



# PLANNING COMMISSION AGENDA

**NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE PLANNING COMMISSION WILL HOLD A REGULAR MEETING AT 7:00 PM ON NOVEMBER 9, 2022 AT CENTERVILLE CITY HALL, 250 NORTH MAIN STREET, CENTERVILLE, UTAH.**

*Centerville City Planning Commission meetings are open to the public, unless otherwise closed for reasons allowed by law. Centerville City Planning Commission meetings may be conducted via electronic means pursuant to Utah Code § 52-4-207. In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability may contact the City Recorder at (801) 295-3477, at least 24 hours in advance of the meeting. The Commission reserves the right to modify the sequence of agenda items in order to facilitate special needs or provide greater efficiency.*

**The full agenda packet and backup materials can be found on the Centerville City website at:**

<https://centervilleutah.gov/129/Agendas-Minutes>

## **A. CALL TO ORDER**

- 1. ROLL CALL**
- 2. LEGISLATIVE PRAYER OR THOUGHT**
- 3. PLEDGE OF ALLEGIANCE**

## **B. BUSINESS ITEMS**

Business action or discussion items to be considered by the Planning Commission.

1. PUBLIC MEETING - Parking Modification Request - Clubhouse Motor Company - ADMINISTRATIVE DECISION  
Consideration of a parking modification for Clubhouse Motor Company located at 71 N 1400 W.
2. PUBLIC MEETING - A Continuation Review of a Conditional Use Permit Request, Clubhouse Motor Company at 71 N 1400 W - ADMINISTRATIVE DECISION  
The applicant has applied for a Conditional Use Permit for the limited sale of used vehicles in the I-H Zone. This request was previously tabled at the October 12, 2022 Planning Commission meeting.
3. PUBLIC MEETING - Final Site Plan Amendment Submittal, The Hive Development at 555 North 400 West - ADMINISTRATIVE DECISION  
A Request for Increased Fence Height along the North Boundary of The Hive Development
4. PUBLIC MEETING - Parking Modification Request - 380 South Main Street, Nathan and Kelly Payne, Applicants - ADMINISTRATIVE DECISION

## **C. COMMUNITY DEVELOPMENT DIRECTORS REPORT**

1. Community Development Director's Report  
**Next Planning Commission Meeting** - December, 14 2022  
Tentative Items:

- TBD - Submittal Deadline is November 23, 2022

### City Council Action Report:

- Zone Text Amendment, Landscape Ordinance Changes for Additional Water Conservation Measures - **Council Approved - City Council Expressed Their Appreciation for the Planning Commission's Efforts**

### Planning Commission Goals:

- Subdivision Ordinance - In Progress, needs 2022 State Amendments
- General Plan/Economic Update - **The city has made another application for a grant for this upcoming 2023 year.**
- **Parking Update - Council Tabled for Further Review**
- **Landscaping Ordinance Update - Completed**
- **Update Single-family Unplatted Lots Approval Process - Completed**

### D. MINUTES

Minutes of prior meetings may be reviewed and accepted. Minutes review and approval shall comply with the Centerville City Minutes Approval Policy.

1. Minutes Review and Approval  
October 12, 2022 Planning Commission Minutes

### E. ADJOURNMENT

## CERTIFICATE OF POSTING

*I hereby certify that this notice and agenda was posted at Centerville City Hall, published on the Utah Public Notice Website, and provided to a newspaper or media correspondent in accordance with the requirements of the Utah Open and Public Meetings Act, including, but not limited to, provisions of Utah Code § 52-4-202.*

**Jennifer Robison**  
**Centerville City Recorder**



**PLANNING  
COMMISSION**

**Staff Report**  
11/9/2022

**Item No. 1.**

**Title:** PUBLIC MEETING - Parking Modification Request - Clubhouse Motor Company - ADMINISTRATIVE DECISION

**Initiated By:** Applicant

**Staff Representative:** Cory Snyder, Community Development Director

**SUBJECT:**

Consideration of a parking modification for Clubhouse Motor Company located at 71 N 1400 W.

**RECOMMENDATION:**

**BACKGROUND:**

**ATTACHMENTS:**

1. 11-09-22 Staff Report Clubhouse Motor Parking Modification
2. Parking Modification Request Letter

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

**STAFF REPORT  
AGENDA: ITEM 1**

---

**PROPERTY OWNER:** BIG GAS STOVES LLC

**APPLICANT:** SAM ANDERSON  
[andersonsamli@gmail.com](mailto:andersonsamli@gmail.com)

**PROPERTY LOCATION:** 71 N 1400 W

**PARCEL SIZE:** 0.70 ACRES

**ZONING DISTRICT:** INDUSTRIAL-HIGH

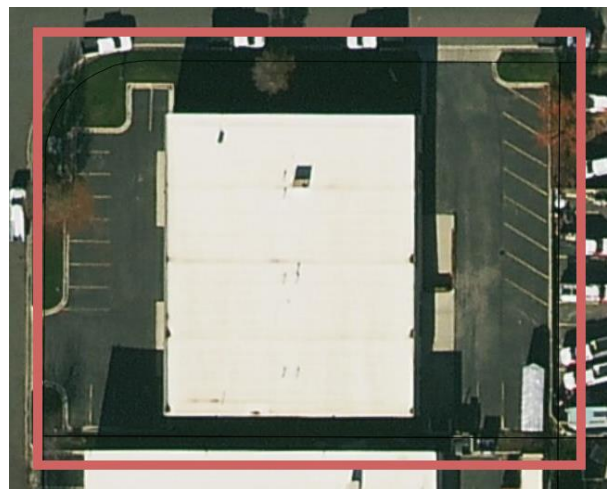
**APPLICATION:** PARKING MODIFICATION

**RECOMMENDATION:** APPROVE WITH CONDITIONS

---

**BACKGROUND**

As the Planning Commission is aware Clubhouse Motor Company, represented by Sam Anderson applied for a conditional use permit to be able to sell used vehicles at approximately 71 N 1400 W. This request was *TABLED* by the Planning Commission until the applicant provided an analysis addressing the matter of insufficient parking in accordance with CZC 12.52.300 for this use as well as all users/tenant spaces on the site *OR* until such a time as a parking modification has been applied for and approved by the City in accordance with CZC 12.52.110. The applicant has officially submitted his request for a parking modification.



**PARKING MODIFICATION ALLOWED BY PLANNING COMMISSION**

CZC 12.52.110 states:

- a) *Modification Permitted. The number of parking spaces required under CZC 12.52.060 may be modified in accordance with the provisions in this Section. The purpose of such modifications is to avoid creating unnecessary parking areas that will be essentially unused. In considering a modification, the Planning Commission may require a parking study to be completed as provided in Subsection (e).*

**PARKING CALCULATIONS ACCORDING TO APPROVED SITE PLAN**

In June 2003 a site plan was approved for this site. At that time the parking requirement was two parking spaces per 1,000 square feet. CZC 12.22.080(b) allows for the application of this parking arrangement in place of the current off-street parking standard.

CZC 12.22.080(b) states:

- (b) *Nonconforming Development with Approved Plan. Nonconforming development that is consistent with an approved site plan or other approval granted before the effective date of this Title shall be deemed in conformance with this Title to the extent it is consistent with the approved plan and to the extent such plan or conditions imposed thereon directly address the specific issue involved in a determination of conformity.*

Clubhouse Motor Company would occupy a tenant space that is 1,500 square feet in size. This means that the approved site plan would allocate three parking spaces for this tenant space. While the site may have a nonconformity for off-street parking, it does not have the same status for uses.

The proposed use of the property is vehicle rental or sale, used, limited. According to CZC 12.52.300 this use requires a minimum of four parking spaces. Thus, the site is deficit one parking space.

**APPLICANT'S PROPOSAL AND STAFF COMMENTS**

A full copy of the applicant's narrative can be found in the Planning Commission meeting packet. In summary, the applicant is proposing a shared parking agreement with DME Solutions located at 67 N 1400 W. DME Solutions occupies a tenant space identical to the applicant's space and that is allocated three parking spaces. The proposed shared parking agreement would allow either company to use the combined six spaces in the normal course of operations.

While the applicant has suggested a shared parking solution, Staff believes there is a simpler option. The Planning Commission can modify the number of parking spaces, as follows:

*CZC 12.52.110(c) Commercial, Office, and Mixed-Use Development. The Planning Commission may modify the number of parking spaces required or allowed for commercial, office, or mixed-use development after considering the following factors and finding that adequate parking will be provided:*

- 1. Total number of spaces that would otherwise be required for each individual establishment in the development;*
- 2. Hours of operation for each business establishment located in the development, including peak business hours;*
- 3. Estimated trade-off between businesses which are open when others are closed;*
- 4. Availability of on-street or shared parking;*
- 5. Transportation alternatives, including proximity to transit stations; and*
- 6. Car or van pooling programs available to users of the development.*

In staff's opinion the applicant has successfully argued that the allotted three parking spaces would be adequate for this particular use with the conditions proposed in his Conditional Use Permit application. Conditions to ensure the adequacy of three parking spaces in place of four include:

1. Termination of current e-commerce business operations
2. No employees
3. Service by appointment only
4. Display vehicles located inside only

With these parameters in place, it is unlikely that more than two parking spaces would be occupied at a given time.

## **PLANNING STAFF RECOMMENDATION**

### **SUGGESTED MOTION**

*"I hereby motion for the Planning Commission to **GRANT** a Parking Modification for Clubhouse Motor Company located at 71 N 1400 W with the following conditions:*

- 1. This modification is only for Clubhouse Motor Company and is not transferable to another location or another user at this location.*
- 2. This modification amends the required parking spaces for this use at this specific location from four to three.*
- 3. This modification is contingent on the approval of a subsequent Conditional Use Permit.*

### **SUGGESTED REASONS FOR ACTION**

- a) The Planning Commission finds that according to CZC 12.52.110(a), Parking Modifications, the Planning Commission may modify the number of parking spaces required.*

- b) The Planning Commission finds that this parking modification is consistent with the June 2003 approved site plan.*
- c) Therefore, the Planning Commission finds that, with the conditions imposed, the parking modification will adequately accommodate the operations of the Clubhouse Motor Company.*

October 19, 2022

Re: Clubhouse Motor Company, Conditional Use Permit Request  
Parking Modification Application

This letter is intended to serve as an application for a modification of parking requirements for the applicant Clubhouse Motor Company.

### **Operational Needs**

1. Currently, the applicant is operating a business in the same space with an allocation of 3 spaces, under the directive of 2 parking spaces per 1,000 sq feet.
2. According to CZC 12.52.300, 4 parking spaces are required.
3. The nature of this business will require fewer than the spaces 4 traditionally required.
  - a. This is a low-volume hobby business, without employees.
  - b. Customers will be received by appointment only, ensuring only one is present at a given time.
  - c. This leaves the business with a total need of 2 parking spaces.
  - d. The currently allocation of 3 parking spaces will be sufficient for the operational needs of the business.

### **Shared Parking Agreement**

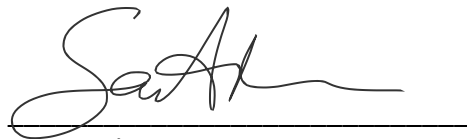
4. The Applicant has entered into a shared parking agreement with DME Solutions, located in the space adjacent to Clubhouse Motor Company, 67 N 1400 W.
  - a. DME Solutions requires 8 spaces based on current city ordinance. They have 3 spaces allocated according to their lease.
  - b. They utilize the parking rarely (see 5.b, below) and have agreed to allow Clubhouse Motor Company to utilize their allocated spaces when available.
  - c. A copy of the agreement is attached.

### **Common Parking Utilization**

5. The utilization of the common parking in the west lot by current tenants is minimal.
  - a. The West lot contains 14 spaces for off-street parking
  - b. The Medical Retailer (DME Solutions) in unit 67 does not operate as a traditional retailer. The unit is used primarily for storage. In the past 12 months, the applicant has only seen the operator of DME Solutions approximately 4 times. In speaking to DME Solutions, they have no immediate plans to change this.
  - c. The HVAC Company parks entirely in the East parking lot. This is primarily an Engineering service provider and does not operate as a traditional HVAC installer. Staff and vehicles usage do not resemble traditional HVAC companies.
  - d. The use of unit 63 is unknown, but no parking has been observed to be utilized in the past 12 months by the tenant of that space in the West Lot.
  - e. The tenants of unit 57 use an average of 2 parking spaces per day.

- f. Given the current utilization of one car by the applicant and 2 cars by the tenants of unit 57, this leaves 11 of the 14 spaces available during most hours of the day. If a fourth parking space is ever needed, it will be available in the common parking lot.
- g. Please see Table A for a brief survey of parking utilization

It is requested that the Centerville City Planning Commission review this request to modify the requirement of 4 spaces for the applicant Clubhouse Motor Company.



Sam Anderson  
Clubhouse Motor Company

Table A

**Number Of Cars Parked in the West Parking Lot**

| Date   | Time    | Applicant<br>Car | Other<br>Cars | Occupied<br>Spaces | Available<br>Spaces |
|--------|---------|------------------|---------------|--------------------|---------------------|
| 13-Oct | 9:00 AM | 1                | 1             | 2                  | 12                  |
|        | 4:00 PM | 1                | 2             | 3                  | 11                  |
| 14-Oct | 9:00 AM | 1                | 1             | 2                  | 12                  |
|        | 4:00 PM | 1                | 0             | 1                  | 13                  |
| 15-Oct | 9:00 AM | 0                | 0             | 0                  | 14                  |
|        | 4:00 PM | 0                | 1             | 1                  | 13                  |
| 16-Oct | 9:00 AM | 0                | 0             | 0                  | 14                  |
|        | 4:00 PM | 0                | 0             | 0                  | 14                  |
| 17-Oct | 9:00 AM | 1                | 2             | 3                  | 11                  |
|        | 4:00 PM | 1                | 0             | 1                  | 13                  |
| 18-Oct | 9:00 AM | 0                | 2             | 2                  | 12                  |
|        | 4:00 PM | 0                | 2             | 2                  | 12                  |
| 19-Oct | 9:00 AM | 1                | 2             | 2                  | 11                  |

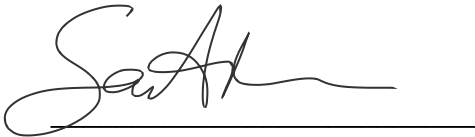
October 18, 2022

## Shared Parking Agreement

This agreement specifies that Clubhouse Motor Company, located at 71 N 1400 W, Centerville Utah and DME Solutions located at 67 N 1400 W, Centerville Utah have entered into a shared parking agreement. Each party is currently allocated three (3) parking spaces each. This agreement allows either company to use the available 6 spaces in the normal course of operations.

This agreement is intended to exist in perpetuity.

Each party agrees to revisit this agreement should the lease terms or operational use change.

A handwritten signature in black ink, appearing to read 'SaA', with a horizontal line underneath.

Sam Anderson  
Clubhouse Motor Company

A handwritten signature in black ink, appearing to read 'LC', with a horizontal line underneath.

