted a conceptual site plan to amend the original approval (*see Section 12-21-110.1.2 & 3*).

CONCEPTUAL SITE PLAN REVIEW & PLANNING STAFF ANALYSIS

Removal of Theme Fencing

According to the Development Agreement, the theme fencing for the Legacy Boulevard Street was to be installed with the first phase of the development (see Paragraph 9, page 6 & Exhibit N-1). Thus, to remove the fencing, as depicted for the Legacy Boulevard Street, would require an amendment to the approved and recorded agreement. Nonetheless, staff believes that the placement or location can be slightly modified to accommodate the plaza or courtyard in the final layout, as long as it is not eliminated.

Additionally, staff would not likely be supportive if an amendment were sought. The reason would be that the fence removal provides a pedestrian access to a street side that does not contain a sidewalk system and would encourage pedestrian movement away from the designed circulation system with a street crossing located on the west edge of this particular lot.

Revise the Street Side Landscaping

According to the Development Agreement, the landscaping for the Legacy Boulevard Street was to be installed with the first phase of the development (see Paragraph 13, page 8 & Exhibit E-1). However, it does not prohibit the installation and use of a court or plaza in a subsequent phase and allows the Parrish Lane Design Guidelines to govern. The Parrish Lane Design Guidelines desires the use of plazas, which is considered a "public amenity" (see Section 12-63-040.b.2). Thus, the use of a court or plaza area within the lot area and connected visually to the street is seen as a positive by staff.

Removal of the East Drive near the Building Pad

According to the Development Agreement, the drives and drive-isles, for the Legacy Boulevard Street, were to be installed with the first phase of the project (see Paragraph 19, page 11 & Exhibits C & O). Thus, to eliminate the drive as shown for the Legacy Boulevard Street would require an amendment to the approved and recorded agreement. However, in staff's opinion, the use of this particular drive is for the convenience of the development to occur on the entirety of Lot 4, as set for the original development approval. Therefore, if such users and owners of the reconfigured Lot 4 decide to apply for and amend the Development Agreement, staff does not envision the need to maintain the drive.

Adjust the yet to be recorded Lot Line Farther to the East

Originally, Lot 4 of the Legacy Crossing at Parrish Lane was a much larger development lot. Earlier this year the property was re-subdivided, which created the building pad for this project. However, previous to the final recording of the new plat, applicant acquired the pad and some additional land to create the proposed layout that is before the City. Thus, in order for the City to consider approving the proposed development, the applicant will need to have the developer/subdivider depict the new line as part of the yet to be recorded plat or perform a lot line adjustment after recordation to properly adjust the property lines and if needed, change the location of lot line easements.

Reconfigure the Parking on the East Side of the Lot

According to the Development Agreement, the parking is to be provided as set forth in Exhibit C, which is a master site plan (see Paragraph 23, page 12). The exhibit depicts a generalized layout and configuration of buildings and parking and contains the required parking stall counts for each phase of the master development. However, the parking is to be provided in accordance with City Standards. Thus, staff believes if the required parking stall counts are not changed and the stalls comply with the City's parking standards, the Planning Commission can approve the modification to their arrangement with the final site plan process.

PLANNING STAFF RECOMMENDATIONS*Conceptual Site Plan - Suggested Motion for the Conceptual Site Plan Acceptance:*

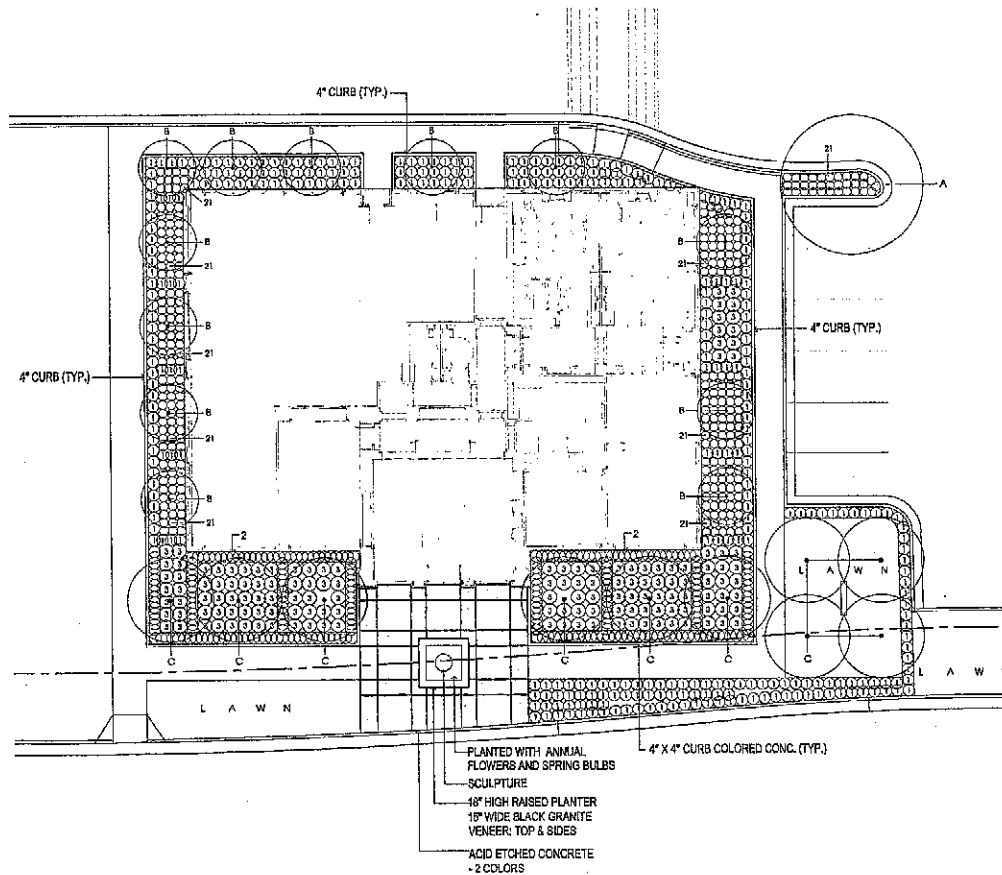
PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the conceptual site plan for Wright Development Group Office Building within the Legacy Crossing at Parrish Lane project, with the following directives:

1. The applicant must submit a final site plan application in accordance with Section 12-21-100 of the City's Zoning Ordinance.
2. The theme fencing for the Legacy Boulevard Street must remain in the final design. However, the placement or location may be slightly modified to accommodate the plaza or courtyard in the final layout, as long as it is not eliminated.
3. The desire to eliminate the east drive requires an amendment to the Legacy Crossing at Parrish Lane Development Agreement. Nevertheless, the use of this particular drive is for the convenience of the development to occur on the entirety of Lot 4, as set forth in the original development approval. Therefore, the users and owners of the reconfigured Lot 4 will need to apply for and amend the Development Agreement to allow its elimination.
4. In order for the City to consider approving the proposed development, the applicant will need to have the developer/subdivider depict the new lot line as part of the yet to be recorded plat or perform a lot line adjustment after recordation to properly adjust the property lines, and if needed, change the location of lot line easements.
5. The project will be subject to all other requirements regarding the previous final site plan approval, the applicable provisions of the Development Agreement, and the applicable Parrish Lane Design Guidelines.
6. The project is subject to all other City regulations, including drainage, utility, fire, building and other applicable development codes or specifications.
7. The project is subject to all related impact fees, bonding requirements, and professional service fees, as listed in the City's Fee Schedule.

SUGGESTED REASONS FOR THE ACTION:

- a. The Planning Commission finds that a complete conceptual site plan application has been submitted [Section 12-21-110(d)(1)].
- b. The Planning Commission finds that according to the Development Agreement, the theme fencing for the Legacy Boulevard Street was to be installed with the first phase of the development (see Paragraph 9, page 6 & Exhibit N-1) and it would require an amendment to eliminate the fencing.
- c. The Planning Commission finds that according to the Development Agreement, the landscaping for the Legacy Boulevard Street was to be installed with the first phase of the

- development (see Paragraph 13, page 8 & Exhibit E-1), but does not prohibit the addition of a plaza feature.
- d. The Planning Commission finds that according to the Development Agreement, the drives and drive-isles, for the Legacy Boulevard Street, were to be installed with the first phase of the project (see Paragraph 19, page 11 & Exhibits C & O).
 - e. The Planning Commission further finds that to eliminate the drive as shown for the Legacy Boulevard Street would require an amendment to the approved and recorded agreement.
 - f. The Planning Commission finds that according to the Development Agreement, the parking is to be provided as set forth in Exhibit C, which is a master site plan (see Paragraph 23, page 12).
 - g. The Planning Commission further finds that if the required parking stall counts are not changed and the stalls comply with the City's Parking Standards, the Planning Commission can approve the modification to their arrangement with the final site plan process.
 - h. The Planning Commission finds that with the above directives being addressed, the proposed development will likely meet the applicable general development standards [Chapters 12-43, 12-51, 12-52], the Parrish Lane Design Guidelines [Chapter 12-63], and the Development Agreement for the Legacy Crossing at Parrish Lane project.
 - i. The Planning Commission finds that a public hearing was provided and with the stated directives, there are no significant issues or concerns that have not been addressed regarding how the site could be properly developed [Section 12-21-110d.5].



Plant List - Wright Development Office Building - Centerville, Utah					
Item	Location	Plant Name	Common Name	Size	Notes
A	Tree	<i>Celtis occidentalis</i>	Common Hackberry	2 1/2\" gal.	
B	Accent Tree	<i>Cornus florida</i>	Flowering Dogwood	20 gal.	
C		<i>Crataegus phaenopynum</i>	Washington Thorn	3\" gal.	
1	Shrub	<i>Buxus microphylla asiatica</i>	Winter Green Boxwood	5 gal.	
2		<i>Buxus laevis</i>	Boxwood	1 gal.	
3		<i>Rosa 'Ice Maiden'</i>	Pink Maiden Rose	5 gal.	
21	Perennial	<i>Lavandula angustifolia</i>	English Lavender	1 gal.	

Planting Notes

- Provide and place four (4) inches of topsoil over all planting areas prior to commencement of planting operations.
- Soak all plants for 24 hours prior to planting.
- Following completion of shrub and groundcover planting, install beds with a permeable mulch.
- Provide and install three inches of dark mulch (2\" gal. or equal) to a depth of two (2) inches over all exposed soil in compressed shrub and groundcover beds.
- At shrub beds, install steel lawn edging to provide straight lines or smooth curves as shown on this plan.
- All lawn areas shall be installed with seed consisting of primarily *Poa annua* and *Festuca arvensis* species.
- Refer to Planting Specifications.

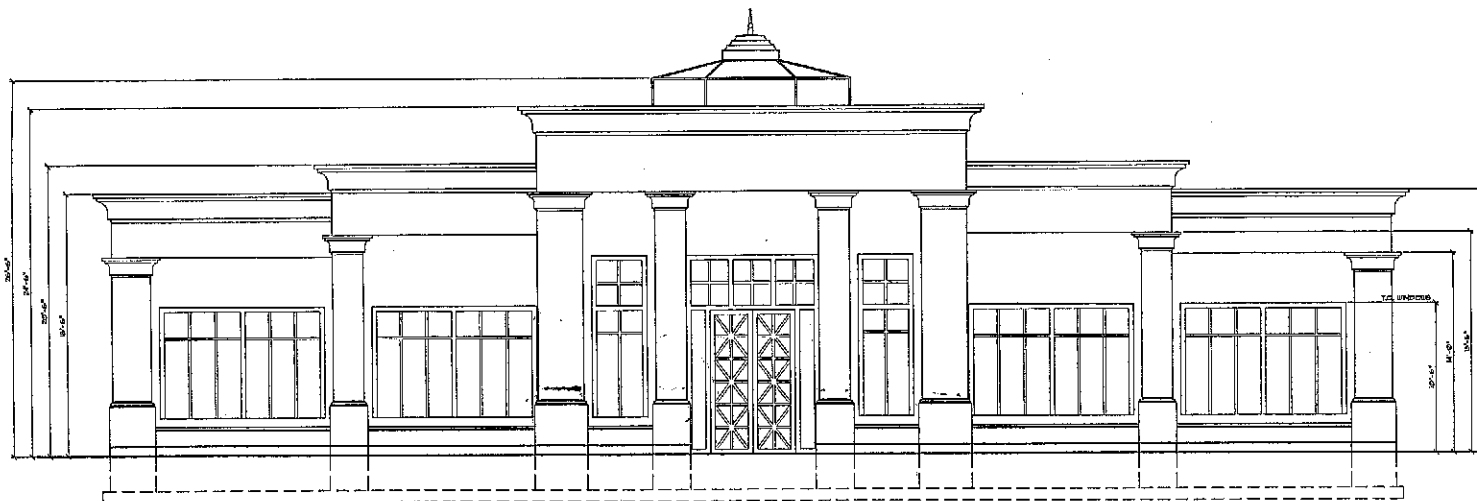


20 September 2013
Planting Plan

WRIGHT DEVELOPMENT OFFICE BUILDING
Centerville, Utah
Wright Development Group
1572 North Woodland Park Drive, Suite 505 - Layton, Utah 84041

