

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON APRIL 12, 2017 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

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

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

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

Tentative - The times shown below are tentative and are subject to change during the meeting.

Time:

7:00 PM **A. WELCOME AND ROLL CALL**

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Becki Wright

D. MINUTES REVIEW and ACCEPTANCE

March 8th and March 22nd, 2017

E. COMMISSION BUSINESS

- | | |
|------|---|
| 7:15 | 1. Public Hearing - Conditional Use Permit - 1110 W 650 N
ADMINISTRATIVE DECISION
Consider the proposed Conditional Use Permit for auto/vehicle sales for Ronin Motors. |
| 7:30 | 2. Public Hearing - Conditional Use Permit - 1343 West 75 North
ADMINISTRATIVE DECISION
Consider the proposed Conditional Use Permit for Arcoiris Reception Center in an Industrial Zone. |
| 7:50 | 3. Public Hearing - Conceptual Site Plan - 111 S Frontage Road
ADMINISTRATIVE DECISION
Consider the proposed Conceptual Site Plan for SDC Investments for a three story office building at 111 South Frontage Road. |

- 8:10 4. Public Hearing - Zoning Text Amendment
LEGISLATIVE DECISION
Consider the proposed Zoning Text Amendment to permit Churches and places of worship in Industrial-High Zones.
- 8:30 5. Public Hearing - Preliminary Subdivision - 1150 240 East
ADMINISTRATIVE DECISION
Consider the proposed Preliminary Subdivision for Chitose Johnson Subdivision
- 8:50 6. Community Development Director's Report
Upcoming Agendas:
Text Amendment to A-L Setbacks and Height
Cottage on the Corner Final Site Plan
Bleak Final Site Plan
Pages Lane Work Session/ Open House and Charrette
- 8:55 7. City Council Actions Report
Brighton Homes General Plan Amendment Request Denied

F. ADJOURNMENT

CENTERVILLE

Staff Backup Report 4/12/2017

Item No.

Short Title: March 8th and March 22nd, 2017

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ March 8, 2017 PC preliminary draft minutes (revised)
- ▢ March 22, 2017 PC preliminary draft minutes

PRELIMINARY DRAFT (2)

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, March 8, 2017

7:00 p.m.

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

MEMBERS PRESENT

David Hirschi, Chair

Cheylynn Hayman, Vice Chair

Gina Hirst

Kevin Daly

Logan Johnson

MEMBERS ABSENT

Kathy Helgesen

Becki Wright

STAFF PRESENT

Lisa Romney, City Attorney

Cory Snyder, Community Development Director

Cassie Younger, City Planner

Luanne Hudson, Recording Secretary

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Daly

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held February 22, 2017 were reviewed and found incomplete. Chair Hirschi made a **motion** to table approval of the minutes until the next meeting. Commissioner Johnson seconded the motion and it passed by unanimous vote (4-0). Chair Hirschi asked that a corrected version of the minutes be provided to commission members before the next meeting.

**PUBLIC HEARING – CONDITIONAL USE PERMIT, 1110 W 650 NORTH,
ADMINISTRATIVE DECISION, Consider a proposed Conditional Use Permit for vehicle
sales at 1110 W 650 North, David Smith, Applicant.**

City Planner Cassie Younger presented the Staff Report. She said David Smith has applied for a Conditional Use Permit for auto sales at 1110 West 650 North. This property is owned by Brad Vander Meyden, who has three other tenants on the site. Mr. Smith would be the fourth tenant on the site. The other tenants are general contractors and one electrician. Mr. Smith has a small operation selling only a few cars per year.

Ms. Younger explained that the proposed use will be located in an existing office/warehouse complex and appears limited in nature. Staff believes the proposed use is consistent with the goals and objectives of the General Plan. The City has approved several comparable vehicle sales uses in this same industrial area neighborhood. Other businesses in the area include warehousing, car repair, manufacturing, and other like uses. Given the proposed use will be occupying an already existing building, the use will not impose an additional impact on the built environment by way of added utility services or supportive infrastructure. Staff believes the use and the site could be adequate for operating a small dealership, as evidenced by other similar circumstances, and it will not likely create a large amount of noise or other harmful irritants to the surrounding community. Since the auto dealership will only receive a small number of customers, the proposed use will not likely increase the amount of traffic within the area.

Ms. Younger also noted it is anticipated that since some of the vehicles are being marketed for purchase, the vehicles on display will likely be operable and in good aesthetic condition, meaning that no junk vehicles, vehicles in need of repair, or wrecked vehicles would be stored on site. Ms. Younger noted that a common recurring concern with auto sales is how vehicles are delivered, loaded and unloaded at the site. Ms. Younger said there have been problems in the past, with other similar companies, regarding the loading and unloading of vehicles. Deliveries can block parking and access, or trucks may stay on the public roads and create a hazard. To mitigate such concerns, Staff recommends prohibiting the use of public streets for unloading/loading operations. All unloading and loading operations must be done on-site.

After calculating parking spots for the paved area of the site, it appears there is more than adequate parking for all four suites. With reasonable conditions of approval, there shouldn't be any issues regarding adequate parking, loading/unloading, and vehicular circulation on the site. Ms. Younger said Staff recommends that the applicant paint and stripe the parking stalls to clearly identify adequate parking.