Landon Cleverly  
DME Solutions



**CENTERVILLE**  
*city*

**PLANNING  
COMMISSION**

**Staff Report**  
11/9/2022

**Item No. 2.**

**Title:** PUBLIC MEETING - A Continuation Review of a Conditional Use Permit Request, Clubhouse Motor Company at 71 N 1400 W - ADMINISTRATIVE DECISION

**Initiated By:** Applicant

**Staff Representative:** Cory Snyder, Community Development Director

**SUBJECT:**

The applicant has applied for a Conditional Use Permit for the limited sale of used vehicles in the I-H Zone. This request was previously tabled at the October 12, 2022 Planning Commission meeting.

**RECOMMENDATION:**

**BACKGROUND:**

**ATTACHMENTS:**

1. 11-09-22 PC Staff Report Clubhouse Motor CUP (TABLED)
2. Proposed Site Plan

---

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

**STAFF REPORT  
AGENDA: ITEM 2**

---

**PROPERTY OWNER:** BIG GAS STOVES LLC

**APPLICANT:** SAM ANDERSON  
[anderson.samli@gmail.com](mailto:anderson.samli@gmail.com)

**PROPERTY LOCATION:** 71 N 1400 W

**PARCEL SIZE:** 0.70 ACRES

**ZONING DISTRICT:** INDUSTRIAL-HIGH

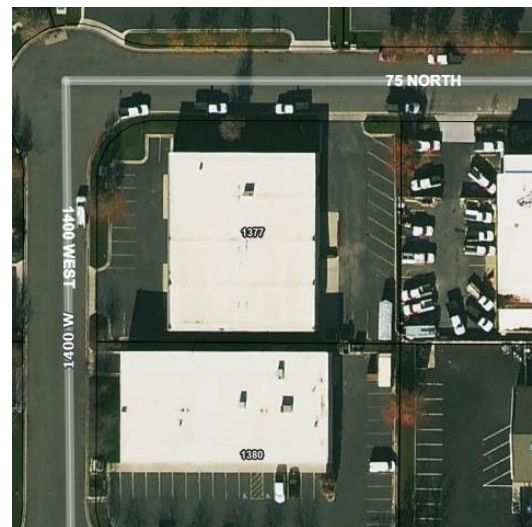
**APPLICATION:** CONDITIONAL USE PERMIT FOR THE SALE OF  
USED VEHICLES

**RECOMMENDATION:** ***CONSIDER APPROVAL OF REQUEST, CONTINGENT  
ON APPROVAL OF A PARKING MODIFICATION***

---

**BACKGROUND**

*This application was previously tabled at the October 12, 2022, Planning Commission meeting. New comments are highlighted in yellow and italicized.* The applicant has applied for a Conditional Use Permit for the limited sale of used vehicles in the Industrial-High Zone located at 71 N 1400 W. The applicant wishes to open a part-time hobby business selling used vehicles. The vehicles would be stored indoors in the flex office/warehouse space of an existing building. The applicant has indicated that there will be no repairs on site and that customers will be served by appointment only.



## CODE REQUIREMENTS

### TABLE OF USES ALLOWED CZC 12.36

Vehicle sales in the Industrial-High Zone are only allowed with a Conditional Use Permit. This use is defined under the CZC 12.12.040 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. Typical uses are small independent dealers of used motorcycles, automobiles, and light trucks”.

### APPROVE STANDARDS TO BE REVIEWED PER CZC 12.21.100(e)

#### **The General Plan**

The City’s General Plan explains that for revenue to be generated for local services, “Centerville City should provide for the establishment and viability of commercial and industrial services in designated areas of the community”.

The General Plan also lists a primary goal of the West Centerville Neighborhood Plan as enhancing the Centerville City Business Park District. It states, “preserving the economic viability of a now aging development area is critical to the success of the neighborhood”.

The proposed use will be located within an existing office/warehouse complex that seems to have a few vacant spaces and will be limited in nature. Thus, staff believes that the proposed use is consistent with the goals and objectives of the General Plan.

#### **Suitability and Harmony with the Proposed Site and Adjacent Property (CZC 12.21.100(e)(5) (A-C, F)**

The proposed use will be located within an established industrial area. Over the years, several similar businesses have operated out of this neighborhood. Other businesses in the area include, but are not limited to, vehicle repair, specialty retail, office, wholesale, and like uses.

The proposed use will be occupying an existing building; thus, the use will not create an additional impact on potential or existing development in the vicinity. In addition, the use will not change the present requirements for transportation, traffic, water, sewer, or any other utilities or infrastructure.



Staff believes that this use and the existing site would be adequate for operating a small dealership as evidenced by other circumstances. This business will have little to no impact on the surrounding area as all vehicles will be stored inside and customers will be served by appointment only.

**Impact on the Community and Safeguards to Minimize Impact (CZC 12.21.100(e)(5) (D, E, H-J)**

The proposed building is currently vacant and allowing this use would create a better economic influence on the surrounding area compared to leaving the suite without a tenant. The only aesthetic adjustment would be a business sign, as required by the State of Utah for this use. Also, it appears that this use will have minimal noise, odor, or other irritants.

To ensure this low impact on the community, the applicant has proposed the following. The applicant has commented that, “no repairs will be made on site, ensuring there are no noxious or offensive omissions”. In addition to no repairs, there will also be a low volume of customers. The applicant has explained that “customers will be served by appointment only. As this is a low volume effort, it will not affect the surrounding people or businesses”. Based on the information provided the Staff is confident that the proposed use will have a minimal to no impact on the health, safety, and welfare of the area.

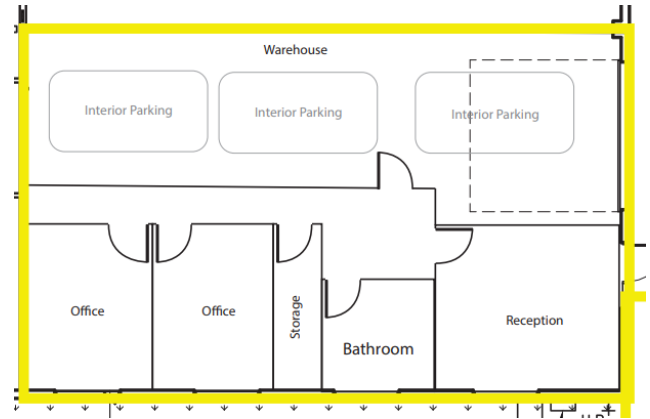
**Adequate Access, Parking, Lighting, Fire Protection and Vehicular Circulations (CZC 12.21.100(e)(5)(G)**

A common concern with auto sales is how the vehicles to be sold will be delivered to the site. Vehicles could be delivered by transport truck or driven individually to the site. Delivery by transport truck will be difficult in this location because of the small, one access parking lot. Trucks will not have a place to turn around and will most likely have to unload the vehicles in the public street. Such activity would impact the traffic flow and could be hazardous. The applicant has not indicated how vehicles will get to the site. However, based on this information Staff assumes the deliver by transport truck is unlikely.

*At the October 12, 2022, Planning Commission meeting staff suggested adding a condition that no off-site loading or unloading be allowed in the public rights-of-way to mitigate this concern.*

The Motor Vehicle Enforcement Division requires enough display space for at least three vehicles. The applicant has indicated that these are in the warehouse portion of the building.

The existing business complex has five tenant spaces with a total of 24 parking spaces. When the original site plan was approved in 2003, two parking spaces were required per 1,000sqft. This distributed to three tenant spaces requiring three parking spaces each, one tenant space requiring six parking spaces, and the remaining tenant space requiring nine parking spaces.



Section 12.52.300 of the Zoning Ordinance now requires 1 space per 250 square feet of gross floor area, plus 1 space for every 10 vehicles displayed. The ordinance also indicates that this particular use requires a minimum of 4 parking spaces. Two out of the five tenant spaces seem to be occupied. One tenant is an HVAC contractor, which requires 18 parking spaces. The other tenant is a medical equipment retailer, which requires six parking spaces. Thus, the current businesses in the complex use all required 24 parking spaces.

Please note that while the existing uses do deplete any available parking spaces, these specific uses may utilize less parking than is required. For instance, the medical equipment retailer has two employees on file and most likely has a very low volume of customers at this location. While the HVAC contractor most likely has more than two employees, their work is mainly off-site. It can also be assumed that they have few customers come to the business office.

*Staff believes that the approval of a parking modification that would permit three parking spaces instead of four would mitigate the inadequate parking issues.*

## PLANNING STAFF RECOMMENDATIONS

### SUGGESTED MOTION: IF PARKING MODIFICATION IS GRANTED

*"I hereby make a motion for the Planning Commission to APPROVE a Conditional Use Permit for Clubhouse Motor Company located at 71 N 1400 W with the following conditions:*

1. *This Conditional Use Permit shall apply to the user space located at 71 N 1400 W, or otherwise known as Clubhouse Motor Company. This permit shall not be transferred to another similar user, unless approved by the City.*
2. *This Conditional Use Permit approval is for vehicle rental or sale, used, limited.*
3. *All display vehicles shall be located inside the building only.*
4. *Other business operations at this tenant location shall cease prior to the opening of Clubhouse Motor Company.*
5. *All customers shall be served by appointment only.*
6. *No repairs, washing, or other maintenance to the vehicles shall be made onsite, other than the general cleaning, such as vacuuming and detailing or similar preparation work for selling the vehicle.*
7. *The transport of display vehicles shall not be loaded or unloaded using the public rights-of-way.*
8. *If the use does not adhere to the parameters of this conditional use permit or creates additional impacts beyond the approved conditions addressed by the CUP, the permit shall be amended and if not mitigated may be revoked per CZC 12.62.060.*

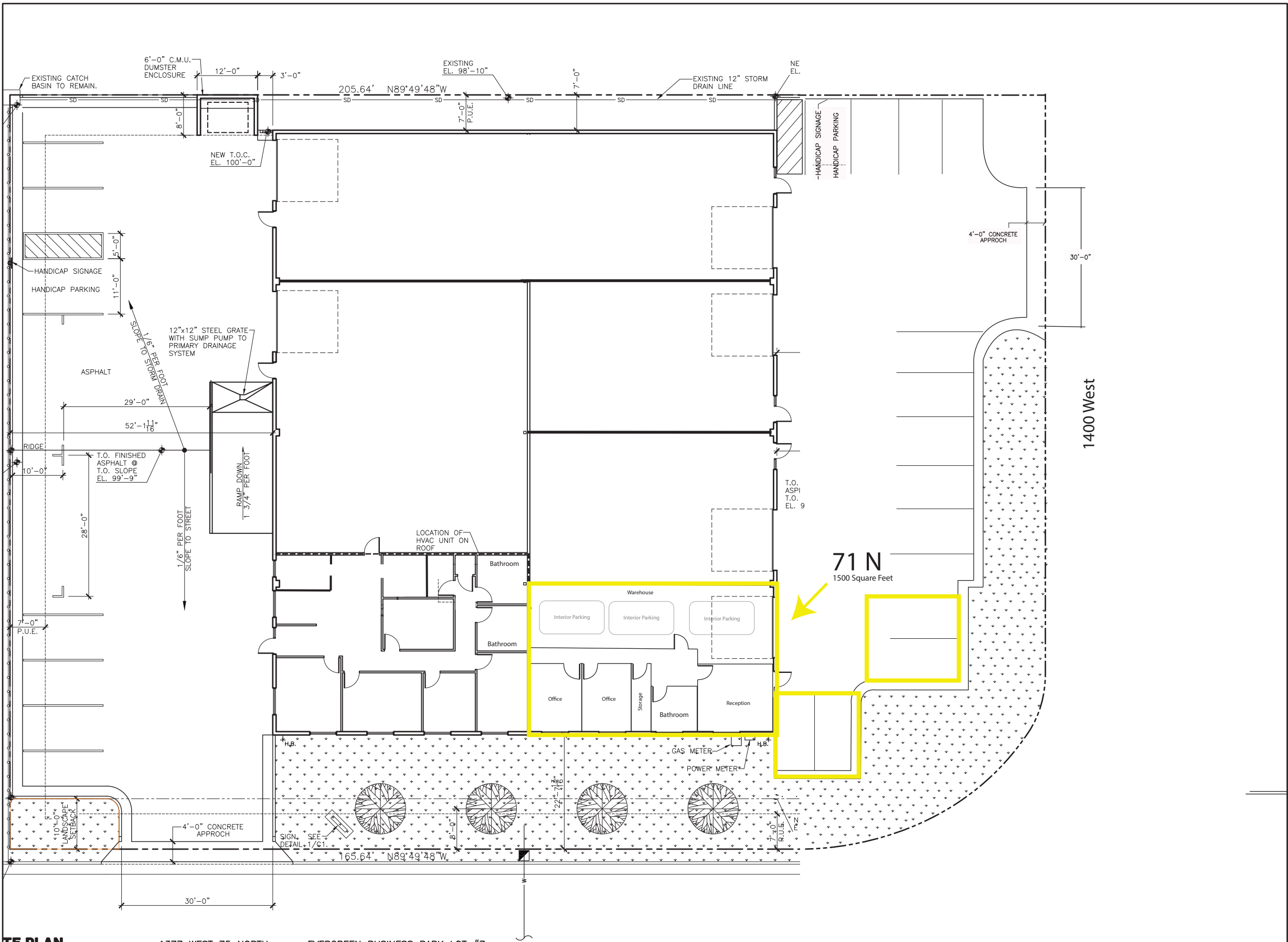
SUGGESTED REASONS FOR ACTION (FINDINGS):

- a) *A complete application for a conditional use permit has been submitted per CZC 12.21.100(d)(1).*
- b) *The application meets the required established evidence for an approval of a conditional use permit 12.21.100(e)(3).*
- c) *With the approved parking modification, the request for a conditional use permit meets the factors to be reviewed and considered for an approval under CZC 12.21.100(e)(5) (A-J).*
- d) *The proposed use, vehicle rental or sale, used, limited is a conditional use in the Industrial-High Zone under CZC 12.36.040.*

SUGGESTED MOTION: IF PARKING MODIFICATION IS **DENIED**

*“I hereby make a motion for the Planning Commission to DENY the Conditional Use Permit request for Clubhouse Motor Company located at approximately 71 N 1400 W for the reasons/findings as follows:*

1. *The Planning Commission finds that the application does not comply with the off-street parking requirements for the proposed use, as well as all users/tenant spaces of the site, as established under CZC 12.52.300.*
2. *Therefore, the Planning Commission finds that the request for a Conditional Use Permit for Vehicle Rental or Sale, Used, Limited does not comply with the approval standards, as more specifically required in CZC 12.21.100(e)(3)(C).”*



**TE PLAN**

1E: 1" = 10'

1377 WEST 75 NORTH — EVERGREEN BUSINESS PARK LOT #7

75 North

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

**STAFF REPORT AGENDA: ITEM 3**

---

**PROPERTY OWNER/  
APPLICANT:**

***CW THE HIVE, LLC  
LEGACY CROSSING BLVD. #6  
CENTERVILLE, UTAH 84014  
Representative: Walker Wood, [walker@builtbycw.com](mailto:walker@builtbycw.com)***

**PROPERTY:** ***555 NORTH 400 WEST***

**PARCEL ACREAGE:** **6.63 ACRES**

**ZONING:** **RESIDENTIAL-HIGH/PLANNED DEVELOPMENT  
(R-H/PD)**

**APPLICATION:** **SITE PLAN AMENDMENT – FINAL SITE SUBMITTAL**

- a. REQUEST FOR TALLER FENCE ALONG NORTH  
BOUNDARY OF THE HIVE DEVELOPMENT PROJECT*

**RECOMMENDATION: CONSIDER APPROVAL OF AMENDED FINAL  
SITE PLAN SUBMITTAL**

---

**BACKGROUND**

As the Planning Commission is aware, the Applicant desires to amend their Site Plan Approval regarding fencing along the northern property line. Due to final site grading along the single-family lots, the desire now is to add a 1' to 3' retaining wall, and then install the approved 6-foot fence on top of the retaining wall. This final height of the fence would then range from 7-feet to 9-feet.