R. MICHAEL KELLY
CONSULTANTS
LAND PLANNING - LANDSCAPE ARCHITECTURE
701 West 400 North, UT 84015 - 435.763.7995

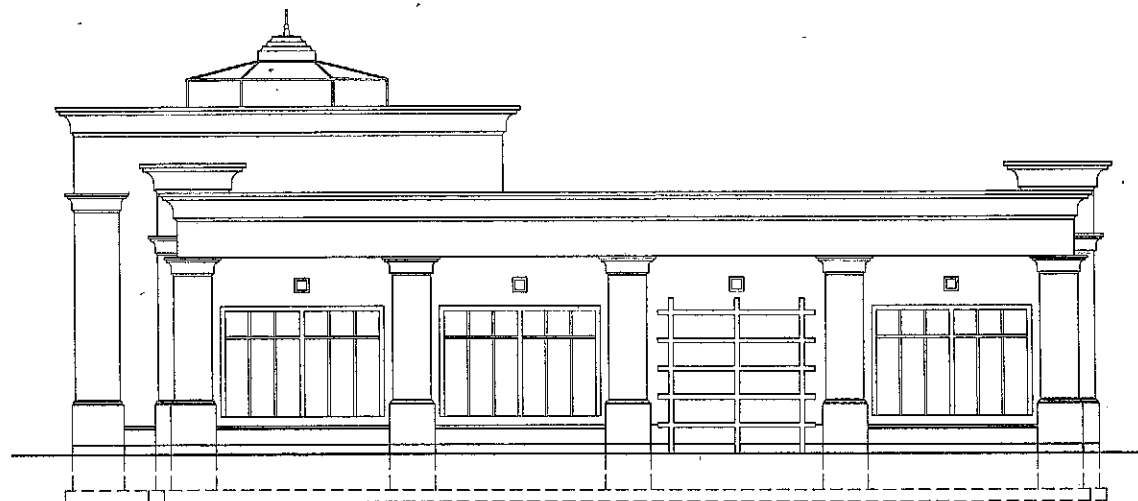
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FRONT ELEVATION
SCALE 1/4" = 1'-0"

ELEVATION NOTES:

- A. PLASTER/STUCCO COATED POLYSTYRENE FOAM BANBOOT BASE PANELS, AS SHOWN, COLOR TO BE SELECTED BY OWNER. (HFS DESIGN INC.)
- B. PLASTER/STUCCO COATED POLYSTYRENE FOAM CORNER HOLDING PANELS, AS SHOWN, COLOR TO BE SELECTED BY OWNER. (HFS DESIGN INC.)
- C. COMMERCIAL ALUMINUM STOREFRONT WINDOW SYSTEM, IN BLACK, WITH GRID/PULLION DESIGN, AS SHOWN.
- D. PLASTER COATED EPS SYSTEM WALL MATERIAL, COLOR TO BE SELECTED BY OWNER AND HFS DESIGN INC.
- E. DECORATIVE BRASS LANTERN WALL-MOUNTED LIGHT FIXTURES, AS SHOWN, CONSULT WITH OWNER. (HFS DESIGN INC.) FOR DETAILS AND SPECIFICATIONS.
- F. COMMERCIAL ALUMINUM STOREFRONT ENTRY DOOR SYSTEM, IN BLACK, WITH GRID/PULLION DESIGN, AS SHOWN.
- G. DECORATIVE METAL ROOF (OCTAGONAL SHAPED) WITH DECORATIVE FINIAL AT CROWN, AS SHOWN, ANODIZED WITH PATINA GREEN, OR SIMILAR FINISH.
- H. 12" x 12" x 1/2" THICK PLASTER/STUCCO SURFAPPED OTYRORGAN SQUARES DETAIL OR DECORATIVE TILES, IN LOCATION SHOWN, CONSULT OWNER. (HFS DESIGN INC.) FOR COLOR.
- I. TRELLIS DETAIL, BUILT IN ALUMINUM AND PAINTED BLACK, IDENTICAL IN STYLE TO THE TRELLIS DETAIL AT PRESENT DEVELOPMENT'S OTHER CENTERVILLE PROPERTIES.



RIGHT ELEVATION
SCALE 1/4" = 1'-0"

REV 0 - 28 OCTOBER 2013

FRONT & RIGHT ELEVATIONS

WRIGHT DEVELOPMENT GROUP
LOT 1404 LEGACY CROSSING AT FAIRFAX LANE
CENTERVILLE, UTAH

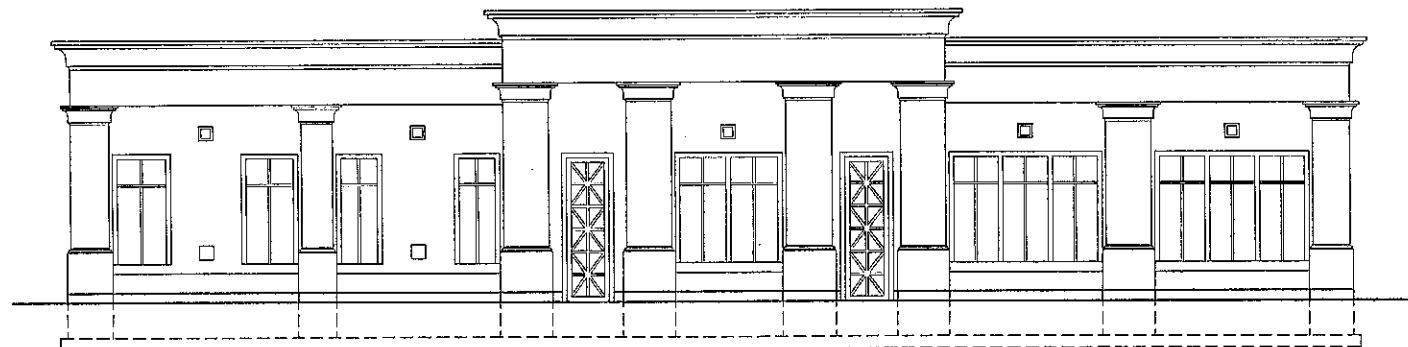
Hyrum McKay Bates DESIGN

Phone 801.558.2434

www.hyrumbates.com



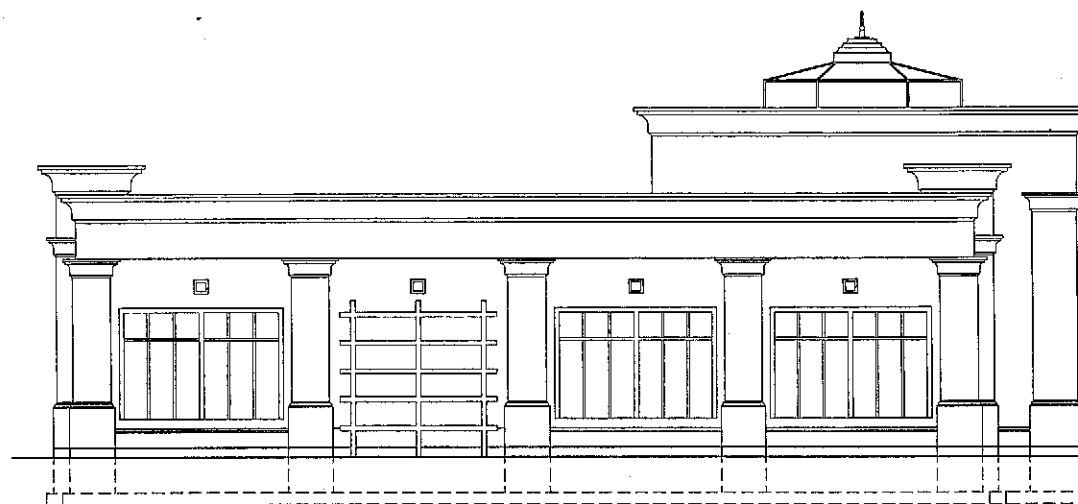
A1



REAR ELEVATION
SCALE 1/4" = 1'-0"

ELEVATION NOTES:

- A. PLASTER/STUCCO COATED POLYSTYRENE FOAM BANSKOT BASE PANELS, AS SHOWN, COLOR TO BE SELECTED BY OWNER + HPS DESIGN INC.
- B. PLASTER/STUCCO COATED POLYSTYRENE FOAM CORNER HOLDING PANELS, AS SHOWN, COLOR TO BE SELECTED BY OWNER + HPS DESIGN INC.
- C. COMMERCIAL ALUMINUM STOREFRONT WINDOW SYSTEM, IN BLACK, WITH GRID/MULLION DESIGN, AS SHOWN.
- D. PLASTER COATED ERS SYSTEM WALL MATERIAL, COLOR TO BE SELECTED BY OWNER AND HPS DESIGN INC.
- E. DECORATIVE BRASS LANTERN GALL-MOUNTED LIGHT FIXTURES, AS SHOWN, CONSULT WITH OWNER + HPS DESIGN INC. FOR DETAILS AND SPECIFICATIONS.
- F. COMMERCIAL ALUMINUM STOREFRONT ENTRY DOOR SYSTEM, IN BLACK, WITH GRID/MULLION DESIGN, AS SHOWN.
- G. DECORATIVE METAL ROOF (OCTAGONAL SHAPED) WITH DECORATIVE FINIAL AT CROWN, AS SHOWN, ANODIZED WITH PATINA GREEN, OR SIMILAR, FINISH.
- H. 1/2" x 1/2" x 1/2" THICK PLASTER/STUCCO/PAINTED STYROFOAM ROMANESQUE DETAIL, OR DECORATIVE TILES, IN LOCATIONS SHOWN. CONSULT OWNER + HPS DESIGN FOR COLOR.
- I. TRELLIS DETAIL, TRELLIS IN ALUMINUM AND PAINTED BLACK, IDENTICAL IN STYLE TO THE TRELLIS DETAIL, AT URGENT DEVELOPMENT'S OTHER CENTERVILLE PROPERTIES.



LEFT ELEVATION
SCALE 1/4" = 1'-0"

REV. 9 - 28 OCTOBER 2013

REAR + LEFT ELEVATIONS

URGENT DEVELOPMENT GROUP
LOT 1404 LEGACY CROSSINGS AT PARISH LANE
CENTERVILLE, UTAH

URGENT DEVELOPMENT GROUP

PHONE 801.933.1434
WWW.URGENTDESIGN.COM



A2

A New Building for
Wright Development Group

Lot 404 Legacy Crossing at Parrish Lane



Awning Fabric - Black

Plaster/Stucco for
exterior walls

Electric light lanterns similar to
Station Park, Farmington Utah

Plaster/Stucco for
cast stone Crown Mold

Plaster/Stucco for
cast stone Wainscot Base

Anodized Aluminum
Storefront in Black

Black (ABL)



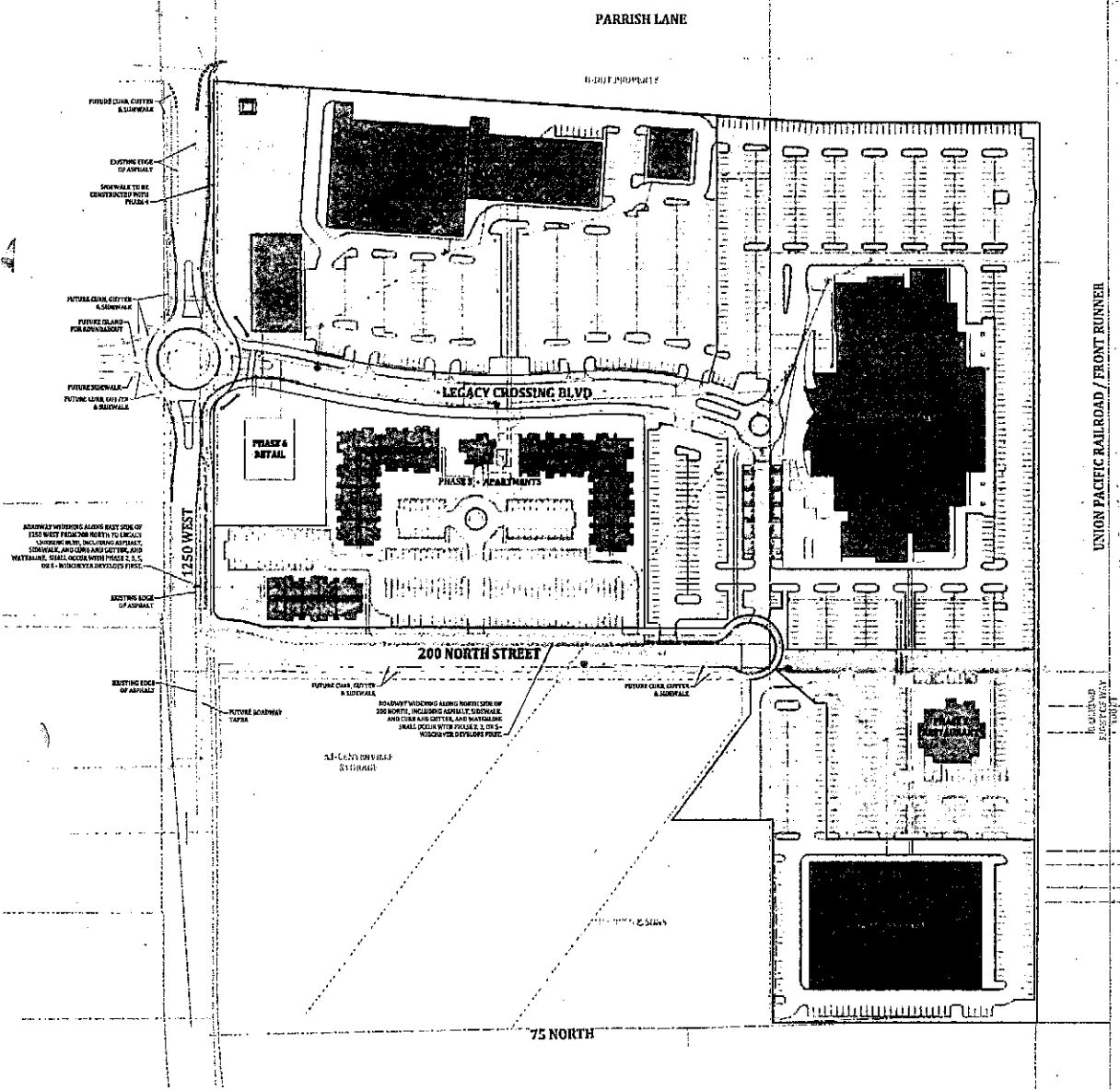
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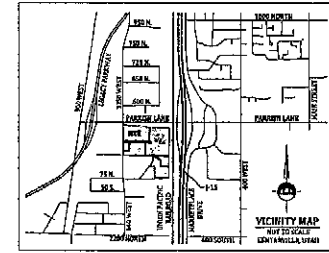
PPU7-12

PHASING PLAN

CALL BIDDING STAGES
OF 5, 10, 15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100
RECORD DRAWING TO THE
COMMUNITY OF ANY
CONSTRUCTION.