Chair Hirschi asked Staff for clarification of the recommended condition regarding on-site loading and unloading of vehicles and said he did not see this as a listed condition in the proposed motion. Ms. Younger said the condition is that all loading and unloading of vehicles will be done onsite and off public streets and right-of-way. This should be added as Condition 5. Chair Hirschi asked if there were any questions for Staff.

Commissioner Daly asked if there is anything that would prevent a reallocation of the parking stalls. Director Snyder answered no and further commented that such allocation of parking stalls would likely be provided for in the lease agreements and would be a discussion between the landlord and the tenants. Chair Hirschi invited the applicant to address the Commission.

Dave Smith addressed the Commission. He said he delivers most of his cars on a personal trailer, so there won't be an issue with big delivery trucks. He said the property owner plans to put stripes down but he's waiting for the weather and he is sure it will be done in a week or two.

At 7:17 p.m. Chair Hirschi opened the public hearing and invited comment. Seeing none, he closed the public hearing at 7:17 p.m. He asked for any further questions. Commissioner Hirst asked the applicant how many vehicles per year he anticipates selling. Mr. Smith said his goal is to sell two or three a month and that he has no aspirations to have a huge dealership.

Chair Hirschi asked for other questions and hearing none, made a **motion** for the Planning Commission to approve the conditional use permit for David Smith Auto Sales, at 1110 West 650 North, Suite A, with the following conditions as amended by the Planning Commission and the Suggested Reasons for Action as amended by the Planning Commission. The motion was seconded by Commissioner Johnson and passed unanimously (5-0).

Conditions of Approval as amended by the Planning Commission

1. This Conditional Use Permit shall apply only to the user space located at 1110 W 650 North, Suite A.
2. This CUP approval is for vehicle sales, limited for the suite.
3. All display vehicles shall be operable and in good condition, and the display of vehicles shall be limited to no more than two (2) vehicles and are to be located within the warehouse space for Suite A.
4. Paved portion of the parking lot should be striped as shown in the Site Plan provided by David Smith, with 7 spots per tenant, or 35 spots total before he shall assume operations.
5. All loading and unloading of vehicles will be done onsite and off public streets and right-of-way.

Suggested Reasons for the Action (Findings)

- 1 1. The applicant has submitted a complete application for a Conditional Use Permit [Section
- 2 12-21-100.d.1].
- 3 2. The use of vehicle and equipment rental or sales is a permitted use within the Industrial-
- 4 High Zone with a Conditional Use Permit [Chapter 12-36].
- 5 3. The use is consistent with the expectation of the City's General Plan [Section 12-430-1 &
- 6 Future Land Use, Goal 1, 12-480-6].
- 7 4. The use does not appear to have any negative impacts to the existing property and the
- 8 surrounding community that have not been mitigated by the conditions of approval
- 9 [Section 12-21-100(e)(3)(A-D), 12-21-100(e)(5)(A-K)].
- 10 5. Adequate parking is provided for all four tenants on the lot, [12.32.300].

**PUBLIC HEARING – CONCEPTUAL SUBDIVISION, CONCEPTUAL SITE PLAN,
AND PD ZONING MAP AMENDMENT- 1030 N 950 WEST, Administrative and
Legislative Decisions, Consider a proposed Zone Map Amendment to Planned
Development Overlay, along with a Conceptual Site Plan and Conceptual Subdivision for
the Parrish Creek Business Park at 1030 North 950 West, Roy Swalberg, Tom Stuart
Construction, Applicant.**

Centerville City Planner Cassie Younger presented the background staff report and updates. She said in 2011, Rick Jensen submitted a Conceptual Site Plan and PDO Overlay application for this property. It has since expired. Rimini Properties has taken over the property and submitted a similar plan for Parrish Creek Business Park. This site, located on the northern edge of the industrial area, between Interstate 15 and Legacy Highway, provides excellent visibility from both highways, but also includes many acres of wetlands. Geographic and environmental constraints make it problematic for typical land use development under conventional zoning regulations, specifically with the need to exceed a maximum cul-de-sac depth of 400 feet. Staff had previously recommended that the petitioner seek a "Planned Development Overlay" (PDO) approval to facilitate the development. Staff also informed the developer that in order to gain the needed flexibility, the project would need to achieve a project design superior to the conventional development standards. Much of the conceptual plan and the issues have remained the same. Planner Younger said this item has three applications:

- Zoning Map Amendment – Planned Development Overlay
- Conceptual Site Plan Analysis
- Conceptual Subdivision Analysis

Ms. Younger gave a detailed review of each that included the background of the project, criteria for approval, the applicant's ability to meet the criteria, as well as Staff's Recommendation. She noted the applicant may have miscalculated in providing twice as much parking as is required for Buildings C and D.

1 Community Development Director Snyder said Building B will be closest to Legacy
2 Parkway and therefore is of special concern. He noted this project is not in the Shorelands
3 Commercial Park. It is located in the Industrial Park so the split-face cement block is the only
4 decorative element provided for in the industrial design. Chair Hirschi noted where this is a
5 PDO and where the Commission has a concern with the back area of Building B along Legacy,
6 the Planning Commission has an opportunity to impose additional conditions, one of which may
7 be adopting the Shorelands Commercial Park design guidelines overall. He said perhaps that is
8 too restrictive for their entire campus and asked for Staff's comments.