**PREVIOUS CONCPETUAL SITE PLAN ACCEPTANCE**

The Conceptual Site Plan Acceptance for this amendment was approved by the Planning Commission on September 28, 2022, as follows:

- 1. The proposed increased fence height of 1' to 3' shall be limited to the submitted plans depicted on Sheet C5.2 and C5.3, Grading Plan – Amended and the Retaining Wall System designed by Focus Engineering & Surveying, LLC, dated August 24, 2022, as further amended by the submissions on October 05, 2022, October 06, 2022, and as further modified drainage plan presented at the Planning Commission on October 12, 2022 (**Final Site Plan submittal is consistent with Conceptual***

**Acceptance)**

2. However, the fencing shall be reduced/limited to the allowable 48-inch height in the front yard setback area of 400 West – See CZC 12.55.110(b) – missed labeled/typed as (a). **(Has not been addressed with the Final Site Plan submittal)**
- 2.A The Applicant shall prepare and submit a Final Site Plan for the amending the fencing, retaining system, drainage plan for formal site plan approval from the Planning Commission [See CZC 12.21.110(e)(4), Final Site Plan]. **(Final Application submittal was deemed complete on 10-18-2022)**
3. This accepted amendment to the fencing, retaining, and drainage plan shall be reviewed and deemed acceptable, by the City Engineer, for compliance with applicable ordinances and codes adopted by the City. **(City Engineer deemed the plan acceptable on 10-12-2022)**
4. This accepted amendment to the fencing, retaining wall system, and the drainage plan may be modified in compliance with the City Engineer's recommendations, provided however, the modification does not exceed the proposed 1'-3' increase in height. **(Final Site Plan complies with this Condition)**
5. A building permit for the fencing and retaining wall system shall be submitted and obtained from the City's Building Division, subject to approval by the Building Official. **(On going, the Building Official deemed the design acceptable on 11-1-2022, however, an official permit will be issued after Final Approval is obtained)**
6. This accepted amendment to the fencing and retaining wall system may be modified in compliance with the City Building Official's recommendations, provided however the modification does not exceed the proposed 1'-3' increase in height **(Final Site Plan complies with this Condition)**

**PLANNING STAFF RECOMMENDATION**

[Suggested Motion] "I hereby motion for the Planning Commission to **APPROVE** the Conceptual Site Plan requesting an increased fence height for the Hive Development, as follows:

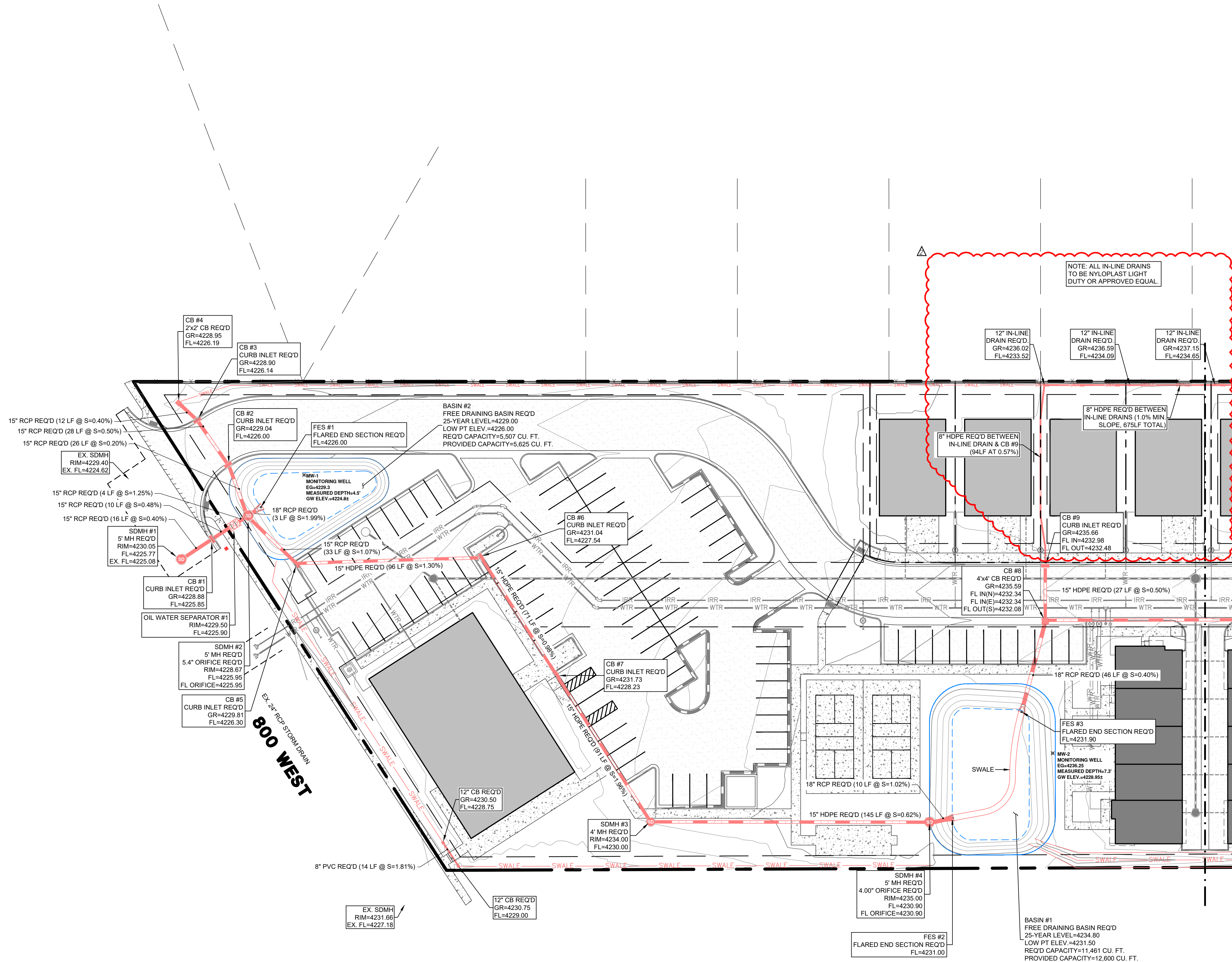
1. The proposed increased fence height of 1' to 3' shall be limited to the submitted Final Site Plans depicted on Sheet C4 and C4.1, Drainage Plan, Sheet C5.1, Drainage Plan, and the Retaining Wall System designed by Focus Engineering & Surveying, LLC, dated August 24, 2022.
2. Nevertheless, the fencing shall be reduced/limited to the allowable 48-inch height in the front yard setback area of 400 West **& 800 West** – See CZC 12.55.110(b) – missed labeled/typed as (a).
3. This accepted amendment to the fencing, retaining wall system, and the drainage plan may still be modified, if necessary, to be in compliance with the City Engineer's final review and approval, provided however, the modification does not exceed the

*proposed 1'-3' increase in height.*

4. *This accepted amendment to the fencing and retaining wall system may still be modified, if necessary, to be in compliance with the City Building Official's final review and approval, provided however the modification does not exceed the proposed 1'-3' increase in height.*

[SUGGESTED REASONS FOR ACTIONS]

- a) *The Planning Commission finds that according to CZC 12.55.110, Fences And Walls, the Planning Commission may approve a fence, wall, or similar structure not to exceed 10 feet in a rear area or side yard in the R-H Zone.*
- b) *The Planning Commission finds that on February 24, 2021, as part of the original Final Site Plan approval, the Commission communicated and encouraged the possibility of allowing an increase fence height.*
- c) *The Planning Commission finds that the increase fence height will assist in buffering the new development in this higher density zone that is adjacent to the residential low zone to the north (see CZC 12.55.110(4)(B)).*
- d) *Therefore, the Planning Commission finds that, with the conditions imposed, that the increased fence height is a benefit to the surrounding properties and/or help to buffer the new uses being constructed in The Hive Development project and is in the City's best interest for the overall development outcome of the property.*



—30 0 30 60  
SCALE IN FEET

**LEGEND**

PROPOSED BOUNDARY  
EXISTING CURB & GUTTER  
EXISTING SIDEWALK  
EXISTING FENCE  
EXISTING WATER LINE  
EXISTING SEWER LINE  
EXISTING STORM DRAIN LINE  
EXISTING OVERHEAD ELECTRIC  
EXISTING TELECOM LINE  
EXISTING GAS LINE  
EXISTING 1' CONTOUR  
EXISTING 5' CONTOUR  
PROPOSED BUILDING  
PROPOSED CURB & GUTTER  
PROPOSED SIDEWALK  
PROPOSED FENCE  
PROPOSED WATER LINE  
PROPOSED SEWER LINE  
PROPOSED STORM DRAIN LINE  
PROPOSED 1' CONTOUR  
PROPOSED 5' CONTOUR  
MATCH LINE

**NOTES**

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH GOVERNING AGENCY STANDARDS AND SPECIFICATIONS. IN THE ABSENCE OF PROJECT STANDARD AND SPECIFICATIONS APWA STANDARD AND SPECIFICATIONS SHALL GOVERN.
- CONTRACTOR SHALL RETAIN AND PROTECT ALL EXISTING IMPROVEMENTS UNLESS OTHERWISE NOTED. CONTRACTOR IS RESPONSIBLE TO REPAIR ALL SIDEWALK, PAVEMENT, GRAVEL, UTILITIES, LANDSCAPING, IRRIGATION, FENCING AND EXISTING IMPROVEMENTS DAMAGED AS PART OF CONSTRUCTION.
- IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT BLUE STAKES OF UTAH PRIOR TO STARTING ANY ACTIVITIES. ALL EXISTING UTILITIES SHOWN ON THE PLANS ARE APPROXIMATIONS ONLY.
- EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THEN EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE. ENSURE ALL OSHA STANDARDS ARE FOLLOWED.
- CONTRACTOR SHALL PROVIDE AND MAINTAIN AT ALL TIMES AMPLE MEANS AND DEVICES WITH WHICH TO REMOVE PROMPTLY AND TO PROPERLY DISPOSE OF ALL WATER ENTERING THE TRENCH EXCAVATION.

| REV. | DATE     | DESCRIPTION                            |
|------|----------|----------------------------------------|
| 1    | 10/6/22  | REV. SINGLE-FAMILY GRADING & RET. WALL |
| 2    | 10/11/22 | REV. SINGLE-FAMILY GRADING YARD DRAINS |

ORIG. DATE : 5/20  
SURVEY BY : PEPG CREW  
DRAWN BY : PRC  
DESIGNED BY : PRC  
CHECKED BY : RUK  
SCALE : 1"=30'

**PEPG CONSULTING LLC**  
9270 SOUTH 300 WEST • SANDY, UT 84070  
PHONE: (801) 562-2521 • FAX: (801) 562-2551  
CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT  
GEOTECHNICAL • MATERIALS TESTING • INSPECTIONS

**THE HIVE**  
555 NORTH 400 WEST  
DRAINAGE PLAN  
MARCH 24, 2021  
LAST REVISED

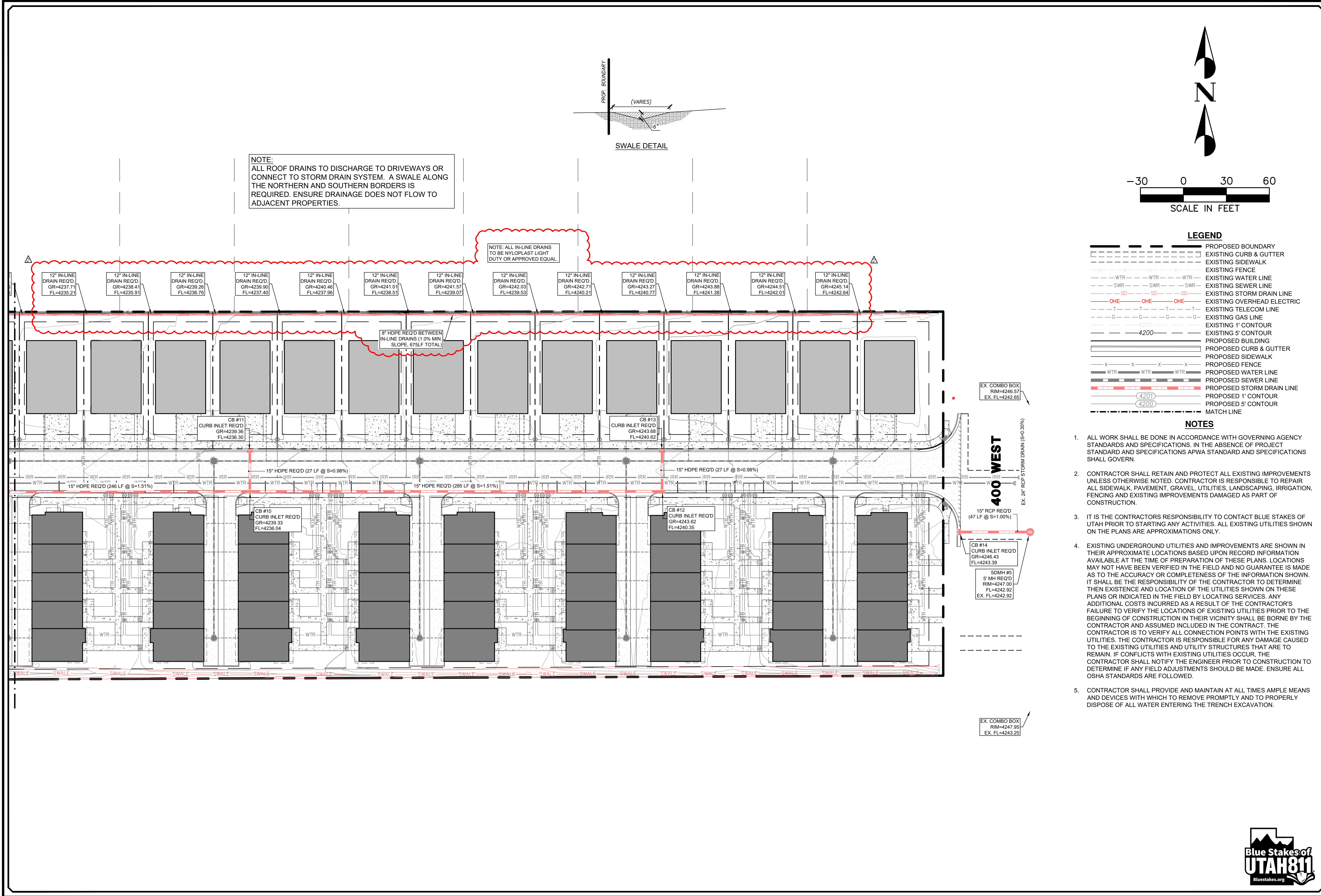
DWG. 04-DRAIN-01  
PROJECT NUMBER  
DRAWING FILE