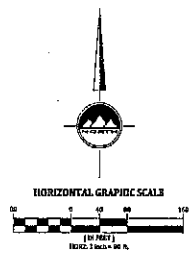


1-15 SOUTH BOUND RAMP
SOUTHBOUND INTERSTATE 15
NORTHBOUND INTERSTATE 15



LEGEND

0	PROPERTY COUSINE
1	EXISTING 100' EASEMENT
2	EXISTING 100' EASEMENT
3	PHASE 1 DRIVEWAY MANHOLE
4	PHASE 2 DRIVEWAY MANHOLE
5	PHASE 3 DRIVEWAY MANHOLE
6	EXISTING 100' EASEMENT MANHOLE
7	PHASE 1 DRIVEWAY MANHOLE
8	EXISTING 100' EASEMENT
9	EXISTING 100' EASEMENT
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100	EXISTING 100' EASEMENT



LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 32
TOWNSHIP 2 NORTH, RANGE 3 WEST
SALT LAKE BASIN AND HERRING
CENTERVILLE CITY, DAVIS COUNTY, UTAH

ENSIGN
LAYTON
1485 West Hillfield Rd.
Suite 201
Layton UT 84041
Phone: 801.547.1100
Fax: 801.593.6315
SALT LAKE CITY
Phone: 801.255.8539
WWW.ENSIGNUTAH.COM

U.S. DEVELOPMENT INC.
1515 N. HILLFIELD RD., SUITE 2
LAYTON, UTAH 84041
PHONE: 801-541-3111
FAX: 801-541-3111

**LEGACY CROSSING
AT PARRISH LANE**
1250 WEST STREET
CENTERVILLE CITY, UTAH

**PRELIMINARY
SITE PHASING
PLAN**

DATE: 12/15/10
BY: J. L. HARRIS
CHECKED: J. L. HARRIS
DATE: 12/15/10
BY: J. L. HARRIS

PROJECT: LEGACY CROSSING AT PARRISH LANE
SHEET: 1 OF 1

D

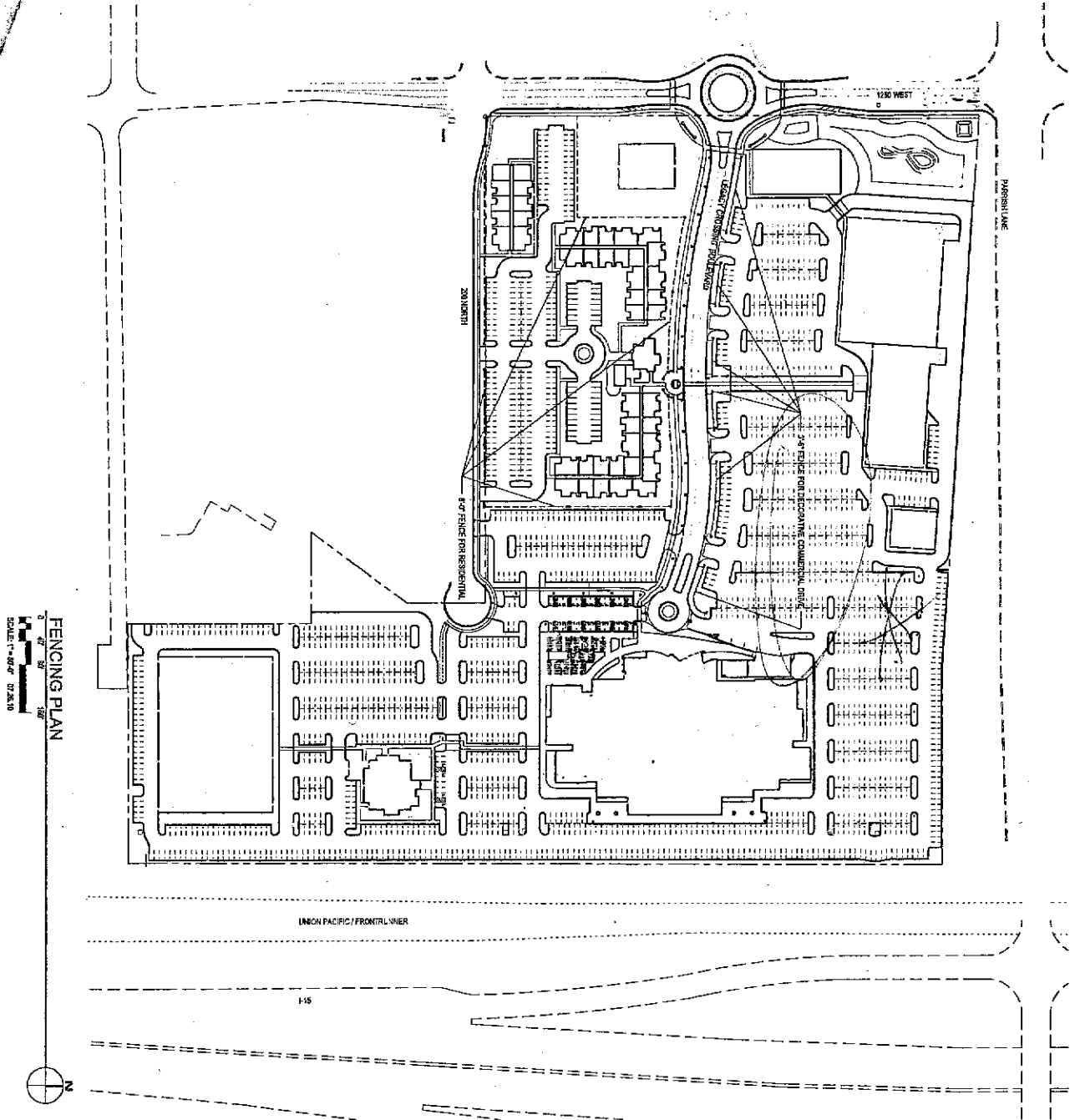
Residential uses shall be located within a minimum of three (3) and a maximum of five (5) buildings and in substantial compliance with the Master Site Plan. In accordance with the approved Zoning Ordinance text amendment, the maximum height for any residential building within the Planned Development shall be limited to four (4) stories and forty-five (45) feet. Notwithstanding the foregoing, in accordance with applicable provisions of the Centerville City General Plan, development of the Property shall provide for appropriate land use transitioning between adjacent properties and uses surrounding the Property. Residential density for the Property shall provide for appropriate transitioning within the Property and to adjacent properties.

7. **Signage.** All signage in the Planned Development shall comply with City Ordinances and the Signage and Monument Plan as set forth in **Exhibit G**, attached hereto. Sign permits shall be required for each individual sign within the Planned Development in accordance with City Ordinances. Future development within individual phases or lots shall be required to adhere to the sign locations and types approved with the Master Site Plan. Building signage for all development within the Planned Development shall adhere to the requirements of the sign ordinance and the Parrish Lane Gateway Design Standards. All signage shall be consistent with the signage for the overall Planned Development and the architectural treatments of the buildings within the Planned Development. Except as otherwise approved as Planned Development common signage, no signs shall be permitted except those advertising the business conducted on the specific lot for which the sign is designated.

8. **Entry Monuments.** Developer shall provide and install the entry monuments for the Planned Development in accordance with and as more particularly described in the Signage and Monument Plan set forth in **Exhibit G**, and the Master Site Plan as set forth in **Exhibit C**. Entry monuments shall be installed and constructed with the applicable phase of the development in which the proposed monuments and features are located and shall be completed prior to issuance of any certificate of occupancy within such phase.

9. **Fencing.** Developer shall provide and install internal fencing for the entire Planned Development in accordance with and as more particularly described in the Fencing Plan as set forth in **Exhibit N**, attached hereto and incorporated herein by this reference. Except as otherwise set forth in the Phasing Plan, fencing shall be installed and constructed with the applicable phase of the development in which such fencing is located and shall be completed prior to issuance of any certificate of occupancy within such phase.

10. **Sidewalks and Pedestrian Pathways.** Developer shall provide within, through and around the Planned Development a network of sidewalks and pedestrian pathways that interconnect residential and commercial uses and provide for vehicular crossings. All sidewalks and pathways shall be provided as more particularly shown



LEGACY CROSSING AT PARRISH LANE MIXED COMMERCIAL / RESIDENTIAL PLANNED DEVELOPMENT

CENTERVILLE
UTAH

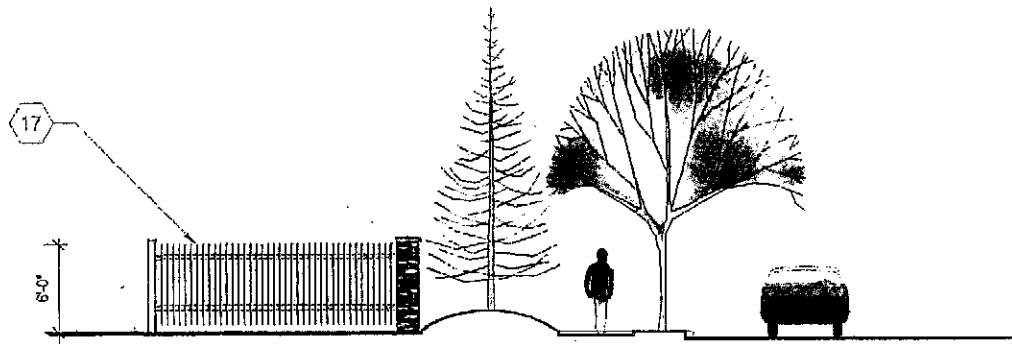


U.S. Development
1513 North Hillfield Road
Suite 200, Utah 84041
Telephone (801) 544-3443
Telex (901) 544-0551
www.usdevelopment.com

FENCING
PLAN

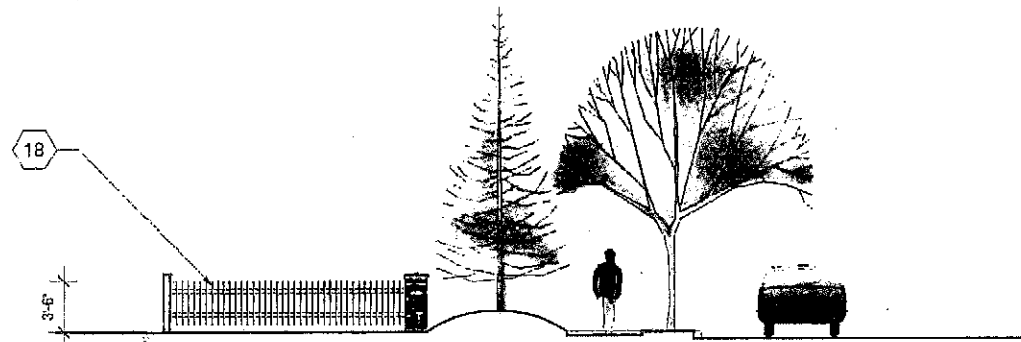
DEVELOPMENT
AGREEMENT

N-1



TYPICAL FENCE ELEVATION FOR RESIDENTIAL

1/8"=1'-0"



TYPICAL FENCE ELEVATION FOR DECORATIVE COMMERCIAL DR.

1/8"=1'-0"

REFERENCE NOTES

1. METAL ROOF CANOPY
2. E.F.I.S
3. STUCCO
4. METAL ROOF
5. METAL COPPING
6. STEEL COLUMNS
7. GLAZING
8. METAL TRELLIS
9. FULL GLAZING FOR COMMERCIAL DISPLAY
10. CULTURED STONE WEINSCOTT
11. E.F.I.S, STUCCO, OR ALTERNATIVE
12. COMMERCIAL STOREFRONT ACCESS
13. CULTURE STONE PILLARS
14. TRANSLUCENT GLASS WITH LIGHTING BEHIND
15. CITY SIGNAGE
16. CONCRETE COPPING
17. ORNAMENTAL METAL FENCE
18. ORNAMENTAL METAL PICKET FENCE
19. TRELLIS (WOOD OR STEEL)
20. BEAM (WOOD OR STEEL)
21. COLUMN
22. BENCH
23. PLANTER

NOTE

ALL COLORS TO MEET WITH
ARTICLE 6 REGULATION
CHAPTER 12-69-070

FFKR

ARCHITECTURAL DESIGN GUIDELINES
LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.

08/01/10

N-2

1/8"=1'-0"

(c) All fencing and walls installed for buffering, screening, retaining or other purposes shall be constructed to a high quality standard and shall be compatible with other building materials and colors used in the architectural treatment, or compatible with development of adjacent properties.

(d) The development of the buildings shall be of appropriate scale and mass to fit the size of the phase or lot being developed. The scale of the building(s) shall meet the intent of the Parrish Lane Gateway Design Standards, incorporating human scale elements.