9
10 Director Snyder said that would be a discussion with the applicant and added his feeling
11 the applicant is being sensitive to the wetlands. He said Shoreland guidelines have some red
12 flags, including minimum use of roads and curbs and so forth. For example, the ability to have
13 road lanes in each direction would not comply with the Shorelands design guide.

14
15 Chair Hirschi noted the project is in the conceptual state, but asked if the Commission
16 recommends PDO approval, does it have the opportunity to go back and look at architectural
17 design and other conditions or is it locked in? Director Snyder responded the answer is both yes
18 and no. He said any final site plan conditions will look to the narrative approved by the Planning
19 Commission. If the Commission wants to stipulate items, then it becomes a custom zoning
20 ordinance. He explained that anything the Commission does not vary in the PDO is picked up by
21 the I-H Zone standards; the PDO overlays it.

22
23 City Attorney Romney added that the PDO is a legislative decision where the
24 Commission and City Council have the most discretion. She said this is the one scenario where
25 the Commission and Council get to look at the conceptual subdivision and the conceptual site
26 plan along with the rezoning request to get a picture of what the applicant is proposing and to be
27 sure it is a better-than-typical subdivision development. She agrees with Director Snyder that
28 once you get into other administrative decisions, you are merely implementing the narrative the
29 Commission has approved. She recommended the Commission provide as much direction and
30 comment on design elements at the PDO zoning stage as possible.

31
32 Commissioner Hayman asked if both the City Engineer and the Fire Department have
33 officially signed off on the Conceptual Site Plan. Director Snyder said they have both signed off
34 at a conceptual level. Chair Hirschi asked if there was any kind of access agreement or cross
35 easement agreement that would allow access to Building C from the cul-de-sac in the event
36 subdivision lots are sold off. Director Snyder responded that during the preliminary and final
37 review he would expect the plat would reflect cross access down the property lines. Director
38 Snyder added this is the Commission's chance to give the applicant a directive on its
39 expectations and this would be a good time to add that condition. Commissioner Hirst asked if
40 the Army Corps of Engineers has issued a permit and Director Snyder said yes. He said this

1 PDO reflects the Army Corps' mitigation plan that was transferred with the purchase of the
2 property, and he will verify that has remained in place.
3

4 Chair Hischi invited applicant Ken Stuart to address the Commission. Applicant Stuart is
5 the Vice President of Operations for Tom Stuart Construction and the Director of Project
6 Development for the development company that actually will own the entity. He said with
7 respect to parking, they will recalculate to see if there has been an error. He indicated they
8 intend to maximize the amount of usable space in the buildings and keep the parking stalls in line
9 with the City ordinance. He recalled the last time he met with the City Attorney there was an
10 issue about an easement that went across the property. He said that easement has been vacated
11 and is reflected in the updated title report. He addressed the Commission's concerns about the
12 look of the proposed buildings and said they will use modern architectural embellishments
13 similar to ones they have used on industrial buildings throughout the country. He said with
14 respect to the extension of the cul-de-sac, it is necessary to reach properties on the north and
15 added there is an agreement with the Army Corps of Engineers to go across the canal and create
16 a roadway.
17

18 Commissioner Hayman referred to Staff's report about an excessive number of parking
19 stalls. She asked if it was the applicant's intention to cut those back. Mr. Stuart said he hoped
20 there was no error, but if there was, they would recalculate the number of parking spaces because
21 their objective is to maximize density and be maximally productive. Commissioner Johnson
22 asked about the interplay with what the Commission approves and what the tenant wants,
23 especially with regard to the size of the building. Director Snyder answered that the applicant
24 has to be in substantial compliance with the master plan, so there is some flexibility. He added
25 that as long as the applicant meets the parking and design elements of the campus design, there is
26 some flexibility in the final design. He said substantial compliance will be determined by the
27 Commission as it reviews the final site plan. Applicant Stuart explained the parcel has 17 acres
28 in total but only 12 net useable acres, so it is hard to squeeze anything larger than 57,000 feet
29 into the space. Commissioner Hayman asked if the applicant had any concerns with Staff's
30 comment with regard to lots four and five and the green space requirement. Applicant Stuart
31 answered it is their objective to try and maximize green space because it not only looks better but
32 it's less expensive.
33

34 Chair Hirschi reiterated that if the Commission approves the PDO then it approves the
35 narrative as well. He said the narrative doesn't provide a lot of detail and asked for more detail
36 on past practices and what the applicant intends to do as far as architectural design on these
37 buildings. Applicant Stuart said they are one of the largest concrete contractors in the state and
38 for this project they envision using integrated concrete with metal paneling. Chair Hirschi
39 clarified his concern about the back of Building B, as it is very visible from Legacy Parkway and
40 near the entrance to the City. Applicant Stuart said they will be happy to upgrade the narrative,
41 get it on the agenda, and make sure they are providing what the Commission wants.

Chair Hirschi opened the public hearing at 8:07 p.m. and invited public comment. Seeing none, he closed the public hearing at 8:07 p.m. Chair Hirschi asked Director Snyder about the Commission's options: 1) to table the motion and ask the applicant for more detail in the narrative; or 2) to suggest something in the recommendation to the City Council that would prompt further action. Director Snyder suggested adding language to Condition 5 under Motion One to the effect that the applicant shall provide, as part of the submittal to the City Council, a summary of the architectural elements and theme consistent with those presented to the Planning Commission, detail on the design of the rear-facing building facing Legacy Parkway, and the addition of the Shorelands design theme.

