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2
3 **PLANNING COMMISSION MINUTES OF MEETING**

4 **Wednesday, December 11, 2013**

5 **7:00 p.m.**
6

7 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
8 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.
9

10 **MEMBERS PRESENT**

11 Tamilyn Fillmore

12 David Hirschi

13 Brian Holman, arrived at 8:15 p.m.

14 Scott Kjar

15 Kevin Merrill, Chair

16 Debra Randall

17 Steven Markham
18

19 **STAFF PRESENT**

20 Corvin Snyder, Community Development Director

21 Brandon Toponce, Assistant Planner

22 Lisa Romney, City Attorney

23 Kathy Streadbeck, Recording Secretary
24

25 **VISITORS**

26 Interested Citizens
27

28 **PLEDGE OF ALLEGIANCE**

29
30 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Randall

31
32 **MINUTES REVIEW AND APPROVAL**
33

34 Minutes of the Planning Commission meeting held November 13, 2013 were reviewed
35 and amended. Commissioner Hirschi made a **motion** to approve the minutes as amended. The
36 motion was seconded by Chair Merrill and passed by unanimous vote (5-0).
37

38 **PUBLIC HEARING | PARADISE AUTO LLC | 1155 WEST 650 NORTH**

39 **Consideration of a conditional use permit for Paradise Auto LLC to conduct vehicle rental**
40 **or sale, used, limited, located at 1155 West 650 North, in the I-H Zone. Brad Larsen,**
41 **Applicant**
42

1 Brandon Toponce, Assistant Planner, reported the applicant has submitted an application
2 for a conditional use permit for the use of vehicle sales in the Industrial-High Zone. The
3 applicant currently leases the proposed space for vehicle repair and wishes to add vehicles sales
4 to his business. The vehicle sales portion of his current business would be minimal with only 5-
5 10 cars being sold per month. The applicant is not proposing to expand the building or outside
6 space and will only utilize the space he currently leases. The vehicles for sale will remain mostly
7 inside the building. There are other auto sale businesses in this area and the use is consistent with
8 the General Plan. It appears the proposed use will not have a negative impact on surrounding
9 properties and is in harmony with surrounding uses. The applicant will be required to follow the
10 prescribed hours of operation and hours for delivery of cars. The applicant will be required to
11 keep the site clean and maintained. If the applicant chooses to wash vehicles on site then best
12 management practices must be followed.

13
14 Brad Larsen, applicant, said this will be a small dealership. There are only two (2)
15 employees, he and one other. He explained there will be minimal painting and touch-up done on
16 site. Any vehicle requiring a larger paint service will be done at a local business. He said they
17 also plan to use local car wash businesses. They do not anticipate washing vehicles on site.

18
19 Chair Merrill opened the public hearing. There was no comment. He closed the public
20 hearing.

21
22 Chair Merrill made a **motion** for the Planning Commission to approve the conditional use
23 permit for Paradise Auto LLC, located at 1155 West 650 North, with the following conditions:

24
25 ***Conditions:***

- 26 1. All applicable fees shall be paid.
- 27 2. This conditional use permit shall apply only to the space that Paradise Auto LLC will
28 occupy, located at 1155 West 650 North.
- 29 3. The applicant shall designate at least 4 parking stalls to the auto sales business.
- 30 4. All display vehicles shall be operable and in good condition, and the display of
31 vehicles shall be limited to no more than 5 vehicles placed on the cement pad on the
32 north side of Paradise Auto's building.
- 33 5. If the applicant desires to wash the vehicles on-site, he shall work with the Centerville
34 City Drainage and Utility Supervisor to create a BMP to ensure EPA and City
35 requirements for drainage of water from the washing of vehicles have been satisfied.
- 36 6. All deliveries and transporting of vehicles shall occur between the hours of 6:00 a.m.
37 to 9:00 p.m.
- 38 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.