(e) The buildings shall be designed so that the exterior elevation is architecturally and aesthetically compatible within the Planned Development and so that the building footings shall not encroach onto any other phase or lot. The design and construction shall be in conformity with sound architectural and engineering standards and the construction shall be of high quality.

(f) Color Palettes shall be compatible with the Centerville Shorelands Color Palette.

(g) Building setbacks shall be in accordance with the setbacks established in the Setback Plan set forth in **Exhibit J**.

(h) In addition to the approved Architectural Design Guidelines, all buildings, structures, enclosures and architectural design themes within the Planned Development shall comply with the building articulation, pedestrian accessibility, colors, materials, and screening requirements of the Parrish Lane Gateway Design Standards, including, but not limited to, Section 12-63-040, as amended.

(i) The residential component of the Planned Development shall provide semi-private areas, consisting of true balconies, patios, and front courts and such elements shall be integrated as part of the building design.

12. **Architectural Control Committee.** An architectural control committee shall be created and required in accordance with provisions of Section 12-41-110 of the City Ordinances and as more particularly required in Section 17 of this Agreement regarding Restrictive Covenants.

13. **Landscaping.** All landscaping for and within the Planned Development shall be provided by the Developer in accordance with the Landscaping Plan, attached hereto as **Exhibit E**. The Landscaping Plan includes a proposed 10' wide landscaping corridor for the residential area adjacent to 200 North using the excess right-of-way, which use and improvements shall be subject to approval by the City and the Utah Department of Transportation, as applicable. In addition to the approved Landscaping Plan, all landscaping within the Planned Development shall comply with the



landscaping, maintenance and screening requirements of the Parrish Lane Gateway Design Standards, including, but not limited to, Section 12-63-050, as amended, and the parking landscaping requirements of Section 12-63-060, as amended. All landscaping shall be bonded for and warranted in accordance with applicable City Ordinances. The Landscaping Plan shall include a program for the intended maintenance of the landscaping and a mechanism for dust, weed and debris control on undeveloped portions of the Property as required by the Parrish Lane Gateway Design Standards. The Planned Development shall adhere to the landscape requirements set forth in the Parrish Lane Gateway Design Standards and the Centerville C-VH Zoning Ordinance regulations as minimum criteria for landscape buffering and open space. All plant palette and themed street tree palette will be established with the preparation of the construction documents for Phase 1. All other landscaping within the Planned Development shall adhere to the same plant palette, mulch types, sod types and streetscape themes to be consistent with the landscape construction documents for Phase 1. Any site furniture items shall be compatible and similar in style and color with site furniture chosen for Phase 1. Unless otherwise specified in the Phasing Plan, all landscaping shall be constructed and installed with the applicable phase of the development in which such landscaping improvements are located and shall be completed prior to issuance of any certificate of occupancy within such phase. All landscaping shall be maintained in accordance with the provisions set forth herein and the requirements and specifications of the Landscaping Plan and the landscaping plan approved for the specific phase or lot during final site plan approval. Notwithstanding any private agreement or covenant by or between property owners within the Planned Development, each lot owner within the Planned Development shall be responsible for maintaining all landscaping located on the owner's lot, including, but not limited to perimeter, internal, and parking lot landscaping. Developer, or acceptable owners' association, shall be responsible for maintaining the landscaping in the middle of the round-about within 1250 West.

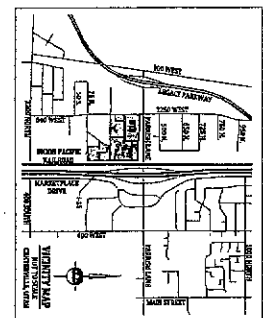
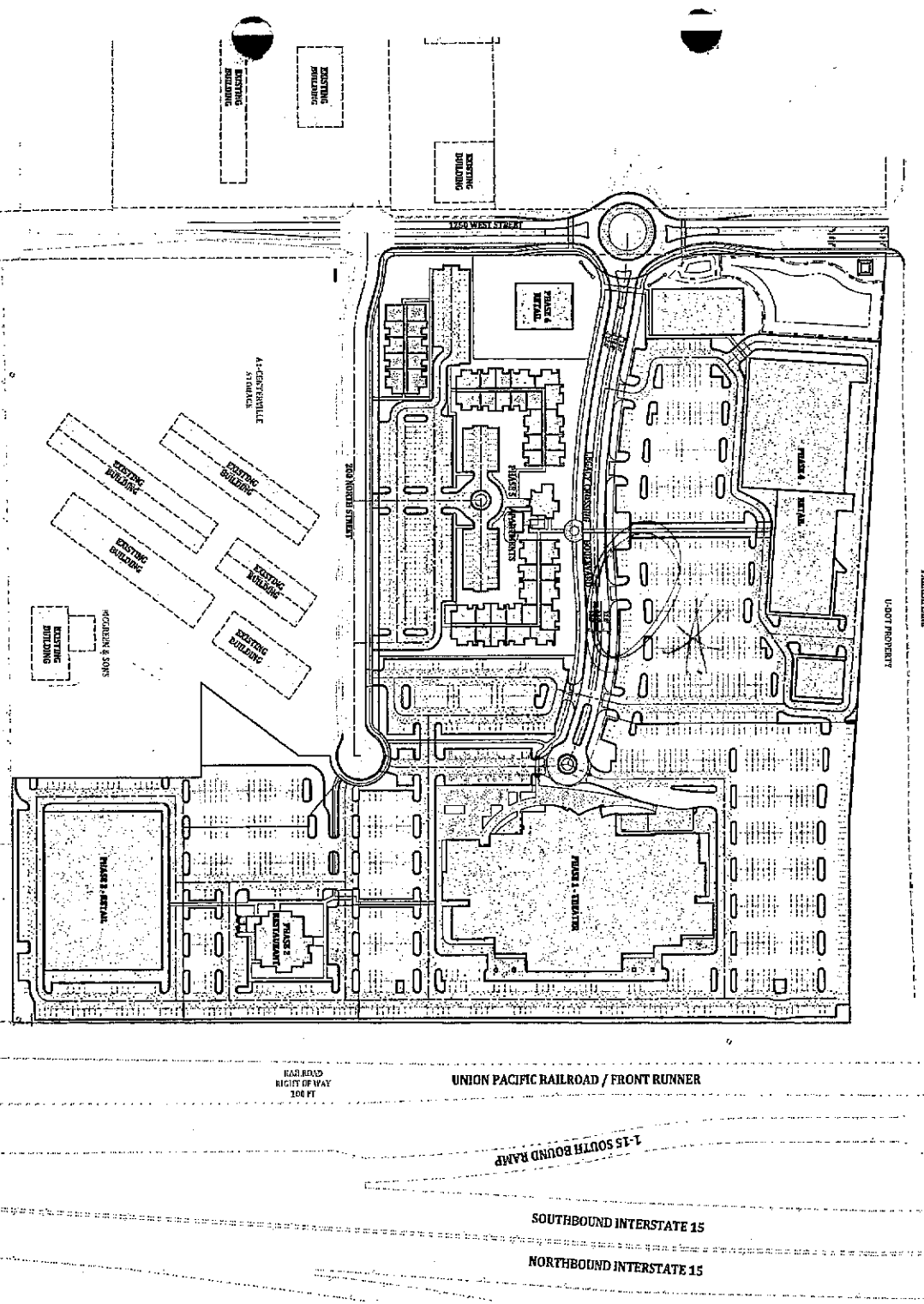
14. **Common Areas and Amenities.** All common areas, open space, and amenities shall be provided by the Developer in accordance with the Common Areas and Amenities Plan, attached hereto as **Exhibit L**. In addition to the approved Common Area and Amenities Plan, all common areas, open space, and amenities within the Planned Development shall comply with the requirements of the Parrish Lane Gateway Design Standards. Except as otherwise set forth in the Phasing Plan, all common areas, open space, and amenities shall be constructed and installed with the applicable phase of the development in which such common area and amenities are located and shall be completed prior to issuance of any certificate of occupancy within such phase. All common areas, open space, and amenities shall be maintained in accordance with the provisions set forth herein and the requirements and specifications of the Common Areas and Amenities Plan and any requirements approved for the specific phase or lot during final site plan approval. Notwithstanding any private agreement or covenant by or between property owners within the Planned

located and shall be completed prior to issuance of any certificate of occupancy within such phase. In addition to the approved Lighting Plan, all lighting for the Planned Development shall comply with applicable lighting provisions of the Parrish Lane Gateway Design Standards. Final design and specifications for street lighting within the project shall be approved by the City with final site plan approval for Phase 1.

19. **Drives and Drive Aisles.** All drives and drive aisles within the Planned Development shall be constructed in accordance with City Ordinances and applicable standards. All drives and drive aisles shall be installed and constructed by Developer in accordance with the approved Master Site Plan attached as **Exhibit C** and the Drive Aisles and Dimensions Plan attached as **Exhibit O**. All drives and drive aisles shall comply with the recommendations of the Traffic Study for the Planned Development and all requirements of the City Engineer in accordance with City Ordinance and approved construction drawings. Unless otherwise indicated in the Phasing Plan, all drives and drive aisles shall be installed and constructed with the applicable phase of the development in which such improvements are located and shall be completed prior to issuance of any certificate of occupancy within such phase in accordance with City Ordinances.

20. **Streets and Roadways.** Except for Legacy Crossing Boulevard, all streets within the Planned Development shall be dedicated public streets. All streets, including Legacy Crossing Boulevard, shall be constructed in accordance with City standards. Developer shall provide and develop the Property with the streets and roadway networks as shown on the Master Site Plan attached hereto as **Exhibit C**. Streets and other public improvements shall be constructed and installed by Developer in accordance with City Ordinances and the approved Phasing Plan for the Planned Development. Developer shall bond and warrant all public improvements in accordance with City Ordinances. All streets and related street improvements and roadways shall comply with the Traffic Mitigation Plan for the Planned Development and all requirements of the City Engineer in accordance with City Ordinances and approved construction drawings. Unless otherwise indicated in the Phasing Plan, all streets and roadways shall be installed and constructed with the applicable phase of the development in which such improvements are located and shall be completed prior to issuance of any certificate of occupancy within such phase in accordance with City Ordinances. Developer shall dedicate all land needed for construction and widening of public streets for the Planned Development, including dedication of off-site land needed for construction and dedication of the roundabout and widening of 1250 West.

21. **Traffic Mitigation Plan.** Development, use and all activities within the Planned Development shall comply with all of the recommendations of the Traffic Study prepared and provided for the Planned Development, and the Traffic Mitigation Plan as set forth in the **Exhibit I**. Pursuant to PDO approval, the Traffic Mitigation Plan shall include and address the following requirements: (1) 1250 West/Parrish Lane shall be improved with a signalized intersection; (2) a cross-access drive lane



**LEGACY CROSSING
AT PARRISH LANE**
1250 WEST STREET
CENTERVILLE CITY, UTAH



LAYTON
1485 West Hillfield Rd.
Suite 204
Layton UT 84041
Phone: 801.547.1300
Fax: 801.593.6315

SALT LAKE CITY
Phone: 801.255.0529
www.rockwellital.com

ENSIGN

NOTE
FBIAD LISTS HAVE TO BE IN ENGLISH
ALL OTHERS DIFFER AND 24 COUNTRIES ONLY
OF THE WORLD.

SECTION

CHARGE OF THE JURY (SEE CLERK WITH)

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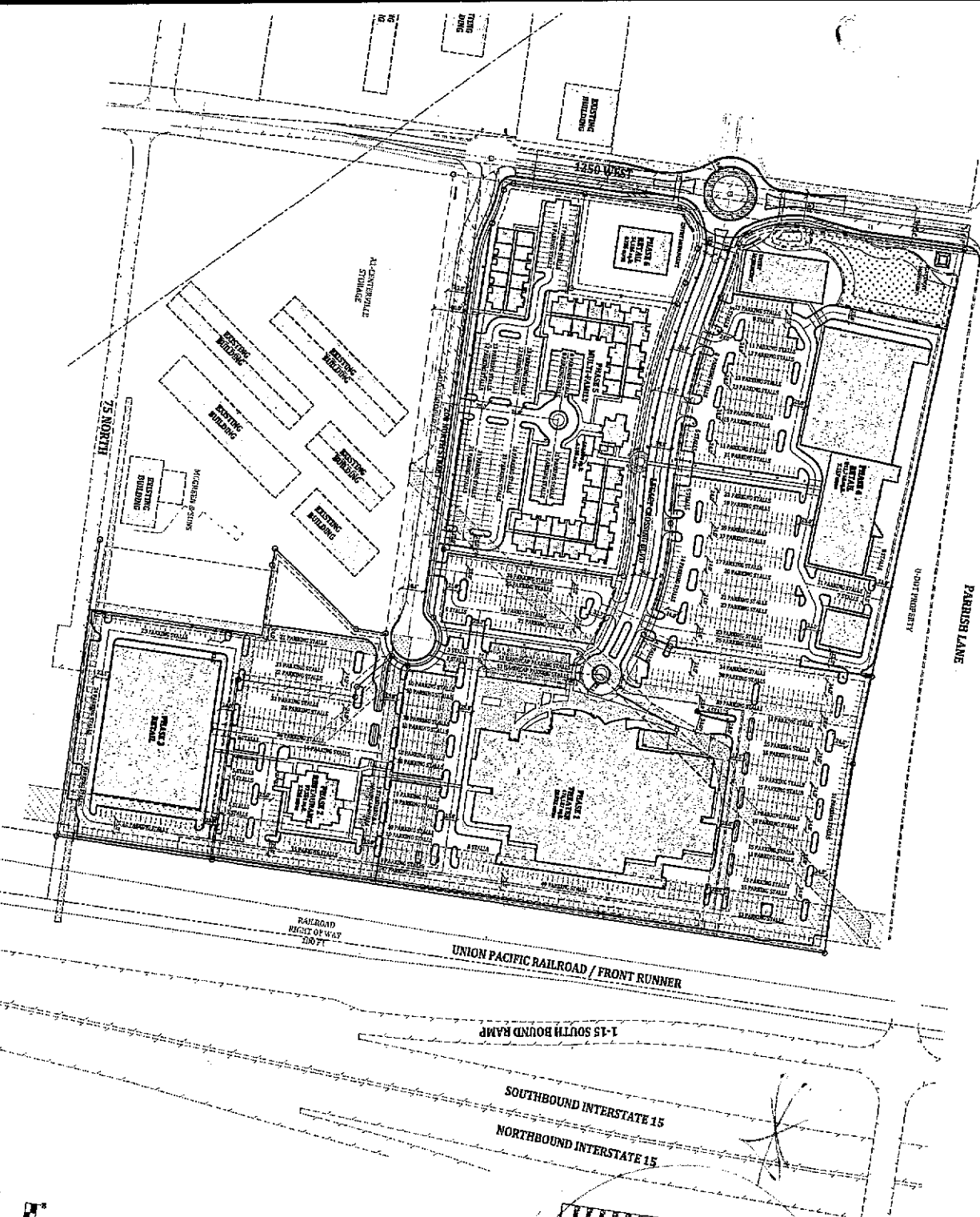
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LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 12
TOWNSHIP 2 NORTH, RANGE 1 WEST
SALT LAKE BASIN AND MERRICK
CENTRALVILLE CITY, DAVIS COUNTY, UTAH