Commissioner Hirst asked for clarification of what is included in the Shoreland design theme. Director Snyder said the best way to describe it is upland. Uplands are areas near the Great Salt Lake where formal landscaping is less desirable. The design theme features minimal use of trees, narrow roads, undulating lines, less signage and industrial buildings with a 150 to 200 foot depth relationship to Legacy Parkway. He said much of what the applicant is proposing fits the upland's building expectations.

Chair Hirsch said the application has several parts and suggested the Commission deal with one at a time. He asked for a motion on the PDO. Commissioner Johnson made a **motion** to the Planning Commission to recommend approval to the City Council regarding the request for the I-H PDO Zone for the proposed Parrish Creek Business Park as reflected in Motion One of the Staff Recommendation, items 1-6, as amended by the Planning Commission and Suggested Reasons for Action A-E.

Conditions of Approval as amended by the Planning Commission

1. The properties shall be rezoned to I-H/PD and limited to the area shown in the illustrative Aerial Parcel Map, submitted Feb 3, 2017; also known as Parcel 06-003-0050.
2. The PDO approval shall be subject to the City Council approval of proposed PDO.
3. The PDO approval has an expiration clause of one (1) year from the adoption date of the requested PDO approval, or may be extended upon approval for one (1) additional year, in accordance with Section 12-41-080 of the Zoning Ordinance.
4. As part of the PDO approval, the Parrish Creek Business Park Final Site Plan, and all subsequent development applications shall be subject to and reflect in substantial detail the approved PDO Conceptual Site Plan.
5. The PDO is subject to the narrative and architectural concepts provided by Tom Stuart Construction on February 3, 2017. This includes details about landscaping design, wetlands preservation, and preliminary architectural concepts and sketches by A E Urbia architects and engineers. The narrative will be upgraded to include additional detail on architectural elements and theme, provide detail on the look of the rear-facing building

(B) that is clearly visible from Legacy Parkway, and integrate, insofar as possible, the Shorelands Design Theme.

6. Variations may be allowed from the conventional ordinances and regulations or as specifically approved as part of any final site plan and subdivision approval:

i. **Maximum Cul-de-sac length of 400 feet** – The development plans specifically need additional length allowance for access into the furthest buildings of the lot. The additional length will mitigate concerns of safety by provided additional width of the road, and aesthetic concerns by providing landscaped medians for visual relief.

ii. **Building Floor Area --** Building A may exceed the 50,000 square foot maximum requirement and have a floor area of a maximum of 57,000 square feet.

Suggested Reasons for Action (findings)

a. The Commission finds that Section 12.21.080(c) authorizes a “property owner or authorized agent” to initiate a PDO zone map amendment.

b. The Commission finds that the proposed request for the PDO Zone reflecting the proposed layout, integration of the wetlands and the built environment, and related amenities and architectural theme creates a viable and vibrant business park area, as originally envisioned in Goal #1 of the West Centerville Neighborhood Plan for enhancing the North Business Park area.

c. The Commission finds that the Parrish Creek Development Plan also sets forth a new synergy in investment and appeal for the West Neighborhood area.

d. In order to make findings necessary to approve a PDO zone, the Commission finds that Section 12-41-080(c) allows for Conditions to be imposed to assure the planned development will follow the listed and the applicable development standards of Section 12-41-100.

e. The Commission finds that the general building and parking lot layout, the proposed uses, and integration of wetlands and landscaping can or will meet the intent of the general provisions of the PDO Zone and will be subject to further site and subdivision approvals to ensure compatibly of the I-H and PDO Zoning Ordinance provisions.

Commissioner Daly seconded the motion. Two additional amendments were added to the motion. City Attorney Romney added there is a new version of the Staff Report on Novus that contains corrections on Conditions 1 and 2. Commissioner Hayman suggested the applicant add photos of similar buildings they have completed before the submission goes to the City Council. Commissioner Johnson added both amendments to the motion. The Chair asked for a roll-call vote and the motion passed unanimously (5-0).

Chair Hirschi introduced the next proposed action to accept the Conceptual Site Plan. Commissioner Hirst made a **motion** that the Planning Commission accept the Conceptual Site Plan for Parrish Creek Business Park at 1030 North 950 West, with the directives 1-5 as outlined

1 in the Staff Report and Reasons for Action A-C. Commissioner Hayman seconded and the
2 motion passed unanimously (5-0).
3

4 **Conditions of Approval as amended by the Planning Commission**

- 5 1. Conceptual Site Plan is subject to the acceptance of PDO Approval by the Planning
6 Commission and City Council.
- 7 2. A final site plan application shall be submitted following the criteria found in Section
8 12.21.110(e)(2) of the Zoning Ordinance.
- 9 3. A complete landscape plan shall be prepared by a licensed landscape architect and
10 follow the criteria found in Chapter 12.51 of the Zoning Ordinance. This plan shall
11 be submitted with the final site plan and indicate the following: Type and location of
12 all vegetation, total calculations and percentages of landscaping vegetation, and
13 irrigation plan. This should be done with adherence to the Landscape narrative
14 provided by Tom Stuart Construction on February 3, 2017.
- 15 4. The final plans shall indicate the location and types of all signage, which follow the
16 codes in 12.54.
- 17 5. Ensure all utility lines are noted on the Final Plan. All applicable Utility Provider
18 Sheets shall be submitted as part of the final site plan application.
19