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), Section 12-21-100(e)(5)(A-K)].

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

PUBLIC HEARING | SONIC RESTAURANT | 250 WEST PARRISH LANE
Consideration of conceptual site plan for Sonic Restaurant, to be located at 250 West Parrish Lane (Ray's Muffler site), in the C-VH Zone. Charles "Chip" Ashley, CEI Engineering, Applicant

Cory Snyder, Community Development Director, reported the applicant desires to demolish the current Ray's Muffler site and develop a Sonic fast food restaurant. The fast food use will require a conditional use permit approval at a later date. Mr. Snyder reviewed the proposed conceptual site plan. This site is in the Parrish Lane Gateway area which requires heightened standards and amenities, including pedestrian orientation, increased landscaping, increased architecture, etc. The proposed plan shows the necessary landscape buffers but lacks landscaping details. The plan provides a pedestrian pathway as required which will need to be noticeable by either stamped/colored concrete or pavers. The plan provides the required additional building enhancements and architecture. The plan shows a parking canopy with drive-up stalls along Parrish Lane. These stalls meet the required setback from Parrish Lane but staff is concerned the canopy detracts from the architecturally enhanced building behind it. Staff is not sure the frontage is the best location for the canopy. Staff suggested a small landscaped wall be placed on top of the berm to buffer the vehicles parked in these drive-up stalls and draw the eye from the canopy to the landscaping. A small landscaped wall has been utilized at other fast food establishments in the area to provide a buffer from parking.

1 Commissioner Fillmore said she has serious concerns with this conceptual site plan. She
2 said the Parrish Lane Design Guidelines have strong "shalls." It is expected that the building be
3 the prominent feature to welcome pedestrians, not a drive-up canopy. She said the proposed
4 building is the best feature with its enhanced architecture. She understands there is a balance
5 between pedestrian and vehicle, but feels there must be a better option. She suggested flip
6 flopping the building and pushing it to the Parrish Lane frontage. Then double stacking the
7 parking and drive-up canopy to the rear of the site.

8
9 Mr. Snyder agreed there is strong language in the ordinance to push for a better option,
10 but there is nothing that prohibits the canopy or drive-up parking along the frontage as long as it
11 meets the required setbacks, which it does. Staff believes the canopy is acceptable, but strongly
12 encourages a landscaped wall or other feature, including softened lighting, to minimize the visual
13 impact. Mr. Snyder said other layout options have been discussed and explained there is minimal
14 depth to the site. He explained the circulation pattern as proposed. The site will include one
15 ingress/egress. There is a landscaped median along the east property line, which if removed may
16 provide for better circulation between this site and the Big-O site to the east. This would also
17 require a relocation of a dumpster site. The applicant may need to work with Big-O on a possible
18 shared parking/cross access agreement. The applicant will also need to submit a traffic study to
19 prove their configuration and parking are adequate for their use, as the proposed parking is less
20 than required.

21
22 Dino Medina, applicant, said Sonic is excited to come to Centerville and will bring
23 approximately 100 jobs to the community. He said he is willing to provide a landscaped wall to
24 buffer the parking/drive up area as suggested. In fact this will help buffer vehicle headlights from
25 Parrish Lane. They are also willing to work with Big-O in removing the landscaped median and
26 relocating the dumpster site in order to provide better circulation. He said Sonic is #4 in the
27 burger and ice cream world. He said Sonic has certain trademark aspects to its business. The
28 biggest trademark for Sonic is its drive-up parking stall service and canopy. He said they
29 considered several layout options, including moving the parking to the rear as suggested, but that
30 would take their trademark away. He said if patrons do not see the canopy and drive-up stalls
31 then Sonic loses their marketing value. He also explained there is a 15-foot public utility
32 easement at the rear of the site that would prevent placement of the canopy. The proposed layout
33 is also best because it allows for both the drive-up canopy stalls and the drive-thru window. He
34 said the site provides a pedestrian pathway to the outdoor seating area as required. This seating
35 area also includes an outdoor fireplace. Mr. Medina said most of the businesses along Parrish
36 Lane have parking along their frontage. He said the building is of high quality, but Sonic
37 requests to maintain their trademark feature. If the drive-up stalls are not in front, it will not
38 work.