shall be provided to the 75 North Street (currently a private lane); (3) 1250 West shall be improved to a three-lane cross section as Master Planned from Parrish Lane to 200 North Streets; (4) the off-set intersection of 200 North shall be re-aligned with the access directly across 1250 West; (5) parking shall be prohibited along 1250 West; and (6) no access for Phase 6 shall be permitted to or from 1250 West. Additional traffic mitigation measures may be required for individual phases or lots within the Planned Development as part of final site plan approval for such phases lots. All phases or lots within the Planned Development are intended to and shall be developed as one integrated development site through use of shared access and circulation routes as more particularly provided herein. Vehicular access to public rights-of-way from each phase or lot and the Planned Development shall be limited to the requirements and designations of the Traffic Mitigation Plan and the Master Site Plan. All on-site and off-site improvements required in the Traffic Mitigation Plan shall be installed and bonded for by Developer in accordance with the Traffic Mitigation Plan, the Phasing Plan, and applicable City Ordinances.

22. **Parking.** Parking shall be provided in accordance with the Master Site Plan as set forth in **Exhibit C**. All parking for the Planned Development shall comply with the applicable parking, parking lot, traffic circulation, landscaping, design, and lighting provisions of the Parrish Lane Gateway Design Standards and applicable City Ordinances.

23. **Reciprocal Parking and Cross-Access Easements.** The Planned Development has been approved with reciprocal parking and cross-access requirements for all of the Property within the Planned Development as more particularly provided in the Reciprocal Parking and Cross-Access Easements as set forth in **Exhibit H**. All Property within the Planned Development shall be subject to reciprocal parking and cross-access easements to be recorded against the Property in substantially the same form as set forth in **Exhibit H**. Reciprocal Parking and Cross-Access Easements shall be required as a condition of final site plan approval for Phase 1 and shall be recorded against all of the Property prior to issuance of a building permit for Phase 1. No building permit shall be issued within the Planned Development until all Reciprocal Parking and Cross-Access Easements as shown in **Exhibit H** have been recorded against the Property as provided herein. All parking ratios for individual phases or lots within the Planned Development shall be calculated according to the City Ordinances. Each phase within the Planned Development shall provide the minimum number of parking spaces required for such use and development in accordance with applicable City Ordinances. No private agreements shall be entered into by the owners or tenants that would encumber or restrict available parking for any given use, phase or building to less than the minimum number of parking spaces required for such use, phase or building by City Ordinances. Any amendments or revisions to the Reciprocal Parking and Cross-Access Easements shall require site plan amendment approval, if



LOCATED IN THE SOUTHWEST QUARTER
TOWNSHIP 2 NORTH, RANGE 1 WEST
SALT LAKE COUNTY, UTAH
CENTERVILLE CITY, KANE COUNTY, ITHA



- LEGEND**
- 1. EXISTING BUILDING
 - 2. EXISTING PARKING LOT
 - 3. EXISTING ROAD
 - 4. EXISTING LANDSCAPE
 - 5. EXISTING UTILITIES
 - 6. EXISTING FENCE
 - 7. EXISTING SIGN
 - 8. EXISTING LIGHT
 - 9. EXISTING TREE
 - 10. EXISTING SHrub
 - 11. EXISTING GRASS
 - 12. EXISTING SOIL
 - 13. EXISTING WATER
 - 14. EXISTING AIR
 - 15. EXISTING FIRE
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 - 17. EXISTING ROCK
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**LEGACY CROSSING
AT PARRISH LANE**
1250 WEST STREET
CENTERVILLE CITY, UTAH



ENSIGN
1400 W. 1000 N.
SALT LAKE CITY, UT 84119
PH: 801.464.1100
FAX: 801.464.1100
WWW.ENSIGN.COM

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

**STAFF REPORT
AGENDA: ITEM 5**

PROPERTY OWNER: **CENTERVILLE CITY
250 NORTH MAIN STREET
CENTERVILLE CITY, UT 84014**

APPLICANT: **BRUCE COX
PARKS AND RECREATION DIRECTOR
655 NORTH 1250 WEST
CENTERVILLE CITY, UT 84014**

PROPERTY: **1350 NORTH 800 WEST
02-014-0043 (NEXT TO COMMUNITY PARK)**

ACREAGE: **APPROX. 6 ACRES**

ZONING: **AGRICULTURAL-LOW (A-L)**

APPLICATION: **CONCEPTUAL SITE PLAN ACCEPTANCE FOR
ADDITIONAL SPORTS FIELDS AND PARKING**

**THIS ITEM WILL BE POSTPONED UNTIL THE JANUARY 8,
2014 MEETING, DUE TO A ZONE MAP AMENDMENT
(REZONE) NEEDED FOR THIS PARCEL.**

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

**STAFF REPORT
AGENDA: ITEM 6**

OWNER: **GOOD SPRAY LLC**
2056 MAPLE RIDGE DRIVE
BOUNTIFUL, UT 84010

APPLICANT: **ELDON HAACKE**
TERRAFORM CO.
2231 EAST MURRAY-HOLLADAY ROAD
HOLLADAY, UT 84117

EMAIL ADDRESS: **ehaacke@terraformco.com**

PROPERTY: **330 WEST PARRISH LANE**

ACREAGE: **1.16 ACRES**

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

APPLICATIONS: **FINAL SITE PLAN/FINAL SUBDIVISION APPROVAL**

BACKGROUND

On November 13, 2013, Eldon Haacke received acceptance by the Planning Commission for the King Commercial Development amended site plan. As a reminder, it was necessary for the applicant to move the Jiffy Lube to the center lot in order to move the building out of the higher groundwater table. The applicant is not making any modifications from the original July approvals concerning the Parrish Lane Guidelines, parking requirements and the front façade. The applicant is still requesting the landscaping waiver that was approved on July 31, 2013.

FINAL SITE PLAN REVIEW

The applicant submitted a complete final site plan application on November 19, 2013 and paid all associated fees. Also, development plans have been submitted, conforming to the general layout of the conceptual plan and indicating how the property along Parrish Lane will be developed. The plans include detail concerning the following: utilities, landscaping, drainage, building layout, parking, circulation and driveways. The site will be developed all at one time and as soon as the final subdivision is approved with the City Council, they will need to apply for a building permit prior to construction.

Waiver of Strict Compliance

As part of the final site plan application, the applicant has requested a Waiver of Strict Compliance concerning the landscaping. This waiver is being requested due to the narrowness of the lot and the ability to have a driv-through for Beans and Brew. At the July 31, 2013 meeting, the Planning Commission approved the waiver as follows:

- Allow a 17-foot landscaping setback
- Eliminate the foundation landscaping for the retail building
- Reduce the street trees from 12 to 10

Staff is still comfortable with this alteration and does not believe it is detrimental to the streetscape along Parrish Lane. Finally, the Landscape Architect, Craig Widmier, has placed an abundance of other vegetation; such as shrubs along the front of the property that staff believes has made up for the loss of the 2 trees.

PREVIOUS CONDITIONS OF APPROVAL FROM NOVEMBER 13, 2013

1. All pedestrian pathways that cross through vehicular areas shall be stamped-colored concrete.
 - **Staff Response:** The final site plan indicates all pedestrian crossings being the City Standard for stamped-colored concrete
2. Detail concerning the dumpster enclosures and other screening shall be indicated on the final site plan and meet the requirements found in Section 12-51-110 of the Zoning Ordinance.
 - **Staff Response:** Two new dumpster enclosures will be constructed, using concrete masonry and painted to match the structures. A solid gate will also be placed on the front of the dumpster enclose.
3. Specific lighting design shall be submitted as part of the final site plan application.
 - **Staff Response:** The lighting detail is indicated within the final site plan and shows the style for all wall-mounted lighting. It also appears that all lighting will face downward and not on adjacent properties.
4. A bond shall be established for all on-site improvements by the City Engineer and posted by the applicant prior to receiving any building permits.
 - **Staff Response:** This condition is still in effect.
5. All proposed signage shall be depicted on the final elevation drawings.
 - **Staff Response:** The signage is found on the elevation drawings. Yet, each individual business will need to follow Chapter 12-54 of the Zoning Ordinance in regard to signage.

6. The applicant shall submit a final site plan application in accordance with Section 12-21-100 of the City's Zoning Ordinance, which shall be subsequently reviewed and approved by the Planning Commission.
 - **Staff Response:** A final site plan application was submitted on November 19, 2013.
7. The applicant shall re-address the previously approved landscaping waiver requests with the final site plan.
 - **Staff Response:** The landscaping waiver has been reviewed by staff in this report and was found to be acceptable.
8. The applicant shall submit a final subdivision plat for a re-review and approval by the Planning Commission with the final site plan application.
 - **Staff Response:** This has been reviewed by staff and was found to be acceptable. The original final plat never went to the City Council for final approval.
9. The applicant shall receive subdivision approval prior to receiving any building permits.
 - **Staff Response:** This shall remain in effect.
10. All related professional services fees shall be paid to Centerville City.
 - **Staff Response:** This shall remain in effect.
11. The sidewalk on the east side of Jiffy Lube shall be extended through the landscaped area to the curb on the north property line in order to connect the north parking stalls to the Jiffy Lube Building. In addition, the pedestrian pathway connecting Jiffy Lube and Subway shall be extended across the Subway drive-through to the Subway Building.
12. Extend the walkway on the west side of the Jiffy Lube Building through the landscaped area on the north end of the building. This will create balance on the site. In addition, the applicant shall add pavers for the landscape strip between Jiffy Lube and Beans and Brew. This will provide direction and access for pedestrians.
 - **Staff Response:** Pavers have been added to in the extended walkway on both the east and west of Jiffy Lube and in the island of the Beans and Brew by the drive-through. Staff believes it has added consistence for the site and allows pedestrians to have a clear path to walk on.

FINAL SUBDIVISION REVIEW

As stated previously, the final subdivision plat has not gone before the City Council for a final approval and for this reason they were not required to receive an amended subdivision approval. Staff is requesting the Planning Commission review the changes to the plat; which only includes the lot line adjustment between the Jiffy Lube and Beans and Brew. All other easements, property lines and dimensions have remained the same. Staff is comfortable with this alteration and does not see any reason it would have a negative effect on the surrounding area.

PLANNING STAFF RECOMMENDATION FOR FINAL SITE PLAN APPROVAL

PROPOSED ACTION: I hereby make a motion for the Planning Commission to approve the final site plan for the King Commercial Development located at 330 West Parrish Lane and require the plans to address the following:

1. The Public Works Director is to review and deem acceptable the street lighting (i.e. pedestrian) locations and fixture types, prior to any building permits.
2. The City Engineer is to review and deem acceptable the drainage and utility plans, and more specifically the Storm Drainage Management Plan, prior to any building permits.
3. The applicant shall post a bond for all on and off-site improvements prior to receiving a building permit.
4. All professional service fees shall be paid.
5. The Waiver of Strict Compliance (landscaping waiver) shall be approved as follows:
 - a. Allow a 17-foot landscape setback
 - b. Eliminate the foundation landscaping for the retail building
 - c. Reduce the street trees from 12 to 10

SUGGESTED REASONS FOR THE ACTION, FINDINGS:

1. If an approved site plan is modified, and does not meet the requirements for a Zoning Administrator's approval, the site plan must go through the same approval process as the first [Section 12-21-110(i)(3)].
2. A complete final site plan application has been submitted [Section 12-21-110(e)(1)].
3. The proposed uses of specialty retail, vehicle repair limited and a fast-food restaurant is allowed within the C-VH Zone [Chapter 12-36].
4. The final site plan conforms to the conceptual site plan [Section 12-21-110(f)(1)].
5. A Waiver of Strict Compliance concerning the landscaping was found to be acceptable and not detrimental to the overall appearance of the project or Parrish Lane [Section 12-51-050].