CENTERVILLE CITY

Blue Stakes of UTAH 811  
bluestakes.org

STATE OF UTAH  
No. 7544732  
RYAN KITCHEN  
3-24-21

SHEET NO. **C4.0**



| REV. | DATE    | DESCRIPTION                            | BY  | CHKD | APPD |
|------|---------|----------------------------------------|-----|------|------|
| 1    | 5/20    | REV. SINGLE-FAMILY GRADING & RET. WALL | JMM |      |      |
| 2    | 10/6/22 | REV. SINGLE-FAMILY GRADING YARD DRAINS | JMM |      |      |

ORG. DATE : 5/20  
SURVEY BY : PEPG CREW  
DRAWN BY : JRC  
DESIGNED BY : JRC  
CHECKED BY : JRC  
SCALE : 1"=30'

**PEPG CONSULTING LLC**  
9270 SOUTH 300 WEST • SANDY, UT 84070  
PHONE: (801) 562-2521 • FAX: (801) 562-2551  
CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT  
GEO-TECHNICAL • MATERIALS TESTING • INSPECTIONS

**THE HIVE**  
**555 NORTH 400 WEST**  
DRAINAGE PLAN  
MARCH 24, 2021  
LAST REVISED

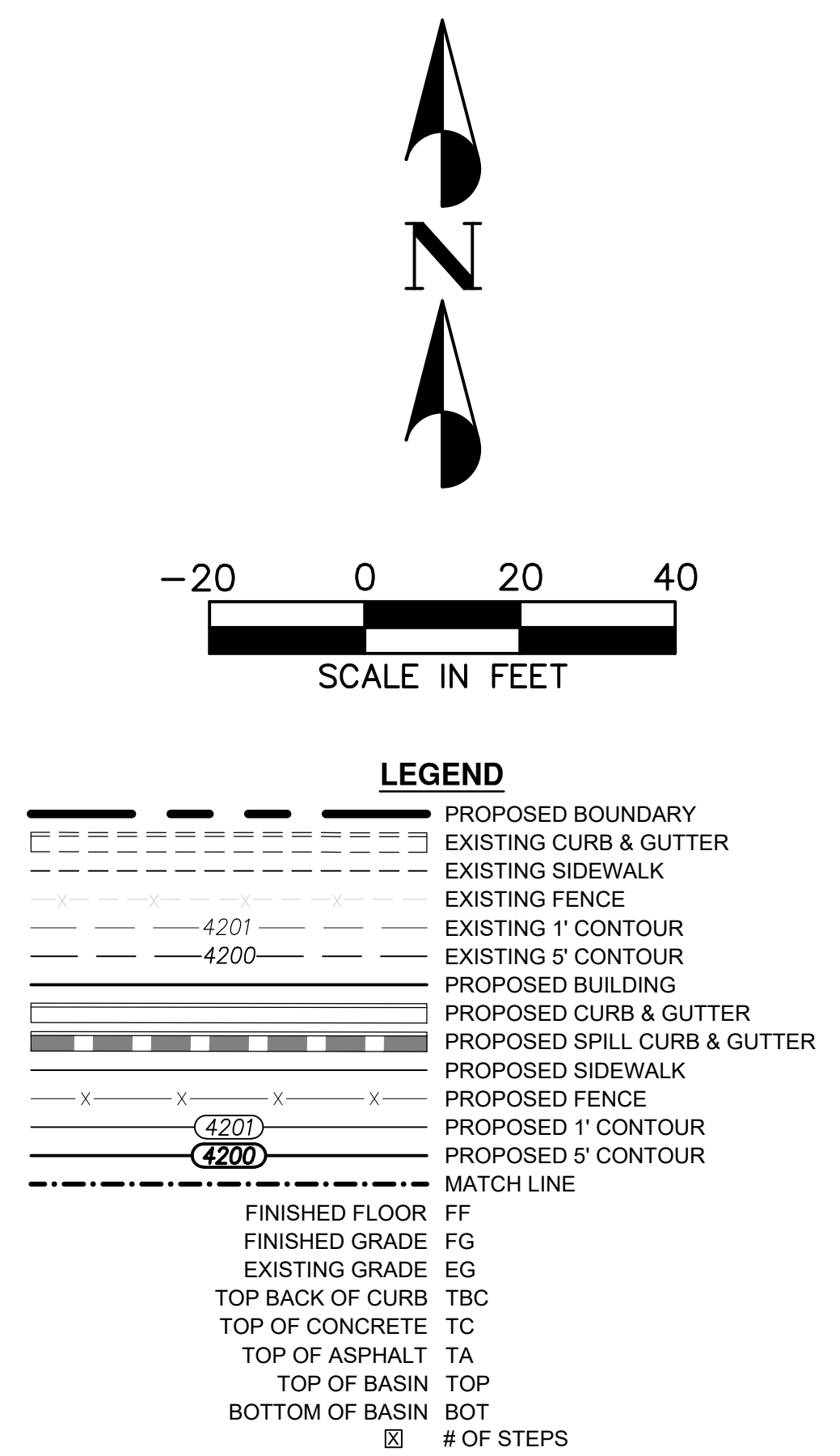
DWG. 04-DRAIN-01  
PROJECT NUMBER  
DRAWING FILE

CENTERVILLE CITY

Blue Stakes of UTAH811  
bluestakes.org

STATE OF UTAH  
No. 7544732  
RYAN KITCHEN  
3-24-21

SHEET NO. **C4.1**



1. THE CONTRACTOR SHALL STRIP AND CLEAR THE TOPSOIL, MAJOR ROOTS AND ORGANIC MATERIAL FROM ALL PROPOSED BUILDING AND PAVEMENT AREAS PRIOR TO SITE GRADING. (THE TOPSOIL MAY BE STOCKPILED FOR LATER USE IN LANDSCAPED AREAS.)
2. THE CONTRACTOR IS WARNED THAT AN EARTHWORK BALANCE WAS NOT NECESSARILY THE INTENT OF THIS PROJECT. ANY ADDITIONAL MATERIAL REQUIRED OR LEFTOVER MATERIAL FOLLOWING EARTHWORK OPERATIONS BECOMES THE RESPONSIBILITY OF THE CONTRACTOR.
3. THE CONTRACTOR SHALL GRADE THE PROJECT SITE TO PROVIDE A SMOOTH TRANSITION BETWEEN NEW AND EXISTING ASPHALT, CURB AND GUTTER, AND ADJOINING SITE IMPROVEMENTS.
4. IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT BLUE STAKES OR UTAH PRIOR TO STARTING ANY ACTIVITIES. ALL EXISTING UTILITIES SHOWN ON THE PLANS ARE APPROXIMATIONS ONLY.
5. CONTRACTOR SHALL ENSURE FINISHED GRADE SLOPES AWAY FROM ALL STRUCTURES ACCORDING TO BUILDING CODES AND AS SHOWN ON THIS PLAN.
6. CONTRACTOR SHALL PROVIDE AND MAINTAIN AT ALL TIMES AMPLE MEANS AND DEVICES WITH WHICH TO REMOVE PROMPTLY AND TO PROPERLY DISPOSE OF ALL WATER ENTERING THE TRENCH EXCAVATION.
7. FINISHED GRADE AT THE BUILDING FOUNDATION TO BE 6" BELOW THE FINISHED FLOOR ELEVATION AT A MINIMUM.

**KEYNOTE LEGEND**

**1** TRANSITION FROM SPILL CURB TO CATCH CURB

[illegible]

|               |           |
|---------------|-----------|
| ORIG. DATE :  | 5/20      |
| SURVEY BY :   | PEPG CREW |
| DRAWN BY :    | TRC       |
| DESIGNED BY : | TRC       |
| CHECKED BY :  | RLK       |
| SCALE :       | 1"=20'    |

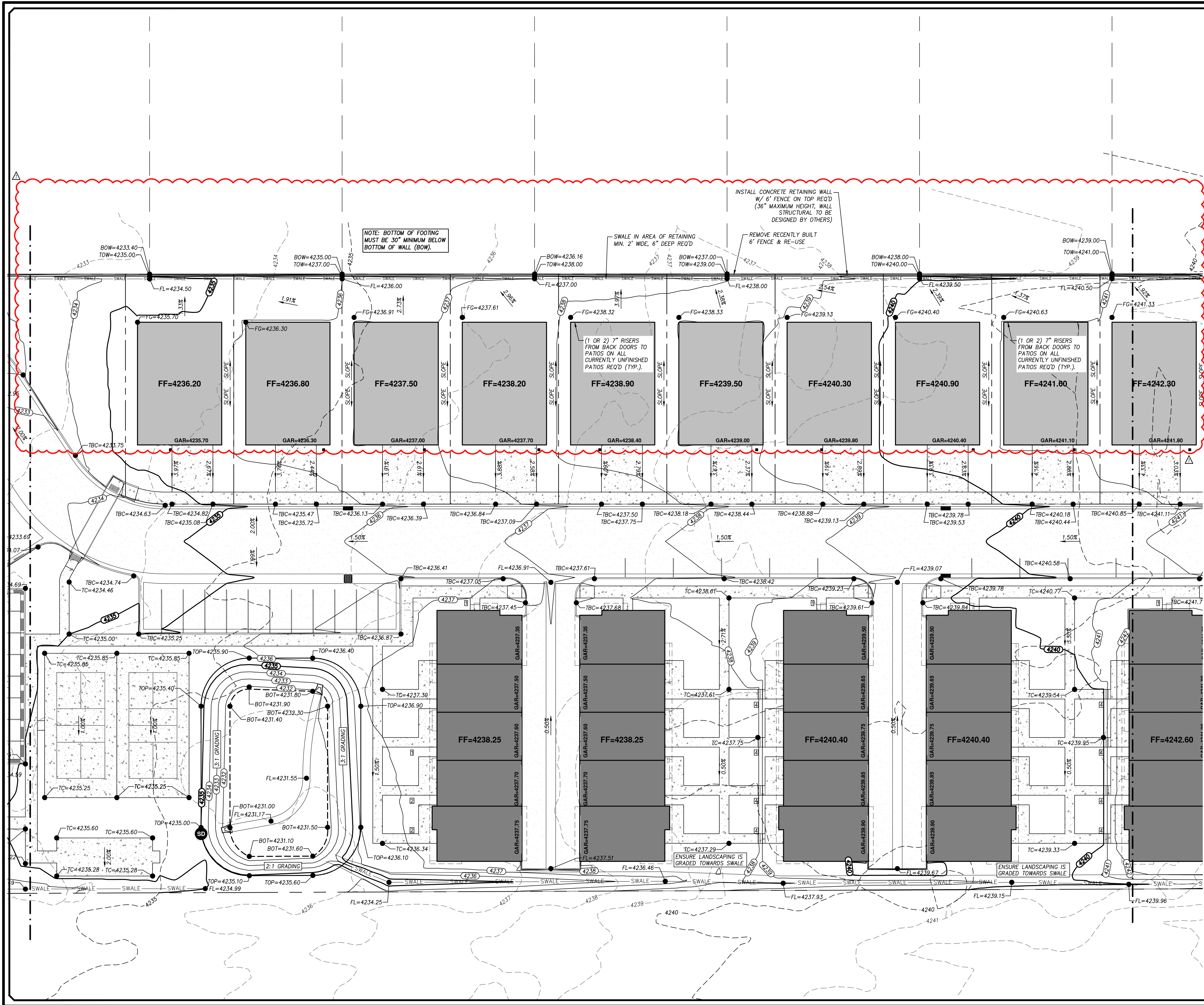
**PEPG CONSULTING LLC**  
9270 SOUTH 300 WEST • SANDY, UT 84070  
PHONE: (801) 562-2521 • FAX: (801) 562-2551

CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT  
GEOTECHNICAL • MATERIALS TESTING • INSPECTIONS

|                           |                |
|---------------------------|----------------|
| <b>THE HIVE</b>           |                |
| <b>555 NORTH 400 WEST</b> |                |
| GRADING                   |                |
| PLAN                      |                |
| MARCH 24, 2021            | 1257/2011      |
| LAST REVISED              | PROJECT NUMBER |
| DWG 05-GRADE-02           |                |
| DRAWING FILE              |                |

CENTERVILLE  
CITY

SHEET NO. **C5.1**



  
N

  
-20 0 20 40  
SCALE IN FEET

**LEGEND**

|  |                              |
|--|------------------------------|
|  | PROPOSED BOUNDARY            |
|  | EXISTING CURB & GUTTER       |
|  | EXISTING SIDEWALK            |
|  | EXISTING FENCE               |
|  | EXISTING 1' CONTOUR          |
|  | EXISTING 5' CONTOUR          |
|  | PROPOSED BUILDING            |
|  | PROPOSED CURB & GUTTER       |
|  | PROPOSED SPILL CURB & GUTTER |
|  | PROPOSED SIDEWALK            |
|  | PROPOSED FENCE               |
|  | PROPOSED 1' CONTOUR          |
|  | PROPOSED 5' CONTOUR          |
|  | MATCH LINE                   |
|  | FINISHED FLOOR FF            |
|  | FINISHED GRADE FG            |
|  | EXISTING GRADE EG            |
|  | TOP BACK OF CURB TBC         |
|  | TOP OF CONCRETE TC           |
|  | TOP OF ASPHALT TA            |
|  | TOP OF BASIN TOP             |
|  | BOTTOM OF BASIN BOT          |
|  | ELEV. AT FRONT OF GARAGE GAR |
|  | # OF STEPS REQ'D             |

- NOTES**
1. THE CONTRACTOR SHALL STRIP AND CLEAR THE TOPSOIL, MAJOR ROOTS AND ORGANIC MATERIAL FROM ALL PROPOSED BUILDING AND PAVEMENT AREAS PRIOR TO SITE GRADING. (THE TOPSOIL MAY BE STOCKPILED FOR LATER USE IN LANDSCAPED AREAS.)
  2. THE CONTRACTOR IS WARNED THAT AN EARTHWORK BALANCE WAS NOT NECESSARILY THE INTENT OF THIS PROJECT. ANY ADDITIONAL MATERIAL REQUIRED OR LEFTOVER MATERIAL FOLLOWING EARTHWORK OPERATIONS BECOMES THE RESPONSIBILITY OF THE CONTRACTOR.
  3. THE CONTRACTOR SHALL GRADE THE PROJECT SITE TO PROVIDE A SMOOTH TRANSITION BETWEEN NEW AND EXISTING ASPHALT, CURB AND GUTTER, AND ADJOINING SITE IMPROVEMENTS.
  4. IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT BLUE STAKES OF UTAH PRIOR TO STARTING ANY ACTIVITIES. ALL EXISTING UTILITIES SHOWN ON THE PLANS ARE APPROXIMATIONS ONLY.
  5. CONTRACTOR SHALL ENSURE FINISHED GRADE SLOPES AWAY FROM ALL STRUCTURES ACCORDING TO BUILDING CODES AND AS SHOWN ON THIS PLAN.
  6. CONTRACTOR SHALL PROVIDE AND MAINTAIN AT ALL TIMES AMPLE MEANS AND DEVICES WITH WHICH TO REMOVE PROMPTLY AND TO PROPERLY DISPOSE OF ALL WATER ENTERING THE TRENCH EXCAVATION.
  7. FINISHED GRADE AT THE BUILDING FOUNDATION TO BE 6" BELOW THE FINISHED FLOOR ELEVATION AT A MINIMUM.