1 Chair Merrill opened the public hearing. There was no comment. He closed the public
2 hearing.

3
4 Commissioner Markham said the depth of the site is unfortunate, but he has seen Sonic
5 restaurants that have used a different orientation where the canopy is not the prominent feature
6 from the frontage. He said patrons will know the business is a Sonic whether the canopy is out
7 front or not. He agreed the building is the best feature and he too would like to see the building
8 pushed to the front of the site with the canopy on the rear of the building or at the rear of the site.
9

10 Commissioner Fillmore said she believes this proposed site plan varies too far from the
11 Parrish Lane Design Guidelines. She appreciates Sonic's trademark value, but agrees that patrons
12 will know this is a Sonic restaurant without the canopy along the frontage. She said she would be
13 more comfortable if she knew all other options had been fully explored. The architecture of this
14 building is of high quality and she does not want to see it lost behind a canopy. She said the
15 Planning Commission has a responsibility to look to the future and the building is the most
16 permanent structure. The building is what will remain in the future and should be the primary
17 feature. She also disagreed that most of the businesses along Parrish have parking in the front.
18 She believes new construction along Parrish has required a different standard.
19

20 Mr. Snyder disagreed. He said there has been some new construction that has allowed
21 parking along the frontage (i.e., Chili's, In-N-Out). He agreed the concepts being discussed are
22 addressed in the Parrish Lane Design Guidelines, but there are factors that play into these
23 decisions. He does not believe the ordinance has enough strength to require building placement
24 to the front. There are too many "shoulds" in addition to the "shalls" within the language of the
25 ordinance. The ordinance supports parking and circulation, not just building orientation.
26

27 Commissioner Markham said it seems the last few applications within the Parrish Lane
28 Gateway required building to the front with parking in the rear. This is confusing. Commissioner
29 Fillmore said she believes the Planning Commission can interpret the ordinance to bring the
30 building to the front in order to make the entrance identifiable to the pedestrian. It is reasonably
31 debatable to provide appropriate articulation, design, and pedestrian orientation.
32

33 Lisa Romney, City Attorney, suggested the Commission table the application to allow the
34 applicant an opportunity to review other possible layout options. This will also provide staff time
35 to further review the ordinance in order to provide more specifics regarding this application.
36

37 Chair Merrill said the canopy has been mitigated with setback, landscaping, berm, and
38 wall. He is not sure there is an argument for re-orienting the site.
39

1 Commissioner Kjar said he is not sure the Commission can make a reasonable argument
2 to require an alternative layout. It seems the canopy is a deal breaker for Sonic and he is not sure
3 it is worth the fight if the canopy meets the required setback. However, he is supportive of
4 tabling the issue.

5
6 Commissioner Hirschi said he is not opposed to the canopy concept. If the site is
7 designed right, the canopy can be made an integral part of the building and site. If the use ever
8 changed and the canopy came down the site would not be much different. However, if it is
9 possible to move the canopy, he would support an alternative layout as well. If the canopy is to
10 stay he would request a design which is more aesthetically pleasing and integrated with the
11 building.

12
13 Commissioner Fillmore said this is why the conceptual approval level is so important. It
14 provides an opportunity for the City to give feedback to the applicant and to communicate those
15 things that are important for our city and the intent of the Parrish Lane Design Guidelines. She
16 said Sonic would be a great addition to Centerville.

17
18 Commissioner Fillmore made a **motion to table** and requested the applicant explore
19 other site layout options. If the site is to remain in the currently proposed layout, the applicant is
20 strongly encouraged to include visual additions to the canopy to make it more aesthetically
21 pleasing. The Commission requests architectural renderings of the canopy be submitted. The
22 motion was seconded by Commissioner Kjar and passed by unanimous roll-call vote (6-0).