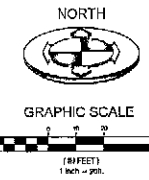
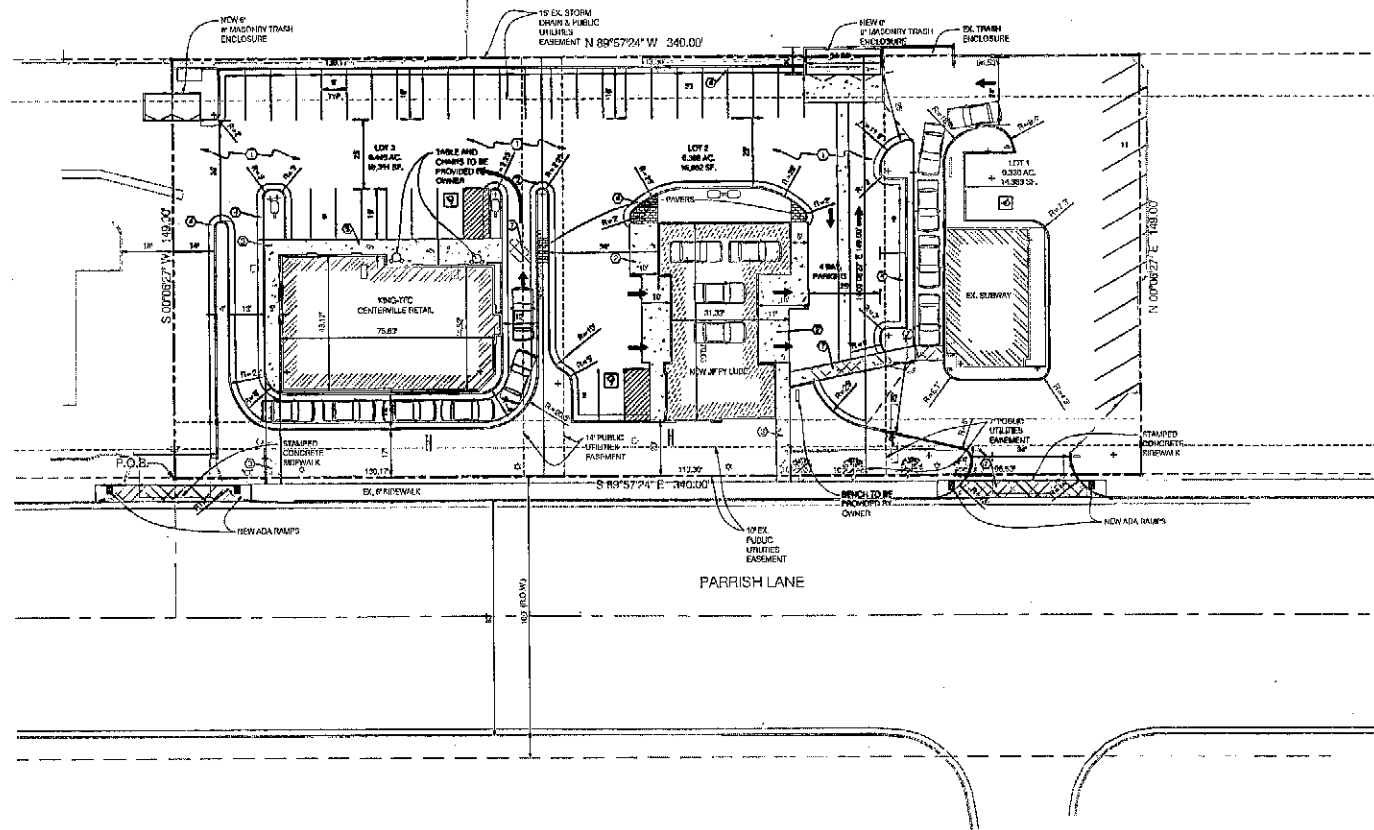
PLANNING STAFF RECOMMENDATION FOR FINAL SUBDIVISION PLAT

PROPOSED ACTION: I hereby make a motion for the Planning Commission to recommend approval to the City Council for the final subdivision plat approval for the King Commercial Development, located at 330 West Parrish Lane, and require the plans to address the following:

1. The applicant shall go before the City Council to receive final subdivision plat approval.
2. The final subdivision plat shall be recorded with the Davis County Assessor's Office.
3. All subdivision fees shall be paid and all bonds posted for any on and off-site improvements.

SUGGESTED REASONS FOR THE ACTION, FINDINGS:

1. The submitted plans clearly show the lots will meet all related criteria concerning a subdivision.
2. The plat indicates all the correct signature blocks and legal wordage for a review by the City Council.
3. The creation of the King Commercial Subdivision will not have any negative effects on the surrounding community.



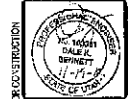
CONSTRUCTION KEY NOTES REFERENCE		
NO.	DESCRIPTION	DETAIL
①	ASPHALT PAVEMENT WITH GRANULAR BASE	3001.01
②	CONCRETE PAVEMENT WITH GRANULAR BASE	3002.01
③	CONCRETE SIDEWALK PER APPROP. 221	
④	CONCRETE HIGHBACK CURB AND GUTTER	3003.01
⑤	INTEGRAL SIDEWALK AND CURB	1001.01
⑥	ADA RAMP	3007.02
⑦	STAINLESS STEEL WALK	

AREA TABLE		
PARTICULARS	S.F.	%
BUILDING	75,824	11.3
HAZARDOUS	26,186	38.8
LANDSCAPE	12,875	19.4
TOTAL	114,885	100

PARKING COUNT		
PARKING STATUS	REGULAR	ADA
TOTAL	48	3



NO.	DATE	BY	REVISION
1	11/15/10	UTP	UTP
2	11/15/10	UTP	UTP
3	11/15/10	UTP	UTP
4	11/15/10	UTP	UTP
5	11/15/10	UTP	UTP
6	11/15/10	UTP	UTP
7	11/15/10	UTP	UTP
8	11/15/10	UTP	UTP
9	11/15/10	UTP	UTP
10	11/15/10	UTP	UTP



REGULATORY FOR CONSTRUCTION

BENCHMARK ENGINEERING & LAND SURVEYING

DAVID L. LINDER, P.E.
DAVID LINDER & ASSOCIATES, INC.
11111 S. 11111 E.
SALT LAKE CITY, UT 84111

BENCHMARK CIVIL

CENTERVILLE JIFFY LUBE AND RETAIL TERRAFORM COMPANIES

PARRISH LANE
CENTERVILLE CITY, UTAH

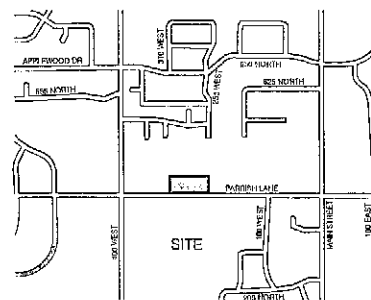
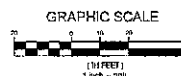
100201

SITE PLAN

CSP.01
3 OF 15

AMENDING LOTS 2 & 3 OF PARRISH PARK SUBDIVISION

LOCATED IN THE SOUTH WEST QUARTER OF SECTION 7,
TOWNSHIP 2 NORTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN



LEGEND

Area Identification (%)	Geological Classification (%)	Age
Basalt = 7,024	0.9	1470.5 Y.F.
Peridotite = 30,155	6.9	274.0 Y.F.
Granite = 12,570	10.2	254.5 Y.F.

CENTRALVILLE CITY BUSINESS DISTRICT 20 YEAR TRENDS					Alternative Community - 2006/07	
Year	Intensity	Rank	Median Incr	Adjusted	Score for Location	
Year	Intensity	Rank	Median Incr	Adjusted		
1977	3.50	0.50	1677	1945	0	
200	1.25	0.54	2266	3170	0	
200	0.61	0.42	2805	3311	0	
198	0.76	0.51	3269	1160	0	
199	0.57	1.32	2719	2023	0	
200	0.25	1.10	4741	4044	0	
200	0.16	1.08	5742	2407	0	
1400	0.10	0.85	7484	10174	0	

1. ALL COORDINATES SHOWN ARE BASED ON DAVIS COUNTY SURVEYORS' OFFICE DATUM.
2. APPROVAL OF THIS SUBDIVISION PLAT BY CENTERVILLE CITY DOES NOT CONSTITUTE ANY REPRESENTATION AS TO THE ADEQUACY OF SUB-SURFACE SOIL CONDITIONS NOR THE LOCATION OR DEPTHS OF GROUNDWATER TABLES.



PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____,
20____ BY THE CENTERVILLE CITY PLANNING
COMMISSION.

CITY ENGINEER
APPROVED THIS _____ DAY OF _____
A.D. 20____ OF THE CENTERTOWN CITY
ENGINEER.

CITY ATTORNEY
APPROVED THIS _____ DAY OF _____
A.D. 20____ OF THE CENTREVILLE CITY
ATTORNEY.

CITY MAYOR _____
APPROVED AND ACCEPTED THIS _____ DAY _____
A.D. 20_____
CITY MAYOR _____
ATTEST: _____

DAVIS COUNTY RECORDED # _____
STATE OF UTAH, COUNTY OF DAVIS, RECORDED AND FILED AT THE REGISTRY
OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____ DAVIS COUNTY RECORDER

NUMBER _____
ACCOUNT _____
SHEET _____
OF _____ SHEET

I, DALEY, BENNETT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 14331 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AS THE FIELD SURVEY, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AS SHOWN ON THIS PLAT.

KING COMMERCIAL DEVELOPMENT SUBDIVISION
AMENDING LOTS 2 & 3 OF PARDISH PARK SUBDIVISION

ALL OF LOTS 2 & 3, PARRISH PARK SUBDIVISION, ON FILE WITH THE OFFICE OF THE DAVID COUNTY RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF PARRISH LAIR (AKA NORTH STREET), AND POINT ALSO BEING SOUTH 45° 00' 00" EAST ALONG THE MONUMENT LINE OF PARRISH LAIR 22.941 FEET AND NORTH 0° 00' 00" EAST 50.00 FEET FROM A MONUMENT AT THE INTERSECTION OF PARRISH LAIR (AKA NORTH STREET) AND 40TH STREET; SAID CORNER BEING THE SOUTHWEST CORNER OF LOT 2, PARRISH PARK SUBDIVISION, AND THENCE SOUTHWEST 10° 00' 00" EAST 40.00 FEET TO THE NORTHEAST CORNER OF LOT 2; THENCE SOUTH 0° 00' 00" EAST 40.00 FEET TO THE NORTHEAST CORNER OF LOT 4 OF SAID SUBDIVISION; THENCE SOUTH 0° 00' 00" WEST 40.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 45° 00' 00" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 60,000 SQUARE FEET
1.163 ACRES, MORE OR LESS
311115



KNOW ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE DISCRETE TRACT OF LAND, LAYING OUT THE SAME IN SUBDIVISIONS INTO LOTS AND STREETS TO BE HEREAFTER BE KNOWN AS THE WARD COMMERCIAL DEVELOPMENT SUBDIVISION, DO HEREBY DEMAND FOR PERMISSIBLE USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN IN THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY CLAIMS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH MAY INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS. IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____ 2013, (SIGNATURE LINE FOR EACH PERSON WITH EPPF)

KING COMMERCIAL DEVELOPMENT SUBDIVISION
 AMENDING LOTS 2 & 3 OF PARRISH PARK SUBDIVISION
 DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN
 ON THIS PLAN AS INTENDED FOR PUBLIC USE, IN VARIOUS WAYS, TO WIT:
 (1) TO SET MY LAND THIS _____ DAY OF _____ 20____ A.D., _____ HOURS

110: GEORGE SIMAY, LLC
111: NER REAL ESTATE INVESTMENTS, LLC

STATE OF UTAH 1
COUNTY OF DAVIS 144

On this _____ day of _____, 20____, I, _____, personally appeared before me _____,
knowing by my own free will, did so to sign this _____ of _____
attested liability company, as the leading instrument was duly approved by the limited liability company by
a minute of its members or persons and approved in behalf of said limited liability company.

1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.

McGraw-Hill Education

[illegible]

ownership is 100% owned and controlled by a limited liability company.

AMENDING LOTS OF SUBDIVISION
LOCATED IN THE SOUTH WEST QUARTER OF SECTION 7,
TOWNSHIP 2 NORTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

DAVIS COUNTY RECORDED # _____
STATE OF UTAH, COUNTY OF DAVIS, RECORDED AND FILED AT THE REGISTRY
OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____ DAVIS COUNTY RECORDER

NUMBER _____
ACCOUNT _____
SHEET _____
OF _____ SHEET

AMENDING LOTS 2 & 3 OF PARRISH PARK SUBDIVISION

LOCATED IN THE SOUTH WEST QUARTER OF SECTION 7,
TOWNSHIP 2 NORTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN



LEGEND

- | | |
|-----|--|
| SM | STREET MONUMENT |
| FC | FACE MONUMENT |
| C | BUILDING CORNER
(SET 32" x 4" REBAR AND CAP OR NAIL
WASHER STAMPED "BENCHMARK ENG.") |
| --- | MONUMENT LINE |
| --- | BOUNDARY LINE |
| --- | ADJACENT PROPERTY |
| --- | STREET CENTERLINE EXISTING |
| --- | EASEMENT LINE |
| --- | 10' TYP |

ACKNOWLEDGMENTS

[illegible]

SURVEYOR'S CERTIFICATE

I, DALE K. BENNETT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 70391 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE AUTHORITY OF THE OWNERS, HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AS THE FIELD SUBDIVISION, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AS SHOWN ON THIS PLAT.