20 **Reasons for Action**

- 21 a) The conceptual site plan submittal has adequately shown how the property may be
22 developed [Section 12.21.110(d) (2)].
- 23 b) The development appears to be consistent with the goals and objectives found within
24 the Centerville City General Plan. 12-480-3.
- 25 c) The Conceptual Site Plan that has been submitted depicts how the site could be
26 appropriately developed and with some alteration could be designed to comply with
27 the applicable provisions of the Industrial-High Zone and other relevant regulations, as
28 discussed in the Planning Staff Report.
29

30 Chair Hirschi introduced the application for a conceptual subdivision plat and asked for
31 discussion or a motion. Commissioner Daly made a **motion** for the Planning Commission to
32 accept the conceptual subdivision plat for the Parrish Creek Business Park located at 1030 North
33 950 West subject to the Conditions 1-3 in the Staff Report, and suggested Reasons for Action A
34 and B. Commissioner Hirst seconded and the motion passed unanimously (5-0).
35

36 **Conditions of Approval as amended by the Planning Commission**

- 37 1. The Conceptual Subdivision is subject to the PDO approval by the Planning Commission
38 and City Council.
- 39 2. Preliminary and Final Subdivision Plans must be submitted in accordance with Municipal
40 Code Title 15.
- 41 3. Final Subdivisions Plans will need approval of the City Council.

Suggested Reasons for the Action (Findings)

- a) The conceptual subdivision appears to be consistent with the General Plan.
- b) Adequately meets Subdivision Ordinance Standards in the Municipal Code, Chapter 15-5. The applicable review standards of the Subdivision Ordinance pertaining to a Conceptual Subdivision application have been reviewed and directives established to allow the proposal to proceed to preliminary subdivision plan submittal.

PUBLIC HEARING – AMENDED SITE PLAN AND PDO APPROVAL – 1250 WEST PARRISH LANE, Legislative and Administrative Decisions, Consider proposed Amended Site Plan and PDO approval for Legacy Trails Apartments at 1250 West Parrish Lane, Fred Hale, Applicant.

Community Development Director Snyder provided a background report on the existing Legacy Trails project, aka the Maverick site. He said the City received an application for a site plan amendment. The applicant is requesting a change of fence design elements from the existing PDO, specifically to amend the project's fencing design scheme along Parrish Lane and along the trail system path. In addition, the applicant wants to eliminate the decorative barrier fence required by UDOT and go to a pillar and rod iron design. Lastly, a small segment of the trail system was realigned around a ground-based power box and a property line adjustment is needed to place the trail back into the UDOT right-of-way, pursuant to agreements with the developer, the City and UDOT. Director Snyder said he is fairly supportive of the concept of an open fence design, however, he made a point of noting the site plan in the original PDO called for two access points to allow residents to go onto the trail and those should be maintained.

Applicant Chad Salmon addressed the Commission. He explained that he and his partner Fred Hale own the Legacy Trails project. He said the installation of the chain link fence on the west side of the property between Legacy Trail Apartments and Legacy Parkway was an oversight on their part and he apologized, adding they didn't intentionally go behind the Council's back.

He said they installed the fence due to concerns from their bankers and from residents about the security of vehicles parked along the west side of the property, as well as a security concern about trail users coming into the apartment property. He explained their decision-making process in deciding to install a chain link fence rather than the three-rail approved fencing. They wanted to install an attractive fence that would meet the 150 mile an hour wind code as well as address their concerns regarding security, graffiti, longevity, and design. They considered a white vinyl fence, but concluded the wind, weather, and sun take a toll on white vinyl fencing. He said they looked at the City's fencing on the overpass and saw it contains a segment of bronze colored, décor-type chain link fencing. In order to improve the look of their chain link fence, he had the fence installer powder-coat the fence posts and add color and texture on the chain link.

1
2 Chair Hirschi asked if Applicant Salmon intended to install security gates that would
3 allow more free access to the trail. Mr. Salmon said the chain link fence already contains a gate
4 so residents and the public can get to the trail but added the main access to the trail is from
5 Parrish Lane. He said they have the ability to make it a key access, but they do not have any
6 intention of keeping the public out unless it becomes a nuisance. He added the trailhead is meant
7 to be on the corner of 1250 West and Parrish Lane and not the back of their apartments. Chair
8 Hirschi asked Mr. Salmon if he had any preliminary discussions with UDOT about eliminating
9 the design criteria for the fence along Parrish Lane. Mr. Salmon said UDOT is reviewing it now.
10

11 At 8:40 p.m., Chair Hirschi opened the public hearing and invited members of the public
12 to come forward. Seeing none he closed the public hearing at 8:40 p.m. He asked if there were
13 any further questions. Commissioner Johnson asked Director Snyder if there was a way to craft a
14 recommendation to accommodate whatever decision UDOT makes. Chair Hirschi asked for
15 clarification, but said he did not think they could craft language around an approval or
16 disapproval.
17