23
24 **PUBLIC HEARING | WRIGHT DEVELOPMENT OFFICE BLDG | 1178 W 300 N**
25 **Consideration of a conceptual site plan for a new office building, on Lot 4 (aka Lot 404) of**
26 **the Legacy Crossing @ Parrish Lane Development, for the Wright Development Group,**
27 **1178 West Legacy Crossing Blvd, located in the C-VH(PD) Zone. Gary Wright, Property**
28 **Owner & Applicant**

29
30 Cory Snyder, Community Development Director, reported the applicant desires to build
31 an office building on the east building pad of Lot 4 of the Legacy Crossing at Parrish Lane
32 Development. However, the proposed layout has some changes to the originally approved final
33 site plan, including partial removal of themed fencing, revised street-side landscaping, removal
34 of the east drive, an eastern lot line adjustment, and parking reconfiguration. Staff believes some
35 of these requests are reasonable and can be accomplished through an amendment process.
36 However, some of the requests call into question the concessions of the Planned Development
37 Overlay (PDO) and the Development Agreement. The Commission is being asked to consider
38 the requests as they relate to the PDO project as a whole not just for this particular pad site.

1 However, the application before the Commission tonight is for a conceptual site plan for the pad
2 site only. The Commission must decide if there is value in seeking an amendment process.

3
4 Mr. Snyder explained the proposed fence removal and revised street-side landscaping is
5 to accommodate an entry court plaza at the front of the building which faces Legacy Boulevard.
6 The themed fencing is a defined design feature of the PDO and was installed as part of Phase 1,
7 already complete. There is no sidewalk installed or planned for the north side of the street. There
8 is no pedestrian circulation intended for the north side of Legacy Boulevard. Staff does not
9 support the removal of the fence. The elimination of the fence will promote pedestrian
10 movement contradictory to the designed pedestrian circulation system of the PDO. However,
11 staff believes the placement or location of the fence could be slightly modified to accommodate
12 the entry court plaza. Staff does not see a problem with revising the street-side landscaping.

13
14 Mr. Snyder explained the pad site and building are larger than originally intended. The
15 applicant acquired the pad and some additional land for this proposed development. The
16 applicant is requesting the removal of the east drive, an eastern lot line adjustment, and a
17 reconfiguration of the parking to accommodate the pad enlargement and building size. It will
18 take an amendment process to reconfigure the site as requested. This amendment process would
19 involve various parties and would require amendments to both the PDO and the Development
20 Agreement. Staff is not opposed to these requests.

21
22 Lisa Romney, City Attorney, explained the plat has not yet been recorded. Staff has
23 suggested the applicant revise the lot line and easements on the plat before recording. If this is
24 not possible then a lot-line adjustment will be required and the easements on the plat may need to
25 be vacated and relocated.

26
27 Gary Wright, applicant, said after many years of developing in Centerville, Wright
28 Development would like to move to this community. The proposed building is intended to be the
29 office headquarters of Wright Development. Since this building will be the home of Wright
30 Development, they have worked hard to come up with a high quality project. This includes a
31 front entry court plaza. It is natural to have the front of the building face Legacy Boulevard. He
32 said in keeping with the quality of the proposed building he is requesting the front fencing be
33 removed providing an open feel to the entry court plaza. The plaza will be constructed with cross
34 hatch stamped concrete with a planter and small sculpture at the center. He said it is critical to
35 him to get the maximum appeal from the curb to the front door. He explained the east drive has
36 already been eliminated and replaced with landscaping by the PDO developers. He plans to use
37 the existing drive accesses as already established. He said he has received a letter from the PDO
38 developers stating he can build this site as he has requested. He asked the Commission to allow
39 the removal of the fence. The current fence does not match the architecture of the building, it

1 cuts the visual distance to the building, and destroys the attractiveness of the building. He said if
2 he knew the fencing would be an issue, he never would have bought the site. He said he is
3 willing to follow the steps necessary for an amendment and hopes the Commission can consider
4 his requests.