KING COMMERCIAL DEVELOPMENT SUBDIVISION
AMENDING LOTS 2 & 3 OF PARRISH PARK SUBDIVISION

BOUNDARY DESCRIPTION

ALL OF LOTS 2 & 3, PARRISH PARK SUBDIVISION, ON FILE WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DECORDING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF PARISH LINE (300 NORTH STREET), SAID POINT ALSO BEING SOUTH 89°57'48" EAST ALONG THE MONUMENT LINE OF PARISH LINE 22541 FEET AND NORTH 10°00'52" EAST 58.00 FEET TO A MONUMENT AT THE INTERSECTION OF PARISH LINE (300 NORTH STREET) AND 400 WEST STREET; SAID CORNER BEING THE POINTED CORNER OF LOT 2, PARISH PARCEL SUBDIVISION; AND BEING THENCE NORTH 10°00'52" EAST 58.00 FEET TO THE NORTHWEST CORNER OF LOT 2; THENCE SOUTH 89°57'48" EAST 240.00 FEET TO THE NORTHWEST CORNER OF LOT 3 OF SAID SUBDIVISION; THENCE SOUTH 10°00'52" WEST 180.00 FEET TO THE SOUTHWEST CORNER OF LOT 2; THENCE NORTH 89°57'48" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 38.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 58,050 SQUARE FEET
1,163 ACRES, MORE OR LESS
3 LOTS



OWNER'S DEDICATION

KNOW ALL BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE DISPOSED TRACT OF LAND, HAVE COME TO THE MIND TO SUBMIT THIS LAND AND TRACT HEREINAFTER BE KNOWN AS THE KING COMMERCIAL DEVELOPMENT SUBDIVISION, DOWNTOWN URBAN LOT 1, OR TRACT 1, USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAN AS INTENDED FOR PUBLIC USE, AND TO WARRANT, DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DELICATED ALLEYS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION AND MAINTENANCE OF THE STRICES. IN WITNESS WHEREOF, WE HAVE HEREBY SIGNED AND AFFIXED THIS _____ DAY OF _____, 2012. (SIGNATURE LINE TO FOLLOW WITH TYPED NAME OF EACH PARTY)

KING COMMERCIAL DEVELOPMENT SUBDIVISION
AMENDING LOTS 2 & 3 OF PARRISH PARK SUBDIVISION

DO HEREBY CERTIFY FOR THE BENEFIT OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAN AS WITHDRAWN FOR PUBLIC USE, IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 20____ A.D.

THE TRUMP SPRAY, LLC KING REAL ESTATE INVESTMENTS, LLC

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF DAVIS } ss.
On this _____ day of _____, 20____, personally appeared before me _____,
a Notary Public for the State of Utah, duly sworn, that _____,
of the County of _____, State of _____, and that _____, _____,
and _____, _____, and _____, _____, _____,
all of the County of _____, State of _____, are the persons who executed the foregoing
instrument, and that they executed the same for the purposes and consideration therein expressed.

KING COMMERCIAL DEVELOPMENT SUBDIVISION

AMENDING LOTS OF SUBDIVISION
LOCATED IN THE SOUTH WEST QUARTER OF SECTION 7,
TOWNSHIP 2 NORTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

DAVIS COUNTY RECORDED # _____		NUMBER _____
STATE OF UTAH, COUNTY OF DAVIS, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____		ACCOUNT _____
FEE \$ _____		SHEET _____
DAVIS COUNTY RECORDER		OF _____ SHEETS

PLAT NOTES:

2. APPROVAL OF THIS SUBDIVISION PLAT BY CENTERVILLE CITY DOES NOT CONSTITUTE ANY REPRESENTATION AS TO THE ADEQUACY OF SUB-SURFACE SOIL CONDITIONS WITH THE LOCATION AND DEPTH OF GROUNDWATER TABLES.



**BENCHMARK
ENGINEERING &
LAND SURVEYING**
8130 SOUTH STATE STREET SUITE 4100
DANDY, UTAH 84000 (801) 582-1187
www.benchmark-survey.com

PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____, A.D.,
20____ BY THE CENTERVILLE CITY PLANNING
COMMISSION.
SECRETARY, CENTERVILLE CITY PLANNING COMMISSION

CITY ENGINEER
APPROVED THIS _____ DAY OF _____
A.D. 20____ OF THE CENTREVILLE CITY
ENGINEER.

CITY ENGINEER

CITY ATTORNEY
APPROVED THIS _____ DAY OF _____
A.D. 20____ OF THE CENTENNIAL CELEBRATION
ATTORNEY.

CITY MAYOR

APPROVED AND ACCEPTED THIS _____ DAY OF _____
A.D. 200 _____

CITY MAYOR

ATTEST: _____
CLERK OF COUNCIL

DAVIS COUNTY RECORDED # _____
STATE OF UTAH COUNTY OF DAVIS, RECORDED AND FILED AT THE REQUEST
OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____ DAVIS COUNTY RECORDER

NUMBER _____
ACCOUNT _____
SHEET _____
OF _____ SHEETS

1.20202184.0000

NOTES:

- | | |
|----|--|
| 1. | ALL COLOR SAMPLES TO BE SUPPLIED TO THE OWNER FOR APPROVAL PRIOR TO ORDERING MATERIAL. |
| 2. | PAINT ALL WALL MOUNTED EQUIPMENT TO MATCH WALL COLOR |
| 3. | ALTERNATE COLORS / MATERIALS MAY BE SUBSTITUTED IF APPROVED BY OWNER |

design west | architects
255 SOUTH 300 WEST LOGAN UT 84321
795 NORTH 400 WEST SLC UT 84103

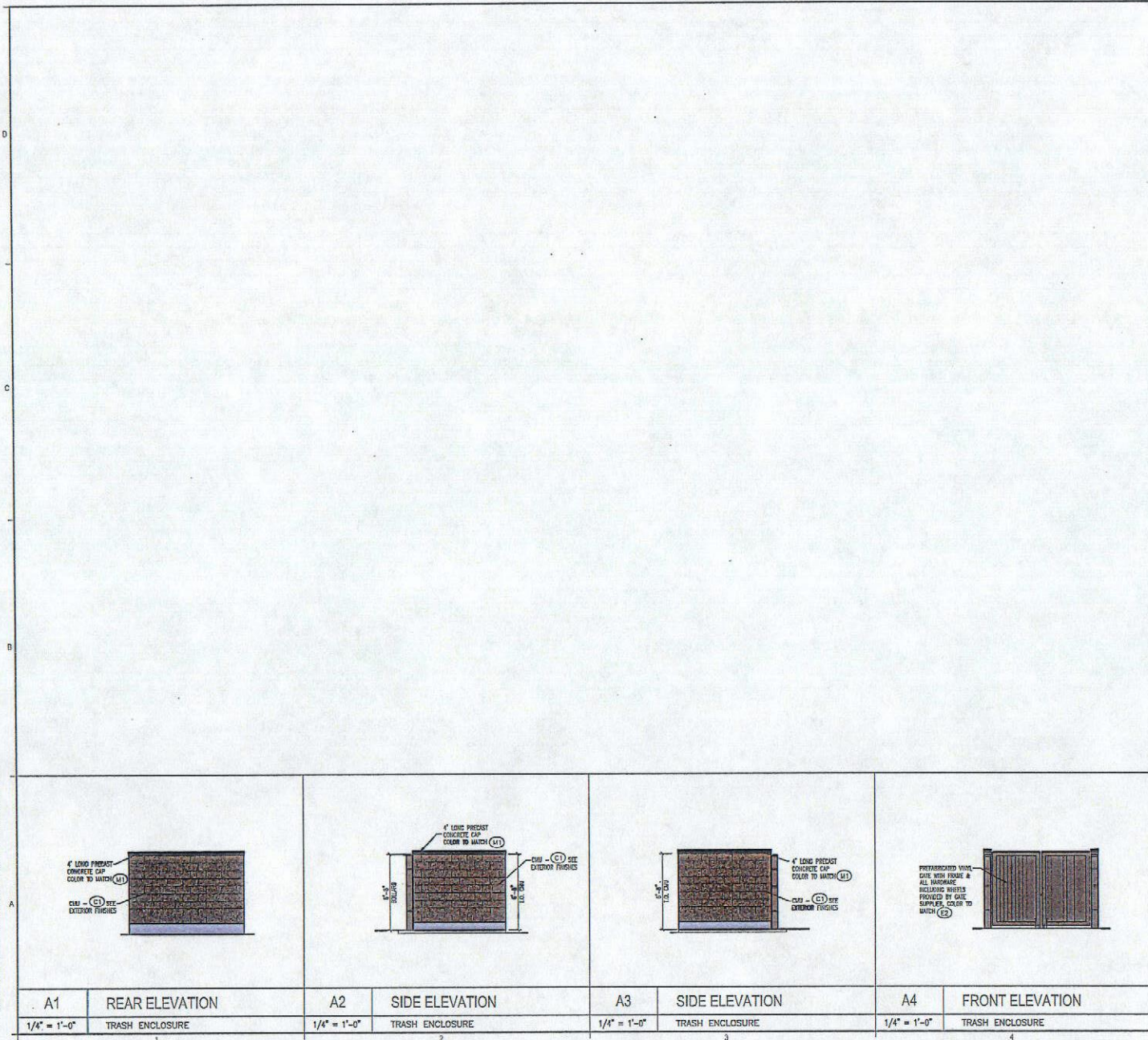
[illegible]

PROJECT# 413091
DRAWN BY:
CHECKED BY: OLCOTT
ISSUED: MM/DD/YY

NOT FOR CONSTRUCTION

© COPYRIGHT DESIGN WEST ARCHITECTS

7/20/13 5:13:22 - Centerville Retail_Bldg_1.dwg - 30' EXTERIOR ELEVATIONS.dwg



EXTERIOR FINISH SCHEDULE	
MARK	DESCRIPTION
A1	REAR ELEVATION - BRICKER "BIRK BRONZE ANTIQUED ALUMINUM"
C1	CUT BLOCK - COLOR TO MATCH (E2)
E1	EIFS - STD - ACCORD BRONZE
E2	EIFS - STD - PEGASUS
L1	EXTERIOR LIGHTS - COLOR TO MATCH (A1)
M1	FINISHED METAL FLASHING - METAL - BRONZE BRONZE
M2	METAL KINGS - METAL - BRONZE BRONZE
S1	STONE VENTILATOR - CAPE CORNER HARRINGTON
P1	PAINT DOOR AND FRAME - SW TEA CHEST 6103
P2	PAINT DOOR AND FRAME - SW TEA CHEST 6103
T1	BRICK PLASTER COAT - COLOR TO MATCH ADJACENT CONCRETE

NOTES:
1. ALL COLOR SAMPLES TO BE SUPPLIED TO THE OWNER FOR APPROVAL PRIOR TO ORDERING MATERIAL.
2. PRINT ALL WALL MATERIAL EQUIPMENT TO MATCH WALL COLOR.
3. ALTERNATE COLORS / MATERIALS MAY BE SUBSTITUTED & APPROVED BY OWNER.

NOT FOR CONSTRUCTION

CENTERVILLE RETAIL
APPROX. 300 WEST PARRISH LANE
CENTERVILLE, UTAH

MARK	DATE	DESCRIPTION

PROJECT # 413092
DRAWN BY CHRISTENSEN
CHECKED BY PIENIEZZA
ISSUED 07-31-13

NOT FOR CONSTRUCTION

EXTERIOR
ELEVATIONS

A-201
© COPYRIGHT OF CHRISTENSEN ARCHITECTS

design west architects
255 SOUTH 300 WEST LOGAN UT 84301
765 NORTH 400 WEST SALT LAKE CITY UT 84103

CENTERVILLE CITY PLANNING COMMISSION

Staff Backup Report

December 11, 2013

Item No. 7

Short Title: Public Hearing - Zoning Ordinance Text Amendments

Initiated By: City Attorney

Scheduled Time:

SUBJECT

Continued Public Hearing - Consider Zoning Ordinance Text Amendments regarding Noticing and Public Hearing Requirements – Various Amendments to Chapter 12-12 and 12-21 of Zoning Ordinance

RECOMMENDATION

Discuss proposed Zoning Ordinance Text Amendments regarding noticing and public hearing requirements; hold continued public hearing regarding proposed amendments; and consider action. Staff recommends the Planning Commission recommend approval of the proposed Zoning Ordinance Text Amendments regarding public noticing and hearing requirements to the City Council.

BACKGROUND

The Planning Commission previously reviewed at its last meeting on November 13, 2013, proposed Zoning Ordinance Text Amendments regarding noticing and public hearing requirements. The Planning Commission tabled action on the proposed amendments and continued the public hearing. The Planning Commission should receive further presentation from Staff on the proposed amendments, hold the continued public hearing on the matter, and consider action for recommendation of the Zoning Ordinance Text Amendments to the City Council.

Previous Background Summary of the Amendments (from November 13, 2013 Staff Report):

Staff has reviewed the noticing and public hearing requirements for various land use applications as set forth in the City Zoning Ordinance for compliance with State law provisions. Such review was initiated in response to State law amendments as adopted during the 2013 legislative session. Specifically, HB 88 requires cities to provide additional courtesy notice to owners of real property whose property is subject to a zoning map amendment (rezone). In reviewing relevant provisions of the City's Zoning Ordinance, it was determined to conduct a more comprehensive review of the noticing and public hearing requirements. The proposed amendments are intended to bring City Ordinances into compliance with State law, where necessary, and to recommend additional changes regarding electronic noticing, newspaper publications, and noticing requirements for first and subsequent public hearings. The current Zoning Ordinances provide additional noticing and public hearings above and beyond what State law requires. The proposed amendments are not intended to reduce such additional opportunities for public input regarding zoning and land use applications, but to provide more meaningful and less costly noticing through electronic means. Staff is not recommending action by the Planning Commission at tonight's meeting regarding the proposed amendments. This meeting will be an opportunity for Staff to present the proposed changes and to explain some of the issues involved. After Staff presentation, the Commission should hold a public hearing regarding the proposed amendments. The Commission can provide Staff with any initial comments, questions or discussion regarding the proposed amendments. It is recommended the Commission table this matter for further discussion and action at the next meeting to be held in December.