18 City Attorney Lisa Romney explained the complicating factor is the City has entered into
19 an agreement with UDOT on the maintenance of the fence. That agreement has pictures
20 showing the details of what the fence is supposed to look like, exactly where and what fence, and
21 also the property line that has to be moved. She said the way the conditions are currently drafted
22 in the Staff Report are satisfactory to address this issue. UDOT's approval of the changes to the
23 fencing are necessary and required and the City cannot approve the changes if UDOT is not
24 willing to amend the existing agreement.
25

26 Commissioner Hayman asked the applicant if they ever considered installing a wrought
27 iron fence to match the fence they are considering for Parrish Lane and Mr. Salmon said no
28 because it would be too expensive. Commissioner Hayman said she did not prefer the chain link
29 fence from an aesthetic point of view but she was not inclined to have it rebuilt.
30

31 Chair Hirschi asked the approximate length of the chain link fence and Applicant Salmon
32 said it is close to 400 feet and they are awaiting approval regarding a gas line in order to
33 complete the last small area that is open now. The Chair followed up with a question about what
34 type of fencing was further south and Mr. Salmon responded it is Legacy Granite's white vinyl
35 fence with some blowouts. Chair Hirschi asked Staff to confirm there was no requirement for a
36 fence at all. Director Snyder replied there is no requirement for a fence, but there is a PDO
37 design guideline for a solid white vinyl fence.
38

39 In discussions with the applicant before the fence went in, Director Snyder said he had
40 concerns about wind and graffiti that would annihilate a white vinyl fence if it were installed for
41 security purposes. Chair Hirschi said he agreed that white vinyl was not the best looking fence,

1 but added that in this particular application, PVC white vinyl coated or brown coated chain link
2 fencing would solve the challenges. The Chair suggested another option would have been to
3 install the 3-rail fence similar to that installed along the trail.
4

5 Commissioner Hirst made a **motion** for the Planning Commission to recommend to the
6 City Council approval of the petition to amend the Legacy Trails development's PDO approval
7 and conceptual site plan, with Items A – E as outlined in Staff's Report and the Suggested
8 Reasons for Action A and B. The motion was seconded by Chair Hirschi and the motion passed
9 unanimously (5-0).
10

Conditions of Approval as amended by Planning Commission

- a. All fencing shall comply with the new design consisting of the following:
 - i. A short 4-5' wrought-iron & intermittent brick/rock pillars fence. The fence would be constructed along the landscaped entrance at the Parrish Lane and tie into a monument entry sign at the entrance and then proceed west along the inside trail shoulder along Parrish Lane and terminate at the detention/dog park facility.
 - ii. A 6-foot vinyl coated open chain-link fence w/ 5"x5" tube poles every 40'. This style of fence would begin at the detention/dog park facility and then continue along the trail system on the west side of the development.
- b. The two (2) originally planned west side access points shall be installed to allow resident access to the trail system.
- c. The applicants shall obtain UDOT's approval for the elimination of the fencing within the Parrish Lane park strip, which shall be formalized upon amending the existing agreement between the City and UDOT, and/or as deemed acceptable by the City.
- d. A lot line adjustment, between the land owner and UDOT, for the trail alignment shall be completed, as deemed acceptable by the City Attorney.
- e. All other related or associated conditions of the Legacy Trail Development PDO Approval remain in effect with this amendment.

Suggested Reasons for the Action (Findings)

- a) The Planning Commission finds that amendments to a PDO approval are subject to the original procedure used for obtaining a preliminary approval.
- b) The Planning Commission finds that amendments are consistent and compatible with the originally approved expectations of the PDO Plan for the Legacy Trails Development.

**PUBLIC HEARING – CONCEPTUAL SITE PLAN AND ZONING MAP AMENDMENT
-- NW CORNER OF PARRISH AND 1250 WEST, ADMINISTRATIVE AND
LEGISLATIVE DECISIONS, Consider proposed Conceptual Site Plan and Zoning Map
Amendment of Legacy Commons Planned Development at the northwest corner of Parrish
Lane and 1250 West, Spencer Wright, Applicant.**

Commissioner Logan Johnson recused himself from this application review as he works for the applicant. Upon this disclosure, the Chair Hirschi excused Commissioner Johnson from the dais and Mr. Johnson left the room.

Community Development Director Cory Snyder presented the Staff Report. Staff believes that the request for the rezone to PDO to allow a master plan project that integrates commercial and residential uses is in harmony with the stated goal and associated objectives of the West Centerville Neighborhood Plan. The opportunity to develop a gateway mix of hotel, commercial, and multi-family residences will be a significant enhancement that should add additional value to surrounding properties and provide some services missing in the area,

specifically with providing hotel space for the Class "A" Office buildings located in the neighborhood and just across the freeway. The hotel provides options for companies to host events, particularly training seminars for employees and clients.

Staff believes this is the last and final segment to implement the multi-family residential element that was originally envisioned at this neighborhood node. Mr. Snyder noted that a strong multi-family neighborhood identity creates synergy for this particular housing style, which in turn promotes continued investment in maintenance and upkeep to encourage housing product longevity and stability. Regardless of what uses are developed, the traffic impact would be of the greatest concern. Mr. Snyder also explained that the State has now installed the long-desired traffic signal at 1250 West Parrish Lane that maximizes the ability to manage traffic in this area. For Staff, the largest concern on this site is vehicle access and circulation. Nevertheless, this concern can be best addressed in the review and acceptance of the site plan approval processes.