**PEPG CONSULTING LLC**  
9270 SOUTH 300 WEST • SANDY, UT 84070  
PHONE: (801) 562-2521 • FAX: (801) 562-2551  
CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT  
GEOTECHNICAL • MATERIALS TESTING • INSPECTIONS

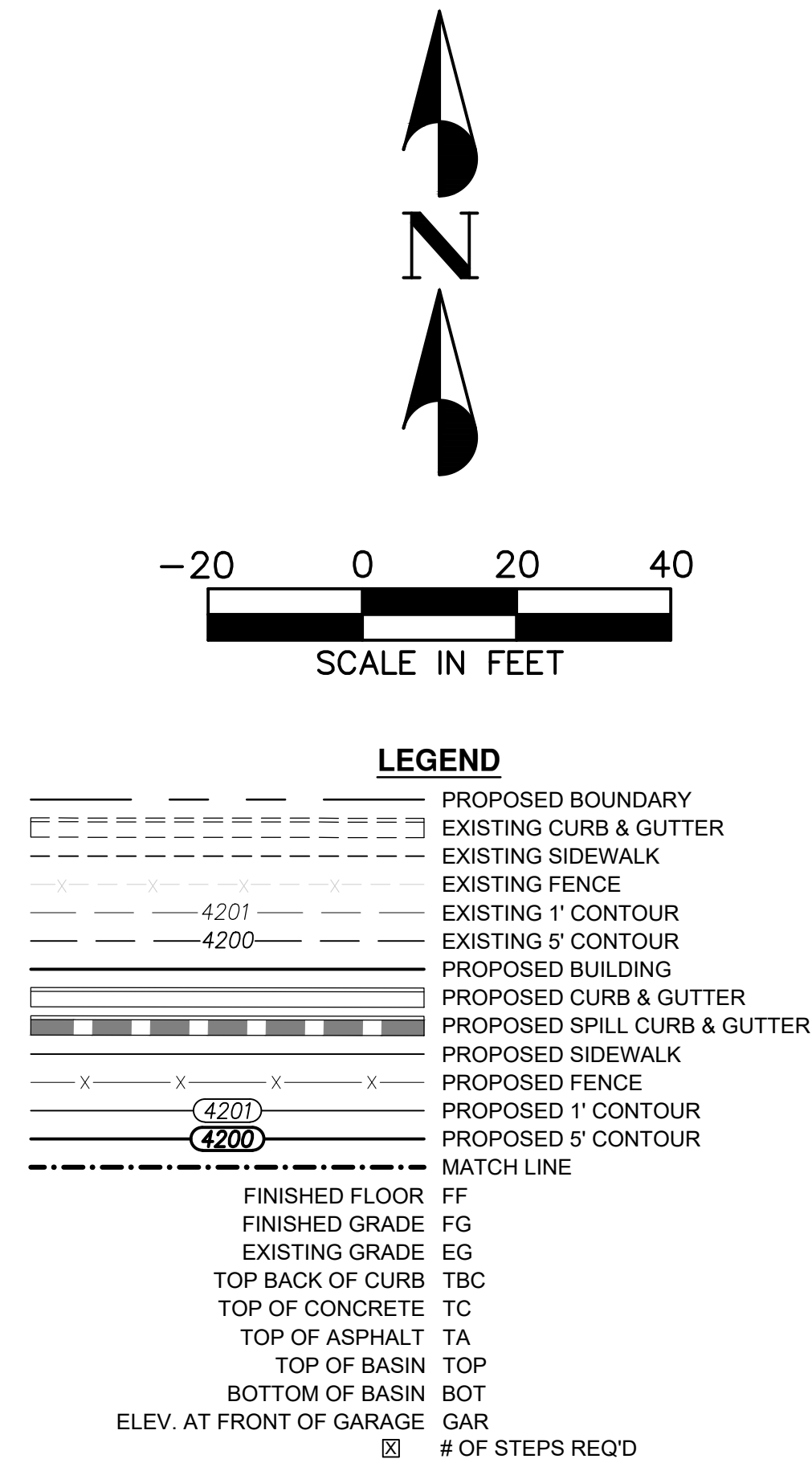
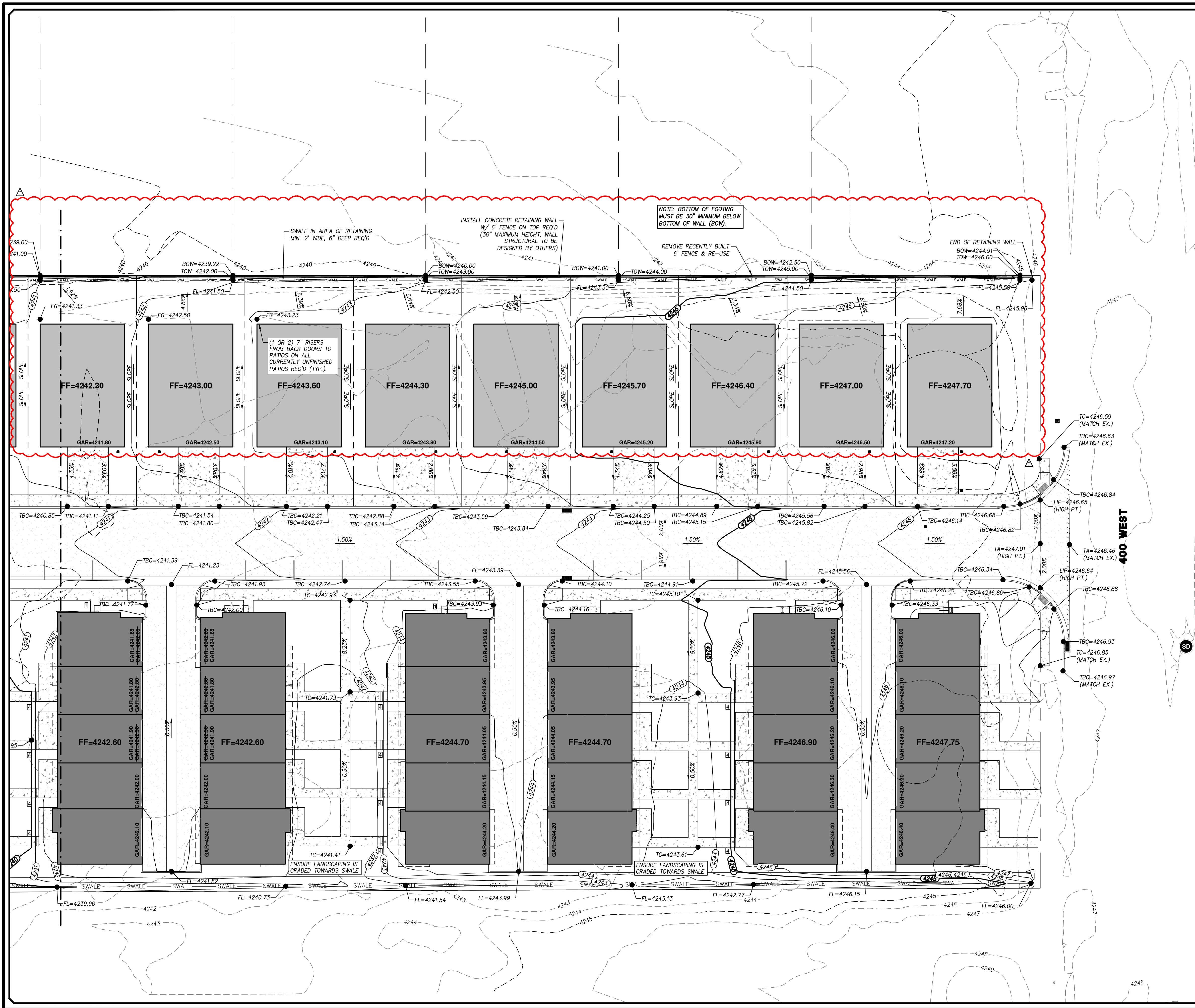
**THE HIVE**  
555 NORTH 400 WEST  
GRADING PLAN

CENTERVILLE CITY

PROFESSIONAL SEAL  
No. 7544732  
RYAN KITCHEN  
3-24-21  
STATE OF UTAH

SHEET NO. **C5.2**

|      |         |                                        |
|------|---------|----------------------------------------|
| REV. | DATE    | DESCRIPTION                            |
| 1    | 5/20    | REV. SINGLE-FAMILY GRADING & RET. WALL |
| 2    | 10/5/22 |                                        |
| 3    |         |                                        |
| 4    |         |                                        |
| 5    |         |                                        |
| 6    |         |                                        |
| 7    |         |                                        |
| 8    |         |                                        |
| 9    |         |                                        |
| 10   |         |                                        |
| 11   |         |                                        |
| 12   |         |                                        |
| 13   |         |                                        |
| 14   |         |                                        |
| 15   |         |                                        |
| 16   |         |                                        |
| 17   |         |                                        |
| 18   |         |                                        |
| 19   |         |                                        |
| 20   |         |                                        |
| 21   |         |                                        |
| 22   |         |                                        |
| 23   |         |                                        |
| 24   |         |                                        |
| 25   |         |                                        |
| 26   |         |                                        |
| 27   |         |                                        |
| 28   |         |                                        |
| 29   |         |                                        |
| 30   |         |                                        |
| 31   |         |                                        |
| 32   |         |                                        |
| 33   |         |                                        |
| 34   |         |                                        |
| 35   |         |                                        |
| 36   |         |                                        |
| 37   |         |                                        |
| 38   |         |                                        |
| 39   |         |                                        |
| 40   |         |                                        |
| 41   |         |                                        |
| 42   |         |                                        |
| 43   |         |                                        |
| 44   |         |                                        |
| 45   |         |                                        |
| 46   |         |                                        |
| 47   |         |                                        |
| 48   |         |                                        |
| 49   |         |                                        |
| 50   |         |                                        |
| 51   |         |                                        |
| 52   |         |                                        |
| 53   |         |                                        |
| 54   |         |                                        |
| 55   |         |                                        |
| 56   |         |                                        |
| 57   |         |                                        |
| 58   |         |                                        |
| 59   |         |                                        |
| 60   |         |                                        |
| 61   |         |                                        |
| 62   |         |                                        |
| 63   |         |                                        |
| 64   |         |                                        |
| 65   |         |                                        |
| 66   |         |                                        |
| 67   |         |                                        |
| 68   |         |                                        |
| 69   |         |                                        |
| 70   |         |                                        |
| 71   |         |                                        |
| 72   |         |                                        |
| 73   |         |                                        |
| 74   |         |                                        |
| 75   |         |                                        |
| 76   |         |                                        |
| 77   |         |                                        |
| 78   |         |                                        |
| 79   |         |                                        |
| 80   |         |                                        |
| 81   |         |                                        |
| 82   |         |                                        |
| 83   |         |                                        |
| 84   |         |                                        |
| 85   |         |                                        |
| 86   |         |                                        |
| 87   |         |                                        |
| 88   |         |                                        |
| 89   |         |                                        |
| 90   |         |                                        |
| 91   |         |                                        |
| 92   |         |                                        |
| 93   |         |                                        |
| 94   |         |                                        |
| 95   |         |                                        |
| 96   |         |                                        |
| 97   |         |                                        |
| 98   |         |                                        |
| 99   |         |                                        |
| 100  |         |                                        |



- NOTES**
1. THE CONTRACTOR SHALL STRIP AND CLEAR THE TOPSOIL, MAJOR ROOTS AND ORGANIC MATERIAL FROM ALL PROPOSED BUILDING AND PAVEMENT AREAS PRIOR TO SITE GRADING. (THE TOPSOIL MAY BE STOCKPILED FOR LATER USE IN LANDSCAPED AREAS.)
  2. THE CONTRACTOR IS WARNED THAT AN EARTHWORK BALANCE WAS NOT NECESSARILY THE INTENT OF THIS PROJECT. ANY ADDITIONAL MATERIAL REQUIRED OR LEFTOVER MATERIAL FOLLOWING EARTHWORK OPERATIONS BECOMES THE RESPONSIBILITY OF THE CONTRACTOR.
  3. THE CONTRACTOR SHALL GRADE THE PROJECT SITE TO PROVIDE A SMOOTH TRANSITION BETWEEN NEW AND EXISTING ASPHALT, CURB AND GUTTER, AND ADJOINING SITE IMPROVEMENTS.
  4. IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT BLUE STAKES OF UTAH PRIOR TO STARTING ANY ACTIVITIES. ALL EXISTING UTILITIES SHOWN ON THE PLANS ARE APPROXIMATIONS ONLY.
  5. CONTRACTOR SHALL ENSURE FINISHED GRADE SLOPES AWAY FROM ALL STRUCTURES ACCORDING TO BUILDING CODES AND AS SHOWN ON THIS PLAN.
  6. CONTRACTOR SHALL PROVIDE AND MAINTAIN AT ALL TIMES AMPLE MEANS AND DEVICES WITH WHICH TO REMOVE PROMPTLY AND TO PROPERLY DISPOSE OF ALL WATER ENTERING THE TRENCH EXCAVATION.
  7. FINISHED GRADE AT THE BUILDING FOUNDATION TO BE 6" BELOW THE FINISHED FLOOR ELEVATION AT A MINIMUM.

| REV. | DESCRIPTION                            | DATE    |
|------|----------------------------------------|---------|
| 1    | REV. SINGLE-FAMILY GRADING & RET. WALL | 10/5/22 |

|               |           |
|---------------|-----------|
| ORIG. DATE :  | 5/20      |
| SURVEY BY :   | PEPG CREW |
| DRAWN BY :    | TRC       |
| DESIGNED BY : | TRC       |
| CHECKED BY :  | RLK       |
| SCALE :       | 1"=20'    |

**PEPG CONSULTING LLC**  
9270 SOUTH 300 WEST • SANDY, UT 84070  
PHONE: (801) 562-2521 • FAX: (801) 562-2551

CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT  
GEOTECHNICAL • MATERIALS TESTING • INSPECTIONS

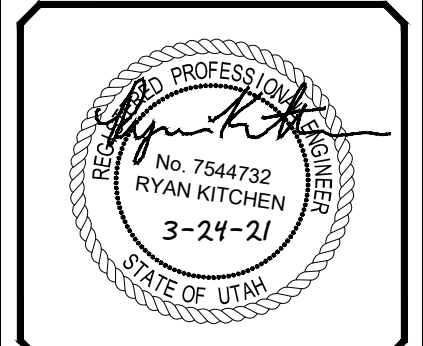
**THE HIVE**  
**555 NORTH 400 WEST**  
GRADING PLAN

MARCH 24, 2021  
LAST REVISED

1/25/2011  
PROJECT NUMBER

DWG 03-GRD-02  
DRAWING FILE

CENTERVILLE  
CITY



SHEET NO. **C5.3**



6949 South High Tech Drive Suite 200,  
Midvale, UT 84047  
P (801) 352-0075 F (801) 352-7989

August 24, 2022

CW Urban

Re: The Hive Community, Farmington Utah

On various home plans completed by Focus Engineering, 1'-3' retaining walls are required on site with a fence built on top of the wall. The attached detail and calcs specify construction for these walls.

Please call if you have any questions or concerns.