ATTACHMENTS:

Description

- Zoning Ordinance Text Amendments (November 6, 2013 redline draft)

**Proposed Zoning Ordinance Text Amendments regarding
Noticing and Public Hearing Requirements**

November 6, 2013

12-12-030. Rules of Interpretation.

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(i) *Computation of Time.* The time within which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday, then the last day shall be the next following business day. ~~In computing the time required for public hearing notice, the day of the hearing shall be excluded.~~

12-21-040. General Requirements.

The following requirements shall apply to a proposed land use, development, or other matter which is subject to a procedure set forth in this Title.

(a) *Application Form.* An application shall be submitted on a form provided by the Zoning Administrator and in such numbers as reasonably required by the Zoning Administrator for a particular type of application. Applicants shall be required to submit electronic copies of all drawings, plans, plats, etc., submitted as part of the application process, upon request of the Zoning Administrator. Applicants shall be required to provide a designated contact name and accurate mailing address and email address for receiving legal notice of staff reports, public meetings, public hearings, final action, and other notices required to be provided by the City to applicants.

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12-21-050. Public Hearings and Meetings.

Any public hearing or meeting required under this Title, as the case may be, shall be scheduled and held subject to the requirements of this section.

(a) *Scheduling a Public Hearing or Meeting.* An application requiring a public hearing or meeting shall be scheduled within a reasonable time following receipt of a complete application. The amount of time between receipt of an application and holding a public hearing or meeting regarding the application shall be considered in light of:

- (1) The complexity of the application submitted;
- (2) The number of other applications received which require a public hearing or meeting;
- (3) Available staff resources; and
- (4) Applicable public notice requirements.

(b) *Notice of Public Meeting.* In accordance with the Utah Open and Public Meetings Act, as set forth in *Utah Code Ann.* §§ 52-4-101, 52-4-1, et seq., as amended, the applicable land use authority shall provide public notice of its meetings.

(1) *Annual Meeting Schedule.* The applicable land use authority shall give public notice at least once each year of its annual meeting schedule specifying the date, time and place of such meetings in accordance with Utah Code Ann. § 52-4-202, as amended.

(2) *Individual Meeting.* The applicable land use authority shall also provide not less than 24 hours' public notice of the agenda, date, time and place of each of its meetings in accordance with Utah Code Ann. § 52-4-202, as amended.

(3) For purposes of Subsection (1) and (2), public notice of meetings shall be satisfied by:

- (i) posting written notice in at least three public locations within the City, including at City Hall; and
- (ii) publishing notice on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701, as amended;
- (iii) publishing notice on the City's website; and
- (iv) providing notice to at least one newspaper of general circulation within the area of the City.

(4) *Emergency Meetings.* When because of unforeseen circumstances it is necessary for the applicable land use authority to hold an emergency meeting to consider matters of an emergency or urgent nature, the noticing requirements set forth herein may be disregarded and the best notice practical will be given in accordance with the Utah Open and Public Meetings Act.

(c) *Notice of Public Hearing.* When this Title or any state statute requires a public hearing for any land use application, permit, or matter governed by this Title, notice of the first public hearing regarding such matter shall be provided in accordance with the provisions set forth herein.

(1) *Contents.* Public notice of the public hearing should include the following information:

(i) a statement summarizing the substance of the application;

(ii) the date, time and place of the public hearing; and

(iii) the place where the application may be inspected by the public or the person to contact for further information.

(2) *Notice for First Public Hearing.* Public notice of the first public hearing on an application shall be provided at least ten (10) calendar days before the public hearing. Such notice shall be:

(i) published in a newspaper of general circulation in the area; published on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701, as amended;

(ii) mailed to each affected entity (as defined in Section 12-12-040); and

(iii) posted in at least three public locations within the City or on the City's official website;

(iii) for the first public hearing for general plan enactment or amendment, zoning ordinance enactment or amendment, and zoning map enactment or amendment, notice shall be published at least 10 calendar days before the hearing in a newspaper of general circulation in the area and mailed to each affected entity (as defined in Section 12-12-040); and

(iv) for the first public hearing regarding a zoning map enactment or amendment, courtesy notice shall be sent at least 10 days prior to the hearing to each owner of private real property whose property is located entirely or partially within the proposed map amendment in accordance with Utah Code Ann. § 10-9a-205, as amended.

(3) *Notice for Subsequent Public Hearings.* Public notice of any additional or subsequent public hearing on an application shall be provided at least ten (10) calendar days before the public hearing by:

(i) publishing notice on the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701, as amended; and

(ii) posting notice on the City's official website.

(d) *Applicant Notice.* For each land use application filed in accordance with the provisions of this Title, the City shall notify the applicant of the date, time, and place of each public hearing and public meeting to consider the application. The City shall provide each applicant a copy of each staff report regarding the applicant or the pending application at least three (3) business days before the public hearing or public meeting, subject to the waiver warranty provisions of Utah Code Ann. § 10-9a-202, as amended. Such notice may be provided by mail or email to the designated contact and mailing address or email address provided by the applicant in accordance with Section 12-21-040. The City shall also provide the applicant notice of any final action on a pending application in accordance with the provisions of Subsection (l).

(e) *Notice of Intent to Prepare General Plan Amendment Notice.*

Before preparing a proposed general plan or general plan amendment, the City shall provide ten (10) calendar days notice of its intent to prepare a proposed general plan or general plan amendment to the following listed entities or persons. Such notice shall comply with the requirements of *Utah Code Ann. § 10-9a-203, as amended.* Notice of intent shall be provided to:

(1) each affected entity (as defined in Section 12-12-040);

(2) the Automated Geographic Reference Center (as defined in *Utah Code Ann. § 63F-1-506, as amended*);

(3) the association of governments of which the City is a member; and

(4) the Utah Public Notice Website created under Utah Code Ann. § 63F-1-701, as amended. ~~the State Planning Coordinator (appointed pursuant to Utah Code Ann. § 63-38d-202, as amended).~~

(f) *Posting Notice On-Site.* In addition to public notice of a public hearing as provided in this section, the City shall post on-site notice of the first public hearing regarding a proposed zoning map amendment, conditional use permit, or conceptual site plan application at least ten (10) calendar days before the public hearing. Such notice should include the information set forth in Section 12-21-050(c)(1). Applications that involve multiple parcels need not have notice posted on each individual parcel, but shall be posted in a location or locations representative of the proposed project area.

(1) The Zoning Administrator, in his or her sole discretion, may provide additional notice of any application, including, but not limited to, direct mailings to neighboring property owners.

(2) Any on-site posting, direct mailing, or other notice provided under this Subsection (f) is intended as a courtesy only. Any error or failure on the part of the City to provide on-site posting or other courtesy notice shall not affect the adequacy or sufficiency of published and/or posted notice of the meeting or hearing as required by law.

(g) *Challenge of Notice.* Pursuant to Utah Code Ann. § 10-9a-209, as amended, if ~~if~~ notice required by this section or any other applicable provision of this Title is not challenged in accordance with applicable appeal procedures within thirty (30) days from the date of the hearing or meeting for which notice was given, the notice shall be considered adequate and proper.

(h) *Examination of Application.* Upon reasonable request during normal business hours, any person may examine an application and materials submitted in support of or in opposition to an application in accordance with the Government Records Access Management Act, Utah Code Ann., §§ 63G-2-101, 63-2-101, et seq., as amended. Copies of such materials shall be made available at reasonable cost in accordance with the City's fee schedule.

(i) *Public Hearing and Meeting Procedures.* An application shall be considered pursuant to policies and procedures established by the decision-making body or official for the conduct of its meetings.

(j) *Withdrawal of Application.* An applicant may withdraw an application at any time prior to action on the application by the decision-making body or official. Application fees shall not be refundable if prior to withdrawal:

- (1) A staff review of the application has been undertaken; or
- (2) Notice for a public hearing or meeting on the application has been mailed, posted or published.

(k) *Record of Public Hearing or Meeting.*

(1) Except as provided by law, written ~~Written minutes and or a digital or tape recording shall be kept of all public hearings or open meetings. Written minutes of an open meeting. Such minutes or a digital or tape recording shall include:~~

- (i) The date, time, and place of the meeting;
- (ii) The names of members present and absent;
- (iii) The substance of all matters proposed, discussed, or decided, and a record, by individual member, of votes taken;

(iv) The names of each person who provides testimony or comments to the public body ~~all citizens who appeared~~ and the substance in brief of their testimony or comments; and
(v) Any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes or recording.

(2) The minutes, ~~tape~~ recordings, all applications, exhibits, papers and reports submitted in any proceeding before the decision-making body or official, and the decision of the decision-making body or official, shall constitute the record thereof. The record shall be made available for public examination as provided in Section 12-21-050(h) of this section.

(l) Final Action Notification. Notice of any final action or decision on a pending application by the decision-making body or official shall be provided to an applicant within a reasonable time. Such notice shall be provided by mail or email to the designated contact and mailing address or email address provided by the applicant in accordance with Section 12-21-040.

12-21-070. General Plan Amendment.

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(3) After an application is determined to be complete or prior to the initiation of a City-initiated General Plan amendment, the Zoning Administrator shall provide notice of intent to prepare or amend the General Plan in accordance with the provisions of Section 12-21-050. After providing the required 10-day notice of intent to prepare or amend the General Plan, the Zoning Administrator shall thereafter review and prepare a staff report evaluating the application.

(4) The Planning Commission shall schedule and hold a public hearing on the proposed amendment. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. The public hearing before the Planning Commission shall be deemed the first public hearing on the application subject to noticing requirements as set forth in Section 12-21-050(c)(2). After the public hearing, the Planning Commission may modify the proposed General Plan. The Planning Commission shall then forward its recommendation regarding the proposed General Plan amendment to the City Council.

(5) The City Council shall schedule and hold a public hearing on the proposed General Plan recommended to it by the Planning Commission. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. The public hearing before the City Council shall be deemed an additional or subsequent public hearing on the application subject to noticing requirements as set forth in Section 12-21-050(c)(3).

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12-21-080. Zoning Map and Text Amendments.

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(3) The Planning Commission shall schedule and hold a public hearing on the proposed amendment. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. The public hearing before the Planning Commission shall be deemed the first public hearing on the application subject to noticing requirements as set forth in Section 12-21-050(c)(2). Prior to the public hearing regarding any zoning map amendment, the Planning Commission shall consider each written objection filed in accordance with *Utah Code Ann. § 10-9a-502*, as amended. After the public hearing, the Planning Commission shall review the application and thereafter submit its recommendation for approval, approval with modifications, or denial thereof to the City Council. The Planning Commission shall forward to the City Council all objections to a zoning map amendment filed in accordance with *Utah Code Ann. § 10-9a-502*, as amended.

(4) Following receipt of a recommendation from the Planning Commission, the City Council shall schedule and hold a public hearing on the application. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. The public hearing before the City Council shall be deemed an additional or subsequent public hearing on the application subject to noticing requirements as set forth in Section 12-21-050(c)(3). Following a public hearing and after due consideration the City Council may approve, approve with modifications, or deny the proposed amendment.

(e) *Approval Standards.* A decision to amend the text of this Title or the zoning map is a matter within the legislative discretion of the City Council as described in Section 12-21-060(a) of this Chapter. In making an amendment, the following factors should be considered:

- (1) Whether the proposed text or map amendment is consistent with goals, objectives and policies of the City's General Plan;
- (2) Whether the proposed text or map amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
- (3) The extent to which the proposed map amendment may adversely affect adjacent property; and

(4) For proposed map amendments, the ~~The~~ adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and waste water and refuse collection.

12-21-100. Conditional Use Permit.

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(4) The Planning Commission shall schedule and hold a public hearing on the proposed conditional use permit application. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. After due consideration the Planning Commission shall approve, approve with conditions, or deny the application pursuant to the standards set forth in Section 12-21-100(e) of this section. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. Any conditions of approval shall be limited to conditions needed to conform the conditional use permit to approval standards.

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12-21-110. Site Plan Review.

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(4) The Planning Commission shall schedule and hold a public hearing on the proposed conceptual site plan. Public notice of the public hearing and public meeting shall be provided in accordance with the provisions of Section 12-21-050. After due consideration, the Planning Commission shall accept, accept with conditions, or reject the application pursuant to the standards set forth herein. Any conditions of acceptance shall be limited to conditions needed to conform the conceptual site plan to approval standards and ordinance requirements. Any conceptual site plan acceptance for a planned development shall not be effective until and unless a corresponding Planned Development Overlay Zone is approved by the City Council.

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12-21-120. Special Exception.

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(4) The Planning Commission shall consider at a public meeting ~~schedule and hold a public hearing regarding the proposed~~ special exception application. Public notice of the public hearing and the public meeting shall be provided in accordance with the provisions of Section 12-21-050. After due consideration the Planning Commission shall approve, approve with conditions or deny the application pursuant to the standards set forth in Section 12-21-120(e) of this section. Any conditions of approval shall be limited to conditions needed to conform the special exception to approval standards.

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