The proposed plan depicts a new access onto 1250 West located between the 1250 West Parrish Lane intersection and 500 North. This new access is potential cause for concern for the City Engineer and Public Works Director. Staff believes that a Traffic Study would help evaluate this concern. Staff believes that the proposed Legacy Commons Mixed-Use project is a viable and desirable development scenario for the Parrish-Legacy Gateway area. The supportive arguments are as follows:

- a. The proposed mixture of commercial and residential uses is consistent with the West Centerville Neighborhood Plan.
- b. The West Centerville Neighborhood Plan envisioned only medium box type commercial uses, capped at 125,000 sq. ft.
- c. The market conditions are not ripe now, nor likely in the future for medium box commercial uses, as evidence by the following:
 - i. Farmington Station Park was developed after the West Centerville Plan adoption.
 - ii. Farmington Station Park has likely saturated the market for developing medium box type commercial uses.
- d. To date, Legacy Crossing at Parrish Lane provides space for medium box type commercial uses and Legacy Trails provided two (2) smaller commercial lots that have not yet come to full fruition.
- e. Limiting the allowance of other types of multi-family development negatively impacts the planned allowance of multi-family development at this node in the West Centerville Neighborhood.
- f. Not master planning this site creates the potential for limiting the developed area and would isolate the excess UDOT property and reduce or eliminate any cost recovery by UDOT selling excess public property. This will need to become a partnership with the property owner, the City, and UDOT.

1 g. Master Planning the entire area is better suited to addressing any impacts than piecemeal
2 development under an already long list of permitted commercial uses.

3 h. Lastly, considering a PDO rezone provides an enhanced tool to address any development
4 related concerns and maximize the development opportunities for the entire site.

5
6 The submitted application contains the conceptual site plan layout and design concepts.
7 However, the applicant has indicated to Staff that if the City is not willing to consider allowing
8 the multi-family option for acquisition of UDOT's excess property adjacent to their land, then it
9 would not be cost effective for them to expend monies on the engineering costs for the "existing
10 conditions inventory" and other like design preparation expenses. Consequently, they desire to
11 seek an understanding of the political and public will and if favorable, move forward with the
12 expenses to complete the conceptual plan expectations.

13
14 Applicant Spencer Wright addressed the Commission. He is with Wright Development
15 Group at 1178 West Legacy Crossing in Centerville. He said they are excited about potentially
16 adding value for the City through a hotel and commercial property. He offered the Commission
17 a drawing of the UDOT parcel that Wright Development is under contract to purchase. He is
18 seeking a PDO to move the commercial development upfront onto the Parrish Lane part of the
19 parcel and open up land in the back for residential. He said Wright Development has worked on
20 other commercial retail developments in Centerville including the building in front of the
21 Walmart, Joanne's and the Starbucks buildings. He said he agrees with Director Snyder's
22 analysis that the challenge for commercial development on the west side of the City is there are
23 not enough house tops to fuel retail activity. He also added the freeway acts as a natural barrier
24 for residents going to shop. He said this project will be a good mixed-use project that will benefit
25 the City. Applicant Wright said, with the help of Centerville City, he is willing to approach
26 UDOT about improving access to the parcel. He said Wright Development is open to the City's
27 input on design guidelines, including the Shorelands and the Parrish Lane Design Guidelines.

28
29 Chair Hirschi expressed interest in including a restaurant pad next to the hotel and
30 confirmed that while the project is described as mixed use, the residential component would not
31 include retail in the buildings themselves. Applicant Wright agreed with both. Further queried by
32 the Chair about details on the residential development, Applicant Wright said it would be a three
33 or four-story apartment building, adding they recently completed a similar apartment project in
34 Pleasant Grove, Utah right next to Walmart. Commissioner Hayman asked how large of a hotel
35 they were envisioning in terms of rooms. Applicant Wright replied it is between 100 and 110
36 rooms and three or four stories.

37
38 At 9:18 p.m. Chair Hirschi opened the application for a public hearing. Seeing no
39 comments he closed the public hearing at 9:18 p.m. and asked for additional discussion or a
40 motion. Chair Hirschi expressed his appreciation that a developer is willing to bring this corner
41 into the 21st century with an upscale development that positively influences other properties in

1 the area. He said he is inclined to send this application to the City Council sooner rather than
2 later, even with pushback about multi-family residential, noting increased residential is key to
3 commercial development on the west side of Centerville.

4
5 Commissioner Hirst said while she is not opposed to the higher density in this area. She
6 asked Staff if it creates an unstable environment to have all rentals in that area. **Mr. Snyder said**
7 **residential development on the west side has a mixed review. He said it does not have an A+**
8 **rating, but he thinks it is working. His concern is that if the City isolates the area, it loses**
9 **synergy.**

10
11 Chair Hirschi made a **motion** for the Planning Commission to recommend the action with
12 Condition 1, 2 and 3 from the Staff Report for the PDO Rezone and Conceptual Plan.

13
14 Commissioner Hayman recommended amending Condition 2 to say, in effect, the
15 Planning Commission is referring this matter to the City Council and requesting the Council give
16 input to the applicant on working with the City to approach UDOT regarding a curb cut along
17 Parrish Lane to better facilitate access to the project. City Attorney Lisa Romney suggested
18 adding a condition that both the PDO zoning and the conceptual plan be remanded back to the
19 Planning Commission if the Council is inclined to approve the PDO zoning. Commissioner
20 Hirst recommended adding that the PDO and the conceptual plan be remanded back to the
21 Planning Commission for further review. Chair Hirschi accepted these suggestions and remade
22 his motion. It was seconded by Commissioner Hayman and passed by a unanimous vote (4-0).