5
6 Commissioner Fillmore said the fence along the south, residential side of Legacy
7 Boulevard, was for protection and safety of the residents. The fencing along the north side was to
8 match the fencing along the south side and provide a boulevard feel.

9
10 Mr. Wright said there is no fencing along the south side of the boulevard at all. He said
11 Legacy Boulevard is a private drive not a public street. He also said the developer for the pad site
12 to the west of his site is also interested in removing fence.

13
14 Mr. Snyder said Legacy Boulevard was allowed per the PDO. The PDO was granted
15 certain concessions (density, residential, etc.) and in return the City was promised additions as
16 well (fencing, architecture, etc.). If the PDO was not sought then the property would have been
17 subdivided and developed according to typical standards; Legacy Boulevard would have been a
18 public street, configuration and density would have been much different, and mixed-use would
19 not have been allowed.

20
21 Chair Merrill opened the public hearing. There was no comment. He closed the public
22 hearing.

23
24 The Commission discussed the fence issue at length. It appears the PDO developers have
25 not held to the Development Agreement as required. A majority of the Commissioners agreed
26 the applicant would need to seek an amendment to the PDO in order for these issues to be fully
27 resolved but struggled with the fencing issue. The Commission struggled with knowing exact
28 placement as the current site plan is not up to date. The Commission discussed how removing the
29 fencing may set a precedent for future development within the PDO and the fencing theme could
30 be lost.

31
32 Commissioner Markham said allowing the removal of fencing may encourage people to
33 park on the street rather than in the interior where the pedestrian pathway is easily accessible. He
34 said he cannot imagine how this short fence could destroy the visual of the proposed building.

35
36 Commissioner Fillmore said she is interested in having the discussion about fencing as
37 part of the amendment process. She can see value in bringing the buildings to the street frontage.
38 This may slow traffic on the boulevard.

39

1 Mr. Wright said he does not want to build this building if the fence is to remain. He said
2 he was under the impression these issues would not be significant. He said it appears there have
3 been some misrepresentations by the PDO developers. If he knew this was going to be this
4 controversial he would not have bought the property. Mr. Wright said he would like to formally
5 withdraw his application for conceptual site plan approval. He said this is an important enough
6 issue for him that he would rather find another site and thanked the Commission for their
7 consideration.

8
9 Mr. Snyder said the fencing is a thematic element but there may be some options
10 available. It will take some discussion between the City, stake holders, and the developers before
11 a final decision can be made. Ms. Romney said the application could be tabled until further
12 discussion can take place.

13
14 Commissioner Fillmore said there are details that need to be worked out, but it may be
15 best to consider moving the building to the front. She said it is an improvement to have buildings
16 along a street frontage. She said this is a discussion worth having.

17
18 Commissioner Fillmore made a **motion** for the Planning Commission to accept the
19 conceptual site plan for Wright Development Group Office Building within the Legacy Crossing
20 at Parrish Lane project, with the following directives:

21
22 ***Conditions:***

- 23 1. The applicant must submit a final site plan application in accordance with Section 12-
24 21-100 of the City's Zoning Ordinance.
- 25 2. The theme fencing for the Legacy Boulevard Street must remain in the final design,
26 or if desired to remove the fence, a Development Agreement amendment process will
27 be required.
- 28 3. The desire to eliminate the east drive requires an amendment to the Legacy Crossing
29 at Parrish Lane Development Agreement. Nevertheless, the use of this particular
30 drive is for the convenience of the development to occur on the entirety of Lot 4, as
31 set forth in the original development approval. Therefore, the users and owners of the
32 reconfigured Lot 4 will need to apply for and amend the Development Agreement to
33 allow its elimination.
- 34 4. In order for the City to consider approving the proposed development, the applicant
35 will need to have the developer/subdivider depict the new lot line as part of the yet to
36 be recorded plat or perform a lot line adjustment after recordation to properly adjust
37 the property lines, and if needed, change the location of lot line easements.
- 38 5. The project will be subject to all other requirements regarding the previous final site
39 plan approval, the applicable provisions of the Development Agreement, and the