Sincerely,

Joel Whitmer, P.E.  
Structural Department Manager  
Focus Engineering & Surveying, LLC



RECEIVED AUG 24 2022

Project Title:  
Engineer:  
Project ID:  
Project Descr:

## Cantilevered Retaining Wall

Project File: active = 40 allowable = 1500 friction = 0.45.EC6

LIC# : KW-06014664, Build:20.22.2.9

Focus Engineering & Surveying, LLC

(c) ENERCALC INC 1983-2022

**DESCRIPTION:** 3' Wall with fence

### Code Reference:

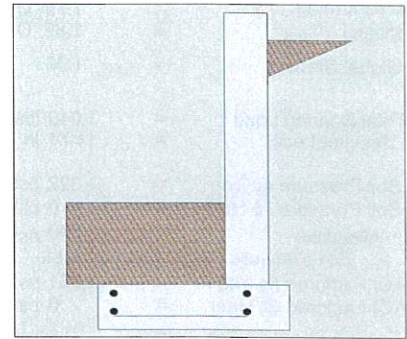
Calculations per IBC 2018 1807.3, CBC 2019, ASCE 7-16

#### Criteria

|                         |   |          |
|-------------------------|---|----------|
| Retained Height         | = | 4.50 ft  |
| Wall height above soil  | = | 0.50 ft  |
| Slope Behind Wall       | = | 0.00     |
| Height of Soil over Toe | = | 18.00 in |
| Water height over heel  | = | 0.0 ft   |

#### Soil Data

|                                               |   |              |
|-----------------------------------------------|---|--------------|
| Allow Soil Bearing                            | = | 1,500.0 psf  |
| Equivalent Fluid Pressure Method              |   |              |
| Active Heel Pressure                          | = | 40.0 psf/ft  |
|                                               | = |              |
| Passive Pressure                              | = | 250.0 psf/ft |
| Soil Density, Heel                            | = | 110.00 pcf   |
| Soil Density, Toe                             | = | 0.00 pcf     |
| Footings  Soil Friction                       | = | 0.450        |
| Soil height to ignore<br>for passive pressure | = | 0.00 in      |



#### Surcharge Loads

|                                      |   |         |
|--------------------------------------|---|---------|
| Surcharge Over Heel                  | = | 0.0 psf |
| Used To Resist Sliding & Overturning |   |         |
| Surcharge Over Toe                   | = | 0.0     |
| Used for Sliding & Overturning       |   |         |

#### Axial Load Applied to Stem

|                         |   |         |
|-------------------------|---|---------|
| Axial Dead Load         | = | 0.0 lbs |
| Axial Live Load         | = | 0.0 lbs |
| Axial Load Eccentricity | = | 0.0 in  |

#### Lateral Load Applied to Stem

|                      |   |                             |
|----------------------|---|-----------------------------|
| Lateral Load         | = | 120.0 #/ft                  |
| ...Height to Top     | = | 5.00 ft                     |
| ...Height to Bottom  | = | 4.00 ft                     |
| Load Type            | = | Wind (W)<br>(Service Level) |
| Wind on Exposed Stem | = | 0.0 psf<br>(Strength Level) |

#### Adjacent Footing Load

|                                          |   |                |
|------------------------------------------|---|----------------|
| Adjacent Footing Load                    | = | 0.0 lbs        |
| Footing Width                            | = | 0.00 ft        |
| Eccentricity                             | = | 0.00 in        |
| Wall to Ftg CL Dist                      | = | 0.00 ft        |
| Footing Type                             | = | Spread Footing |
| Base Above/Below Soil<br>at Back of Wall | = | 0.0 ft         |
| Poisson's Ratio                          | = | 0.300          |

Project Title:  
 Engineer:  
 Project ID:  
 Project Descr:

## Cantilevered Retaining Wall

Project File: active = 40 allowable = 1500 friction = 0.45.EC6

LIC# : KW-06014664, Build:20.22.2.9

Focus Engineering & Surveying, LLC

(c) ENERCALC INC 1983-2022

**DESCRIPTION:** 3' Wall with fence

### Concrete Stem Rebar Area Details

|                                |                      |                                                              |
|--------------------------------|----------------------|--------------------------------------------------------------|
| Bottom Stem                    | Vertical Reinforcing | Horizontal Reinforcing                                       |
| As (based on applied moment) : | 0.1108 in2/ft        |                                                              |
| (4/3) * As :                   | 0.1478 in2/ft        | Min Stem T&S Reinf Area 0.960 in2                            |
| 200bd/fy : 200(12)(4)/60000 :  | 0.16 in2/ft          | Min Stem T&S Reinf Area per ft of stem Height : 0.192 in2/ft |
| 0.0015bh : 0.0015(12)(8) :     | 0.144 in2/ft         | Horizontal Reinforcing Options :                             |
|                                | =====                | One layer of : Two layers of :                               |
| Required Area :                | 0.1478 in2/ft        | #4@ 12.50 in #4@ 25.00 in                                    |
| Provided Area :                | 0.15 in2/ft          | #5@ 19.38 in #5@ 38.75 in                                    |
| Maximum Area :                 | 0.6503 in2/ft        | #6@ 27.50 in #6@ 55.00 in                                    |

### Footing Data

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Toe Width                | =         | 2.00 ft         |
| Heel Width               | =         | 1.00            |
| Total Footing Width      | =         | 3.00            |
| Footing Thickness        | =         | 10.00 in        |
| Key Width                | =         | 0.00 in         |
| Key Depth                | =         | 0.00 in         |
| Key Distance from Toe    | =         | 0.00 ft         |
| f'c =                    | 3,000 psi | Fy = 60,000 psi |
| Footing Concrete Density | =         | 150.00 pcf      |
| Min. As %                | =         | 0.0018          |
| Cover @ Top              | 2.00      | @ Btm.= 3.00 in |

### Footing Design Results

|                                |   | <u>Toe</u>     | <u>Heel</u> |
|--------------------------------|---|----------------|-------------|
| Factored Pressure              | = | 1,851          | 0 psf       |
| Mu' : Upward                   | = | 2,149          | 0 ft-#      |
| Mu' : Downward                 | = | 696            | 164 ft-#    |
| Mu: Design                     | = | 1,453          | 164 ft-#    |
| phiMin                         | = | 7,036          | 1,753 ft-#  |
| Actual 1-Way Shear             | = | 10.83          | 6.42 psi    |
| Allow 1-Way Shear              | = | 82.16          | 43.82 psi   |
| Toe Reinforcing                | = | # 4 @ 10.00 in |             |
| Heel Reinforcing               | = | None Spec'd    |             |
| Key Reinforcing                | = | None Spec'd    |             |
| Footing Torsion, Tu            | = |                | 0.00 ft-lbs |
| Footing Allow. Torsion, phi Tu | = |                | 0.00 ft-lbs |

**If torsion exceeds allowable, provide supplemental design for footing torsion.**

Other Acceptable Sizes & Spacings

Toe:  
 Heel:  
 Key:

|                                     |                                   |         |
|-------------------------------------|-----------------------------------|---------|
| Min footing T&S reinf Area          | 0.65                              | in2     |
| Min footing T&S reinf Area per foot | 0.22                              | in2 /ft |
| If one layer of horizontal bars:    | If two layers of horizontal bars: |         |
| #4@ 11.11 in                        | #4@ 22.22 in                      |         |
| #5@ 17.22 in                        | #5@ 34.44 in                      |         |
| #6@ 24.44 in                        | #6@ 48.89 in                      |         |

Project Title:  
Engineer:  
Project ID:  
Project Descr:

## Cantilevered Retaining Wall

Project File: active = 40 allowable = 1500 friction = 0.45.EC6

LIC# : KW-06014664, Build:20.22.2.9

Focus Engineering & Surveying, LLC

(c) ENERCALC INC 1983-2022

**DESCRIPTION:** 3' Wall with fence

### Rebar Lap & Embedment Lengths Information

Stem Design Segment: Bottom

Stem Design Height: 0.00 ft above top of footing

Lap Splice length for #4 bar specified in this stem design segment =

17.09 in

Development length for #4 bar specified in this stem design segment =

13.15 in

Hooked embedment length into footing for #4 bar specified in this stem design segment =

7.55 in

As Provided =

0.1500 in2/ft

As Required =

0.1478 in2/ft

Project Title:  
Engineer:  
Project ID:  
Project Descr:

## Cantilevered Retaining Wall

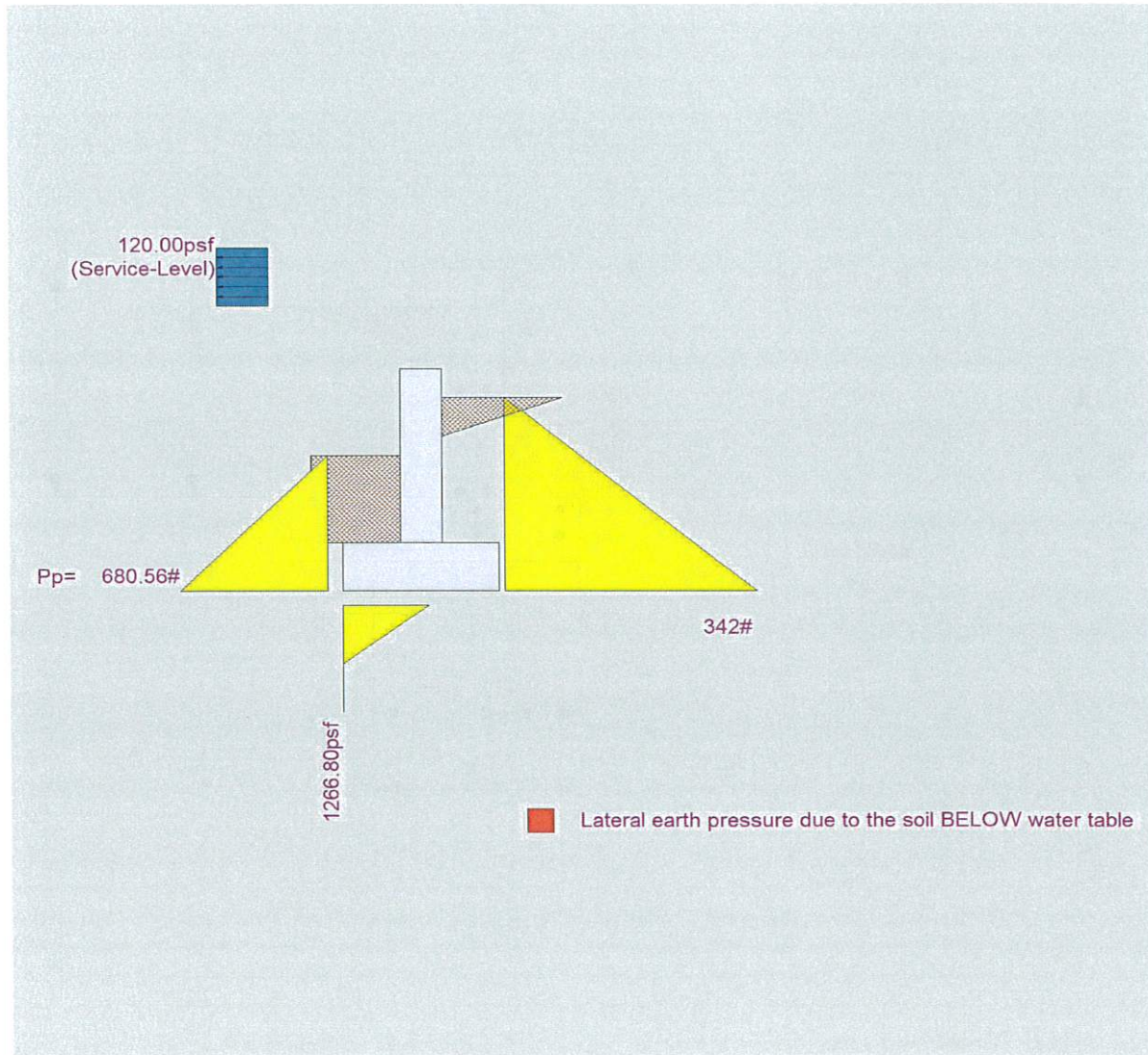
Project File: active = 40 allowable = 1500 friction = 0.45.EC6

LIC# : KW-06014664, Build:20.22.2.9

Focus Engineering & Surveying, LLC

(c) ENERCALC INC 1983-2022

**DESCRIPTION:** 1' Wall with fence



Project Title:  
Engineer:  
Project ID:  
Project Descr:

## Cantilevered Retaining Wall

Project File: active = 40 allowable = 1500 friction = 0.45.EC6

LIC# : KW-06014664, Build:20.22.2.9

Focus Engineering & Surveying, LLC

(c) ENERCALC INC 1983-2022

**DESCRIPTION:** 1' Wall with fence

### Rebar Lap & Embedment Lengths Information

Stem Design Segment: Bottom

Stem Design Height: 0.00 ft above top of footing

Lap Splice length for #4 bar specified in this stem design segment = 17.09 in

Development length for #4 bar specified in this stem design segment = 13.15 in

Hooked embedment length into footing for #4 bar specified in this stem design segment = 7.36 in

As Provided = 0.1500 in<sup>2</sup>/ft

As Required = 0.1440 in<sup>2</sup>/ft

Project Title:  
 Engineer:  
 Project ID:  
 Project Descr:

## Cantilevered Retaining Wall

Project File: active = 40 allowable = 1500 friction = 0.45.EC6

LIC# : KW-06014664, Build:20.22.2.9

Focus Engineering & Surveying, LLC

(c) ENERCALC INC 1983-2022

**DESCRIPTION: 1' Wall with fence**

### Concrete Stem Rebar Area Details

|                                |                      |                                                              |
|--------------------------------|----------------------|--------------------------------------------------------------|
| Bottom Stem                    | Vertical Reinforcing | Horizontal Reinforcing                                       |
| As (based on applied moment) : | 0.0427 in2/ft        |                                                              |
| (4/3) * As :                   | 0.0569 in2/ft        | Min Stem T&S Reinf Area 0.576 in2                            |
| 200bd/fy : 200(12)(4)/60000 :  | 0.16 in2/ft          | Min Stem T&S Reinf Area per ft of stem Height : 0.192 in2/ft |
| 0.0015bh : 0.0015(12)(8) :     | 0.144 in2/ft         | Horizontal Reinforcing Options :                             |
|                                | =====                | One layer of : Two layers of :                               |
| Required Area :                | 0.144 in2/ft         | #4@ 12.50 in #4@ 25.00 in                                    |
| Provided Area :                | 0.15 in2/ft          | #5@ 19.38 in #5@ 38.75 in                                    |
| Maximum Area :                 | 0.6503 in2/ft        | #6@ 27.50 in #6@ 55.00 in                                    |

### Footing Data

|                          |           |                 |
|--------------------------|-----------|-----------------|
| Toe Width                | =         | 0.92 ft         |
| Heel Width               | =         | 1.58            |
| Total Footing Width      | =         | 2.50            |
| Footing Thickness        | =         | 10.00 in        |
| Key Width                | =         | 0.00 in         |
| Key Depth                | =         | 0.00 in         |
| Key Distance from Toe    | =         | 0.00 ft         |
| f'c =                    | 3,000 psi | Fy = 60,000 psi |
| Footing Concrete Density | =         | 150.00 pcf      |
| Min. As %                | =         | 0.0018          |
| Cover @ Top              | 2.00      | @ Btm.= 3.00 in |

### Footing Design Results

|                                | Toe              | Heel        |
|--------------------------------|------------------|-------------|
| Factored Pressure              | = 1,774          | 0 psf       |
| Mu' : Upward                   | = 578            | 0 ft-#      |
| Mu' : Downward                 | = 146            | 334 ft-#    |
| Mu: Design                     | = 432            | 334 ft-#    |
| phiMin                         | = 7,036          | 1,753 ft-#  |
| Actual 1-Way Shear             | = 5.36           | 6.08 psi    |
| Allow 1-Way Shear              | = 82.16          | 43.82 psi   |
| Toe Reinforcing                | = # 4 @ 10.00 in |             |
| Heel Reinforcing               | = None Spec'd    |             |
| Key Reinforcing                | = None Spec'd    |             |
| Footing Torsion, Tu            | =                | 0.00 ft-lbs |
| Footing Allow. Torsion, phi Tu | =                | 0.00 ft-lbs |

**If torsion exceeds allowable, provide supplemental design for footing torsion.**

Other Acceptable Sizes & Spacings

Toe:  
 Heel:  
 Key:

|                                     |                                   |
|-------------------------------------|-----------------------------------|
| Min footing T&S reinf Area          | 0.54 in2                          |
| Min footing T&S reinf Area per foot | 0.22 in2 /ft                      |
| If one layer of horizontal bars:    | If two layers of horizontal bars: |
| #4@ 11.11 in                        | #4@ 22.22 in                      |
| #5@ 17.22 in                        | #5@ 34.44 in                      |
| #6@ 24.44 in                        | #6@ 48.89 in                      |

Project Title:  
Engineer:  
Project ID:  
Project Descr:

## Cantilevered Retaining Wall

Project File: active = 40 allowable = 1500 friction = 0.45.EC6

LIC#: KW-06014664, Build:20.22.2.9

Focus Engineering & Surveying, LLC

(c) ENERCALC INC 1983-2022

**DESCRIPTION:** 1' Wall with fence

### Code Reference:

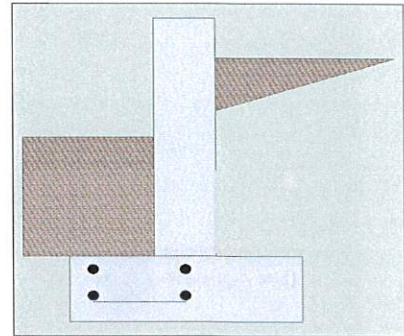
Calculations per IBC 2018 1807.3, CBC 2019, ASCE 7-16

#### Criteria

|                         |   |          |
|-------------------------|---|----------|
| Retained Height         | = | 2.50 ft  |
| Wall height above soil  | = | 0.50 ft  |
| Slope Behind Wall       | = | 0.00     |
| Height of Soil over Toe | = | 18.00 in |
| Water height over heel  | = | 0.0 ft   |

#### Soil Data

|                                               |   |              |
|-----------------------------------------------|---|--------------|
| Allow Soil Bearing                            | = | 1,500.0 psf  |
| Equivalent Fluid Pressure Method              |   |              |
| Active Heel Pressure                          | = | 40.0 psf/ft  |
| Passive Pressure                              | = | 250.0 psf/ft |
| Soil Density, Heel                            | = | 110.00 pcf   |
| Soil Density, Toe                             | = | 0.00 pcf     |
| Footing  Soil Friction                        | = | 0.450        |
| Soil height to ignore<br>for passive pressure | = | 0.00 in      |



#### Surcharge Loads

|                                      |   |         |
|--------------------------------------|---|---------|
| Surcharge Over Heel                  | = | 0.0 psf |
| Used To Resist Sliding & Overturning |   |         |
| Surcharge Over Toe                   | = | 0.0     |
| Used for Sliding & Overturning       |   |         |

#### Axial Load Applied to Stem

|                         |   |         |
|-------------------------|---|---------|
| Axial Dead Load         | = | 0.0 lbs |
| Axial Live Load         | = | 0.0 lbs |
| Axial Load Eccentricity | = | 0.0 in  |

#### Lateral Load Applied to Stem

|                      |   |                             |
|----------------------|---|-----------------------------|
| Lateral Load         | = | 120.0 #/ft                  |
| ...Height to Top     | = | 5.00 ft                     |
| ...Height to Bottom  | = | 4.00 ft                     |
| Load Type            | = | Wind (W)<br>(Service Level) |
| Wind on Exposed Stem | = | 0.0 psf<br>(Service Level)  |

#### Adjacent Footing Load

|                                          |   |                |
|------------------------------------------|---|----------------|
| Adjacent Footing Load                    | = | 0.0 lbs        |
| Footing Width                            | = | 0.00 ft        |
| Eccentricity                             | = | 0.00 in        |
| Wall to Ftg CL Dist                      | = | 0.00 ft        |
| Footing Type                             | = | Spread Footing |
| Base Above/Below Soil<br>at Back of Wall | = | 0.0 ft         |
| Poisson's Ratio                          | = | 0.300          |



**CENTERVILLE**  
*city*

**PLANNING  
COMMISSION**

**Staff Report**  
11/9/2022

**Item No. 4.**

**Title:** PUBLIC MEETING - Parking Modification Request - 380 South Main Street, Nathan and Kelly Payne,  
Applicants - ADMINISTRATIVE DECISION

**Initiated By:**

**Staff Representative:**

**SUBJECT:**

**RECOMMENDATION:**

**BACKGROUND:**

**ATTACHMENTS:**

1. 11-09-2022 PC Staff Report Parking Modification 380 South Main St, Cook Property
2. Applicant Submittal

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

**STAFF REPORT  
AGENDA: ITEM 4**

**PROPERTY OWNER:** C PROPERTIES LLC  
871 NORTH BONITO WAY

**APPLICANT:** DR. NATHAN PAYNE, DPM  
KELLY COOK PAYNE

**PROPERTY LOCATION:** 380 S MAIN STREET

**PARCEL SIZE:** 0.37 ACRES

**ZONING DISTRICT:** COMMERCIAL-MEDIUM/SOUTH MAIN STREET  
OVERLAY DISTRICT

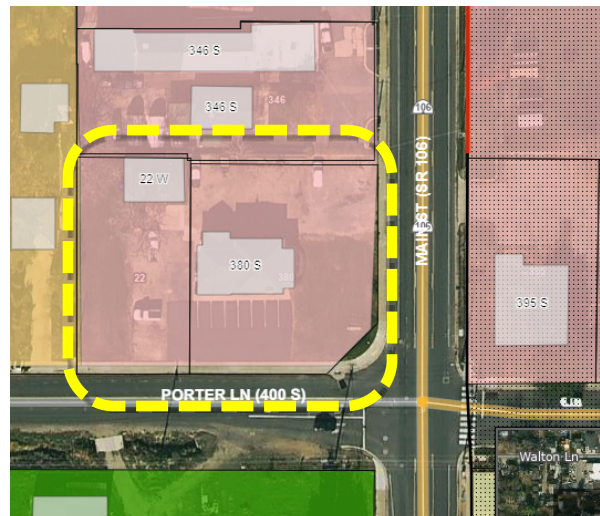
**APPLICATION:** PARKING MODIFICATION

**STAFF RECOMMENDATION:** CONSIDER APPROVAL WITH CONDITIONS

**Background**

Dr. Payne has leased a portion of the building (600 sq. ft.) located at 380 South Main Street. The other tenants include Cook Rentals and Global Security. The total building size, estimated, is approximately 2,300 sq. ft.

Because of the increased intensity of the new tenant's use and the city's parking calculations, the sum of the tenants' parking requirement exceeds the existing provided formally developed seven stalls, where 17 stalls would be required today (8.5 stalls for office uses & an 8 stall minimum for medical service). Based on the actual use of these tenants and the nature of their business of a medical service to "at home patients and no more than 3 patients per hour. Therefore, the applicant argues that this high calculation for formally developed parking is unnecessary for the true use of the property, given the past use of the gravel areas that were



historically used for parking and equipment storage of the former contractor sales and service use.

## ZONING ORDINANCE REVIEW

### Parking Modification Allowed by Planning Commission

12.52.110 (a) Modification Permitted. The number of parking spaces required under CZC 12.52.060 may be modified in accordance with the provisions in this Section. The purpose of such modifications is to avoid creating unnecessary parking areas that will be essentially unused.

In considering a modification, the Planning Commission may require a parking study to be completed as provided in Subsection (e).

12.52.110 (c) Commercial, Office, and Mixed-Use Development. The Planning Commission may **modify the number of parking spaces required or allowed for commercial, office, or mixed-use development** after considering the following factors and finding that adequate parking will be provided:

1. Total number of spaces that would otherwise be required for each individual establishment in the development;
2. Hours of operation for each business establishment located in the development, including peak business hours;
3. Estimated trade-off between businesses which are open when others are closed;
4. Availability of on-street or shared parking;
5. Transportation alternatives, including proximity to transit stations; and
6. Car or van pooling programs available to users of the development.

### **Current CZC 12.52.300 Parking Calculations Per Use**

|                                 |                                                                                                             |
|---------------------------------|-------------------------------------------------------------------------------------------------------------|
| Office Use                      | 5 stalls per 1,000 sq. ft. (existing non-conformity is 7 total stalls)                                      |
| Medical Service                 | 1 space per 175 sq. ft./8 stalls minimum                                                                    |
| Total Current Code Requirements | 8.5 stalls for office space<br>3 stalls/ 8 stall minimum for medical use<br><b>17 total stalls required</b> |

### SUMMARY OF APPLICANT'S RESPONSE

Because of the increased intensity of the new tenant's use and the city's parking calculations, the sum of the tenants' parking requirement exceeds the existing provided formally developed seven stalls, where 17 stalls would be required today (8.5 stalls for office uses & an 8 stall minimum for medical service). Based on the previous user and the actual use of these tenants (*see attachments for this report*) and the nature of their business of a medical service to "*at home patients and no more than 3 patients per hour*", the applicant argues that the ordinance required

calculations for the various uses, given the lower level of intensity than the previous use, is unnecessary.

Additionally, given the past use of the gravel areas that were historically used for parking and equipment storage of the former contractor sales and service use, there is more than sufficient infomral area for on-site parking.

### **Applicant's Proposed Parking Calculations Per Use**

|                         |                                                                                                                             |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Office Use (2 entities) | 4 stalls – patron parking                                                                                                   |
| Medical Service         | 3 stalls – patient parking                                                                                                  |
| Employee Parking        | Utilize Existing Gravel Areas – existing nonconforming equipment/employee areas previously used by the construction company |

### **PLANNING STAFF RECOMMENDATION**

(Suggested Motion) “I hereby make a motion for the Planning Commission to **APPROVE** proposed parking modification, as follows:

- 1) *The proposed parking modification is for the on-site parking counts located at 380 South Main Street.*
- 2) *The proposed parking modification count is as follows:*

|                                |                                                                                                                                        |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <i>Office Use (2 entities)</i> | <i>4 stalls – for patron parking</i>                                                                                                   |
| <i>Medical Service</i>         | <i>3 stalls – for patient parking</i>                                                                                                  |
| <i>Employee Parking</i>        | <i>Utilize Existing Gravel Areas – the existing nonconforming equipment/employee areas previously used by the construction company</i> |

- 3) *The parking modification is narrowly defined for and limited to the following businesses:*
  - i. *Cook Rentals Office – operating Monday-Friday from 9am to 12pm*
  - ii. *Global Security Office – a provider of security systems*
  - iii. *Both Cook Rentals and Global Security shall not exceed a combine total of three (3) employees.*
  - iv. *A Podiatry Office – consisting of only one medical provider and shall not exceed an operational patient capacity of three (3) persons per hour.*
- 4) *Any changes to the uses, as defined in this parking modification, or any proposed additional uses to the site shall NOT be undertaken, unless additional approvals are obtained from the City.*
- 5) *This parking modification shall become null and void if the conditions of this approval are found to be in violation or the approved uses are altered or abandoned in manner that required additional parking capacity, unless otherwise approved by the City.*

- 6) *The property owner shall sign an “affidavit of acknowledgement” to agree to the terms and conditions of this parking modification and intent to comply with the approval, which shall return to the Community Development Department.*
- 7) *This “parking modification” shall not become effective until the affidavit of acknowledgement is submitted, as per Condition 6.*

*(Suggested Reasons for Action/Findings)*

- a) *The Planning Commission finds that according to CZC 12.52.110(a), Parking Modifications, the Planning Commission may modify the number of parking spaces required.*
- b) *The Planning Commission finds that based on the historical construction sales and service use of the site for the parking of customer, employee, and equipment, the current actual uses and the proposed medical service use limited to “at home patients and no more than 3 patients per hour, the ordinance required calculations are unnecessary at this time.*
- c) *Therefore, the Planning Commission finds that, with the conditions imposed, the parking modification will accommodate the current parking demand for the site.”*

October 20, 2022

Re: Office Location: 380 South Main Street, Centerville UT 84014

TO WHOM IT MAY CONCERN:

My name is Kelly Cook Payne and my husband is Dr. Nathan Payne. We are requesting a parking modification to allow us to have a medical office at the 380 South Main Street, Centerville UT 84014. Historically the office building meets the requirements listed under the following zoning code:

**Modification under zoning code 12.52.110**

*(b) Shared Use Parking. The Planning Commission may authorize shared use of a parking lot subject to the following conditions:*

- (1) The uses sharing the parking lot are unlikely to produce a substantial demand for parking at the same time. The City may require a shared parking study to be completed to justify a conclusion that shared spaces will be used at different times of the day, week, month or year.*
- *(2) Required parking spaces reserved for persons with disabilities shall not be reduced.*
- *(3) Ongoing shared use of the parking lot is assured by a recorded agreement or easement approved by the City which requires:*
  - *(A) The parking lot to be continuously available unless an alternative legal parking lot is provided;*
  - *(B) All spaces to be available without charge;*
  - *(C) The Zoning Administrator to be notified 30 days prior to the expiration or termination of the agreement or easement; and*
  - *(D) Provision of additional parking up to the amount otherwise required under this Chapter if the Zoning Administrator determines, based on parking counts, that a shared parking lot does not satisfy the off-street parking demand of the uses involved.*

As you will see the property and businesses associated meet the requirements for this modification.

*“(1) The uses sharing the parking lot are unlikely to produce a substantial demand for parking at the same time. The City may require a shared parking study to be completed to justify a conclusion that shared spaces will be used at different times of the day, week, month or year.”*

Historically, 380 South Main Street, has shown it is able to accommodate parking for 20+ vehicles at any given time. Cook Builders previously rented our space. The office we are renting is approximately 600 square feet. For the past 15 years, Cook Builders employed 20+ employees with 10 people working in this office at any given time, as well as employees stopping by. All of the employees parked on the asphalt and surrounding gravel parking area. In addition to the employee cars, they also parked work trucks, trailers, and a dump truck on the property. The gravel on the north of the building has allowed for additional ample parking.

Cook Rentals, and Global Security occupy the other half of the building; They have 3 employees who come at varying times typically in the morning as Cook Rentals is only opened between 9am -12pm Monday thru Friday. There has NEVER been a parking issue. A customer comes for these businesses come once or twice per week and stay for only a few minutes as they drop off payments. Most of their business is done electronically or by mail.