1 applicable Parrish Lane Design Guidelines, and the parking and cross access
2 agreement as recorded against the property.

3 6. The project is subject to all other City regulations, including drainage, utility, fire,
4 building and other applicable development codes or specifications.

5 7. The project is subject to all related impact fees, bonding requirements, and
6 professional service fees, as listed in the City's Fee Schedule.

7
8 ***Reasons for the Action (Findings):***

9 a. The Planning Commission finds that a complete conceptual site plan application has
10 been submitted [Section 12-21-110(d)(1)].

11 b. The Planning Commission finds that according to the Development Agreement, the
12 theme fencing for the Legacy Boulevard Street was to be installed with the first phase
13 of the development (see Paragraph 9, page 6 & Exhibit N-1) and it would require an
14 amendment to eliminate the fencing.

15 c. The Planning Commission finds that according to the Development Agreement, the
16 landscaping for the Legacy Boulevard Street was to be installed with the first phase of
17 the development (see Paragraph 13, page 8 & Exhibit E-1), but does not prohibit the
18 addition of a plaza feature.

19 d. The Planning Commission finds that according to the Development Agreement, the
20 drives and drive-aisles, for the Legacy Boulevard Street, were to be installed with the
21 first phase of the project (see Paragraph 19, page 11 & Exhibits C & O).

22 e. The Planning Commission further finds that to eliminate the drive as shown for the
23 Legacy Boulevard Street would require an amendment to the approved and recorded
24 agreement.

25 f. The Planning Commission finds that according to the Development Agreement, the
26 parking is to be provided as set forth in Exhibit C, which is a master site plan (see
27 Paragraph 23, page 12).

28 g. The Planning Commission further finds that if the required parking stall counts are
29 not changed and the stalls comply with the City's Parking Standards, the Planning
30 Commission can approve the modification to their arrangement with the final site
31 plan process.

32 h. The Planning Commission finds that with the above directives being addressed, the
33 proposed development will likely meet the applicable general development standards
34 [Chapters 12-43, 12-51, 12-52], the Parrish Lane Design Guidelines [Chapter 12-63],
35 and the Development Agreement for the Legacy Crossing at Parrish Lane project.

36 i. The Planning Commission finds that a public hearing was provided and with the
37 stated directives, there are no significant issues or concerns that have not been
38 addressed regarding how the site could be properly developed [Section 12-21-
39 110d.5].

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

3
4 **PUBLIC HEARING | COMMUNITY PARK EXPANSION | 1350 North 800 West**
5 **Consideration of a conceptual site plan for the expansion of the Community Park; which**
6 **will consist of additional sports fields and parking, located at 1350 North 800 West, in the**
7 **A-L Zone. Centerville City, Applicant**

8
9 Commissioner Merrill made a **motion** to table this item until the next Planning
10 Commission meeting to be held on January 8, 2014. The motion was seconded by Commissioner
11 Fillmore and passed by unanimous vote (7-0).