RECEIVED OCT 25 2022

We recently moved back to Centerville and have started a solo physician Podiatry medical practice. Currently, Dr Payne operates and owns a successful practice in California. He treats patients in their homes and will continue in home patient treatment here in Utah. He would like the option to be able to treat patients in the office as well. We have no plans to hire any employees. His appointments, when working at the office, would be 3 patients per hour. His goal is not to see as many patients as possible. It is to focus on quality patient care instead of the quantity. Employees of both business have agreed to use the gravel parking areas in order to accommodate all potential customers/patient with asphalt parking. There are 7 asphalt parking spaces. This is more than enough to accommodate the needs of all the businesses, as historically shown.

- *“(2) Required parking spaces reserved for persons with disabilities shall not be reduced.”*

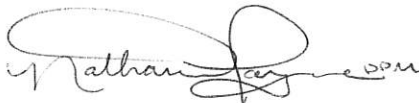
The required parking for persons with disabilities will not be affected in anyway.

- *“(3) Ongoing shared use of the parking lot is assured by a recorded agreement or easement approved by the City which requires:*
  - *(A) The parking lot to be continuously available unless an alternative legal parking lot is provided;*
  - *(B) All spaces to be available without charge;*
  - *(C) The Zoning Administrator to be notified 30 days prior to the expiration or termination of the agreement or easement; and*
  - *(D) Provision of additional parking up to the amount otherwise required under this Chapter if the Zoning Administrator determines, based on parking counts, that a shared parking lot does not satisfy the off-street parking demand of the uses involved.”*

There are not any daily/hourly/weekly parking restrictions. This is private parking with no fees attached. We have no plans or aspirations to become a large medical facility. Our Podiatry office operation is very small scale. Parking usage would be substantially (by 20+ vehicles) less than the property has historically held. If the parking demand ever changes, we agree to notify the Zoning Administrator 30 days prior to the termination of the agreement.

As you can see from above, we are compliant with all the requirements for a zoning modification. Historically 380 South Main Street, Centerville UT 84014 has shown this. We are substantially decreasing the parking use that the property has historically held. Thank you for your consideration.

Sincerely,



Dr Nathan Payne DPM  
Kelly Cook Payne  
Office: 801-447-1615  
Cell: 801-815-6862





**PLANNING  
COMMISSION**

**Staff Report**  
11/9/2022

**Item No. 1.**

**Title:** Community Development Director's Report

**Initiated By:** Planning Commission

**Staff Representative:** Cory Snyder, Community Development Director

**SUBJECT:**

**Next Planning Commission Meeting** - December, 14 2022

Tentative Items:

- TBD - Submittal Deadline is November 23, 2022

**City Council Action Report:**

- Zone Text Amendment, Landscape Ordinance Changes for Additional Water Conservation Measures - ***Council Approved - City Council Expressed Their Appreciation for the Planning Commission's Efforts***

**Planning Commission Goals:**

- Subdivision Ordinance - In Progress, needs 2022 State Amendments
- General Plan/Economic Update - **The city has made another application for a grant for this upcoming 2023 year.**
- **Parking Update - Council Tabled for Further Review**
- **Landscaping Ordinance Update - Completed**
- **Update Single-family Unplatted Lots Approval Process - Completed**

**RECOMMENDATION:**

**BACKGROUND:**

**ATTACHMENTS:**



**PLANNING  
COMMISSION**

**Staff Report**  
11/9/2022

**Item No. 1.**

**Title:** Minutes Review and Approval

**Initiated By:** Staff

**Staff Representative:** Cory Snyder, Community Development Director

**SUBJECT:**

October 12, 2022 Planning Commission Minutes

**RECOMMENDATION:**

**BACKGROUND:**

**ATTACHMENTS:**

1. 10-12-22 PC

**PLANNING COMMISSION MINUTES OF MEETING**  
**Wednesday, October 12, 2022**  
**7:00 p.m.**

A quorum being present at 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**

Kevin Daly, Chair  
Mason Kjar  
Matt Larsen  
Christina Wilcox  
Becki Wright, Vice Chair

**MEMBERS ABSENT**

Shawn Hoth  
Heidi Shegrud

**STAFF PRESENT**

Cory Snyder, Community Development Director  
Lisa Romney, City Attorney  
Whittney Black, Assistant Planner

**VISITORS**

Walker Wood, CW Urban  
Interested citizens

**PLEDGE OF ALLEGIANCE**

**LEGISLATIVE PRAYER OR THOUGHT**      Commissioner Wilcox

**PUBLIC HEARING – CONCEPTUAL SITE PLAN AMENDMENT RE-SUBMITTAL,  
THE HIVE DEVELOPMENT AT 555 NORTH 400 WEST**

At the September 28, 2022 Planning Commission meeting, the applicant requested the Commission table the application to further address comments made by the public and the Commission. The applicant made alterations to the site plan to address some of the issues discussed. Community Development Director Cory Snyder presented the altered site plan. He reported the City Engineer made a preliminary review of the proposed drainage system and did not have concerns, but a final review by the City Engineer would be necessary.

Walker Wood with CW Urban explained that the current grading was due to the 18-foot fall from 400 West to Frontage Road. He said garages would be at grade with the road, and the build-up that occurred was part of achieving a natural balance on the site. Mr. Wood described the proposed underground drainage system, and said he believed the new drainage proposal was an improvement. He spoke of an open house held on the site to help the applicant better understand concerns of neighbors. Mr. Wood said the new proposal included a level rather than sloped fence line along the north property boundary, and extended the retaining wall to the west side of the property.

Mr. Snyder answered questions from the Commission about lighting. Commissioner Wright thanked Mr. Wood for taking public and Planning Commission comments into consideration.

1 At 7:19 p.m., Chair Daly opened a public hearing.

2  
3 Alan Rohlifing, Centerville resident on Applewood Drive, thanked Mr. Wood for working  
4 with the Applewood residents. Mr. Rohlifing said he had no problems with the proposed fence,  
5 and said he hoped the proposed drainage system would be required to be reviewed and  
6 approved by the City Engineer.

7  
8 Zaun Barnes, Centerville resident on Applewood Drive, said he hoped the City would  
9 enforce requirements regarding light. He said the proposed fence would be at the lowest point  
10 along his property, adjacent to commercial development, and asked why the City had not  
11 required a buffer between the two different zones. Mr. Barnes shared the opinion that if the City  
12 allowed developers to include elements contrary to City ordinance in their master development  
13 plans, there was no point in holding the Planning Commission meeting that evening.

14  
15 Ryan Fowers, Centerville resident on 400 West adjacent to the subject development,  
16 said it was his understanding that no one representing Centerville went out to development sites  
17 to ensure developers followed initial building plans, and asked why that was the case. He asked  
18 why Centerville would allow a builder to install a fence leaving space between the new fence  
19 and an existing fence, creating a void of property that no one would maintain. Mr. Fowers  
20 expressed appreciation for Mr. Wood's cooperation and communication.

21  
22 Cathrine Draper, Centerville resident on Applewood Drive, thanked Mr. Wood for  
23 answering her questions. She said as far as she could tell, the proposed drainage system and  
24 fence looked like a good solution.

25  
26 Chair Daly closed the public hearing at 7:28 p.m.

27  
28 Mr. Snyder stated the City Engineer would review and verify the final drainage system.  
29 He said he was not aware of any permanent lighting on the commercial site. Current lighting  
30 was subject to construction lighting regulations. He explained that enforcement in Centerville  
31 was done on a complaint basis; the City did not employ an enforcement officer. Mr. Snyder  
32 stated the City Engineering Office and Building Inspector did inspect construction and field  
33 changes. He explained there was no law requiring a fence to be installed precisely on a property  
34 line. Mr. Snyder shared history of The Hive development applications and approvals. He  
35 explained that a buffer was present on the commercial site in the form of setbacks, required  
36 trees, and the required six-foot fence. Chair Daly commented that the Planning Commission  
37 began reviewing applications for The Hive in 2020, with a transparent public process  
38 throughout.

39  
40 Commissioner Kjar said he had not heard a compelling reason for the presence of more  
41 fill in the backyards than originally anticipated. Mr. Snyder answered questions from the  
42 Commission regarding private property fence requirements and responsibilities.

43  
44 Mr. Wood said the HOA would have maintenance responsibility of the drainage system.  
45 He said he would work with the Fowers to find the best solution for the fence gap. Mr. Wood  
46 said backyards on the north side of the property had not been final graded. He said fill was  
47 added to the backyards to address both privacy and slope. Mr. Wood thanked the neighbors for  
48 staying engaged in the process.

49  
50 The Planning Commission discussed conditions of approval. Commissioner Wright said  
51 she would prefer the Planning Commission to review the final site plan rather than delegate final  
52 site plan approval to the Zoning Administrator. Chair Daly expressed agreement.  
53 Commissioners Kjar, Wilcox, and Larsen said they would be comfortable delegating final site

plan approval to the Zoning Administrator. Commissioners expressed appreciation for the willingness of both the applicant and the neighbors to work together to find the best solution.

Commissioner Kjar **moved** for the Planning Commission to accept the Conceptual Site Plan requesting an increased fence height for The Hive Development, with the following conditions, including delegation of formal site plan approval to the Zoning Administrator, and for the following reasons for action. Commissioner Larsen seconded the motion. Commissioner Wright **moved to amend** the motion to require formal site plan review and approval by the Planning Commission. Chair Daly seconded the motion to amend. Commissioner Wright said she believed the amount of public input received warranted Planning Commission review of the final site plan. The **motion to amend passed** by majority vote (3-2), with Commissioners Daly, Wright, and Kjar in favor, and Commissioners Wilcox and Larsen dissenting. The **amended motion passed** by unanimous vote (5-0).

Conditions:

1. The proposed increased fence height of 1' to 3' shall be limited to the submitted plans depicted on Sheet C5.2 and C5.3, Grading Plan – Amended and the Retaining Wall System designed by Focus Engineering & Surveying, LLC, dated August 24, 2022, as further amended by submissions on October 5, 2022, October 6, 2022, and as further modified by drainage plan presented to the Planning Commission on October 12, 2022.
2. However, the fencing shall be reduced/limited to the allowable 48-inch height in the front yard setback area of 400 West – See CZC 12.55.110(b) – missed labeled/typed as (a).
3. The Applicant shall prepare and submit a Final Site Plan for amending the fencing, retaining system, drainage plan for formal site plan approval from the Planning Commission [See CZC 12.21.110(e)(4), Final Site Plan].
4. This accepted amendment to the fencing, retaining, and drainage plan shall be reviewed and deemed acceptable by the City Engineer, for compliance with applicable ordinances and codes adopted by the City.
5. This accepted amendment to the fencing, retaining wall system, and the drainage plan may be modified in compliance with the City Engineer's recommendations, provided however, the modification does not exceed the proposed 1'-3' increase in height.
6. A building permit for the fencing and retaining wall system shall be submitted and obtained from the City's Building Division, subject to approval by the Building Official.
7. This accepted amendment to the fencing and retaining wall system may be modified in compliance with the City Building Official's recommendations, provided, however, the modification does not exceed the proposed 1'-3' increase in height.

Reasons for action:

- a) The Planning Commission finds that according to CZC 12.55.110, Fences and Walls, the Planning Commission may approve a fence, wall, or similar structure not to exceed 10 feet in a rear area or side yard in the R-H Zone.
- b) The Planning Commission finds that on February 24, 2021, as part of the original Final Site Plan approval, the Commission communicated and encouraged the possibility of allowing an increased fence height.
- c) The Planning Commission finds that the increased fence height will assist in buffering the new development in this higher density zone that is adjacent to the residential low zone to the north (see CZC 12.55.110(4)(B)).

- 1 d) Therefore, the Planning Commission finds that, with the conditions imposed, the  
2 increased fence height is a benefit to the surrounding properties and/or help to buffer  
3 the use and is in the City's best interest for the development of the property.  
4

5 **PUBLIC HEARING – CONDITIONAL USE PERMIT, CLUBHOUSE MOTOR**  
6 **COMPANY AT 71 NORTH 1400 WEST**  
7

8 Chair Daly disclosed that he had known the applicant since junior high, but had no  
9 financial interest in the project, and believed he could be objective. Assistant Planner Whitney  
10 Black explained the applicant had applied for a Conditional Use Permit for the limited sale of  
11 used vehicles in the Industrial-High Zone located at 71 North 1400 West. The applicant wished  
12 to open a part-time hobby business selling used vehicles. The vehicles would be stored indoors  
13 in the flex office/warehouse space of an existing building. The applicant had indicated there  
14 would be no repairs on site, and customers would be served by appointment only.  
15

16 Ms. Black said the application appeared to be consistent with the General Plan. She said  
17 staff believed the existing site would be adequate for operating a small dealership, and the  
18 business would have little to no impact on the surrounding area. Based on the information  
19 provided by the applicant, staff were confident the proposed use would have minimal to no  
20 impact on the health, safety, and welfare of the area. Ms. Black said it was unclear how vehicles  
21 would be delivered to the site, and the 24 parking spaces at the location were already allocated  
22 by City ordinance to other businesses operating at the location.  
23

24 The Planning Commission discussed the possibility of a parking modification for the use,  
25 or a shared parking arrangement within the site. Ms. Black commented that the building  
26 currently had two other vacant tenant spaces. Responding to a question from Commissioner  
27 Kjar, Mr. Snyder stated an off-site parking arrangement may be possible.  
28

29 Sam Anderson, applicant, said he was currently leasing the same space for an e-  
30 commerce purpose, and received a business license from Centerville without any parking  
31 issues. He said he was unaware of the parking issue prior to the meeting. The Planning  
32 Commission discussed possibilities. Mr. Anderson emphasized that sale vehicles would be  
33 parked inside, and he would only need one outside parking space for himself. Commissioner  
34 Wright commented that he would also need a customer parking space.  
35

36 Mr. Anderson said he would be willing to agree to a delivery trailer size limit. Mr. Snyder  
37 suggested a condition that no off-site loading or unloading would be allowed in public rights-of-  
38 way. Staff confirmed the owner of the building had signed an affidavit acknowledging the  
39 parking situation. Ms. Black said the original site plan assigned the subject tenant space three  
40 parking spaces.  
41

42 Chair Daly opened a public hearing at 8:44 p.m., and closed the public hearing seeing  
43 no one present to comment. Chair Daly made a **motion** for the Planning Commission to table  
44 the Conditional Use Permit request for Clubhouse Motor Company located at approximately 71  
45 North 1400 West, and direct the applicant to either provide an analysis addressing the matter of  
46 insufficient parking in accordance with CZC 12.52.300 for this use as well as all users/tenant  
47 spaces on the site, or until such a time as a parking modification had been applied for and  
48 approved by the City in accordance with CZC 12.52.110. Commissioner Kjar seconded the  
49 motion, which passed by unanimous vote (5-0).  
50

51 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**  
52

53 Mr. Snyder reported there were currently no items for the scheduled October 28, 2022  
54 meeting agenda. The Planning Commission chose to cancel the October 28 meeting.  
55

**MINUTES REVIEW AND APPROVAL**

Minutes of the September 28, 2022 Planning Commission meeting were reviewed. Commissioner Wright **moved** to accept the minutes as unamended. Commissioner Wilcox seconded the motion, which passed by unanimous vote (5-0).

**ADJOURNMENT**

At 8:50 p.m., Chair Daly **moved** to adjourn the meeting. Commissioner Wright seconded the motion, which passed by unanimous vote (5-0).

\_\_\_\_\_  
Jennifer Robison, City Recorder

\_\_\_\_\_  
Date Approved