12
13 **KING COMMERCIAL DEVELOPMENT | 330 WEST PARRISH LANE**
14 **Consideration of a final site plan and final subdivision plat for the King Commercial**
15 **Development, located on Lots 2 & 3 of Parrish Park Subdivision, approximately 330 West**
16 **Parrish Lane, in the C-VH Zone. Eldon Haacke, TerraForm Companies, Applicant**

17
18 Brandon Toponce, Assistant Planner, reported the applicant received conceptual
19 acceptance for a proposed three-lot development (Subway, Beans & Brew, and Jiffy Lube) last
20 month. The applicant is now ready for final site plan approval and final subdivision plat
21 approval. Mr. Toponce reviewed the conditions of conceptual approval explaining those
22 conditions that have been completed, those still needing attention, and those that will remain in
23 effect. The site will be developed all at one time and in accordance with all approvals. In
24 addition, the applicant is requesting a Waiver of Strict Compliance concerning landscaping
25 (elimination of two trees). This is due to the narrowness of the lot and the ability to
26 accommodate a drive-thru window for the Beans & Brew. Staff is comfortable with this
27 alteration and does not believe it is detrimental to the streetscape along Parrish Lane because the
28 plan shows an abundance of other vegetation. The applicant will be required to obtain approval
29 from the City Council for the subdivision plat.

30
31 Eldon Haake, applicant, said the design has not changed since the original approval with
32 the exception of including all suggestions as provided by the Planning Commission.

33
34 Commissioner Hirschi made a **motion** for the Planning Commission to approve the final
35 site plan for the King Commercial Development located at 330 West Parrish Lane and require
36 the plans to address the following:

37
38
39

Conditions:

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
6. Compliance with the requirements for development as contained in the geotechnical report dated June 20, 2013 or as otherwise required by the City Engineer.

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].

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

Chair Merrill made 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:

Conditions:

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 Recorder's Office.

- 1 3. All subdivision fees shall be paid and all bonds posted for any on and off-site
2 improvements.

3
4 ***Reasons for the Action (Findings):***

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

11
12 The motion was seconded by Commissioner Hirschi and passed by unanimous roll-call
13 vote (7-0).

14
15 **PUBLIC HEARING | ZONING TEXT AMENDMENT | NOTICING & PUBLIC**
16 **HEARINGS - Consideration of various proposed zoning ordinance text amendments**
17 **regarding noticing and public hearing requirements for the City. Lisa Romney, City**
18 **Attorney, Applicant**

19
20 Chair Merrill made a **motion** to table this item until the next Planning Commission
21 meeting to be held on January 8, 2014. The motion was seconded by Commissioner Kjar and
22 passed by unanimous vote (7-0).

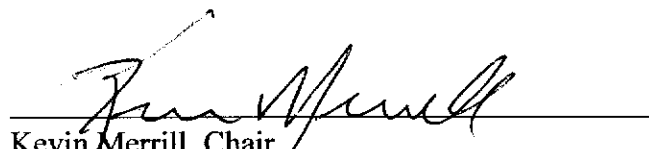
23
24 **DISCUSSION | WORK GOAL FOR WEST CENTERVILLE NEIGHBORHOOD**
25 **PLAN - Recommend the preferred process and public input for amending the West**
26 **Centerville Neighborhood Plan**

27
28 Chair Merrill made a **motion** to table this item until the next Planning Commission
29 meeting to be held on January 8, 2014. The motion was seconded by Commissioner Kjar and
30 passed by unanimous vote (7-0).

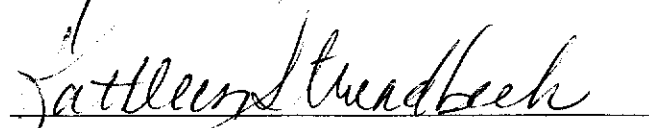
31
32 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- 33
34 1. The next Planning Commission meeting will be Wednesday, January 8, 2014.
35 2. Upcoming Agenda Items
36 • Review the 2014 Commission Schedule
37 • Elect Chair & Vice-Chair
38 • Community Park Rezone
39 • Fred Hale PDO Development

1 The meeting was adjourned at 10:00 p.m.
2
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4 
5 Kevin Merrill, Chair

1-8-14
Date Approved

6 
7 Kathleen Streadbeck, Recording Secretary
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