23
24 ***Condition of Approval as amended by the Planning Commission***

- 25 1. The Planning Commission has determined that the rezone request for a PDO is or can be
26 likely conditioned to be consistent with the provisions of the West Centerville
27 Neighborhood Plan and the PDO Approval Standards.
28 2. The Planning Commission is referring the matter to the City Council to provide the
29 applicant their desire to assess the legislative discretion of rezoning to a "planned
30 development" status. The Planning Commission is referring this matter to the City Council
31 and requesting the Council give input to the Applicant on working with the City to
32 approach UDOT regarding a curb cut along Parrish Lane to better facilitate access to the
33 project.
34 3. If the City Council finds it favorable to consider approving the project, then the Conceptual
35 Plan, the PDO and the PDO zoning need to be remanded back to the Planning Commission
36 to have the applicant expend the necessary costs to develop and design the site and have
37 the Commission make a full PDO Concept Plan recommendation to the City Council.

38
39 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

- 40 1. Items scheduled for March 22, 2017:

- 41 • Pizza Hut Conceptual Plan

- Terry & Selene Break Conceptual Plan
- Pages Crossing General Plan Text Amendment
 - Director Snyder said he would also like to discuss the Pages Crossing General Plan Text Amendment at the City Council's work session on March 21.
- Canyon Point Final Plan

CITY COUNCIL ACTIONS REPORT

Mr. Snyder reported on recent actions taken by the City Council.

- February 21, 2017: Chitose Johnson Zone Map Amendment to R-L
- **Motion:** Approved

Chair Hirschi made a **motion** to adjourn. Commissioner Hayman seconded the motion, which passed by unanimous vote (4-0). The meeting was adjourned at 9:33 p.m.

David Hirschi, Chair

Date Approved

Luanne Hudson, Recording Secretary

PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, March 22, 2017

7:00 p.m.

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

MEMBERS PRESENT

Cheylynn Hayman, Vice Chair

Gina Hirst

Kevin Daly

Logan Johnson

Kathy Helgesen

MEMBERS ABSENT

David Hirschi, Chair

Becki Wright

STAFF PRESENT

Lisa Romney, City Attorney

Cory Snyder, Community Development Director

Cassie Younger, City Planner

Luanne Hudson, Recording Secretary

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Helgesen

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held February 22, 2017 were reviewed and amended. Commissioner Helgesen made a **motion** to approve the minutes as amended. The motion was seconded by Vice Chair Hayman and passed unanimously (5-0).

The minutes of the Planning Commission meeting held March 8, 2017 were reviewed, amended, and found incomplete. Commissioner Hirst requested Recording Secretary Hudson to compare the minutes with the audio recording and provide a revision. Vice Chair Hayman made a **motion** to table the minutes. The motion was seconded by Commissioner Daly and passed unanimously (5-0).

PUBLIC HEARING - FINAL SITE PLAN & CONDITIONAL USE PERMIT, 347 North 400 East, Administrative Decision, Consider the proposed Final Site Plan and Conditional Use Permit for Canyon Point, a multi-family residential project consisting of one single family home, one duplex, and one triplex. Chad Morris, Applicant

1 City Planner Cassie Younger gave a staff report on Canyon Point, a multi-family
2 residential development seeking approval of a Final Site Plan and Conditional Use Permit. The
3 development includes one existing home, a duplex and a triplex. Ms. Younger said the Planning
4 Commission previously approved the Conceptual Site Plan in December 2016 and provided the
5 applicant with a clear list of conditions. She said the road has been widened to meet concerns
6 from the Fire Marshal. Staff reminded the applicant they are qualified for incentives because the
7 site is located in the Deuel Creek Historic District. Staff said the landscaping plan, especially the
8 trees to buffer the existing single-family homes to the south, is adequate. Staff reminded the
9 applicant that the City's code requires plant materials be drought tolerant and low maintenance,
10 and specifically noted that Kentucky Bluegrass does not meet code.

11
12 Staff said the biggest concern with this site plan is with drainage and utilities that will
13 require a sign-off by the City Engineer. Staff noted the plans include a detention pond, berms
14 and bio-swales along the west side. Staff said a new sewer line is required at the south end of the
15 property and expressed a final concern about overhead telephone lines that must be addressed as
16 a condition of the conceptual plan. Staff noted the applicant has addressed buffering on the north
17 side by the use of a six-foot privacy fence and landscaping. Staff noted there does not appear to
18 be an issue with the retaining wall in the new plan and recommends this application be approved
19 with conditions.

20
21 Vice Chair Hayman invited the applicant to speak. Chad Morris addressed the issue with
22 the retaining wall and received clarification from Director Snyder that any retaining wall shorter
23 than four feet does not need to be structurally engineered. He said he did not realize Kentucky
24 Bluegrass was not drought-tolerant and said he is willing to look into an alternative grass that is
25 drought tolerant. He said he accepts the City's suggestions on the height and type of trees. He
26 said he acted on the Commission's recommendation to speak with the adjacent homeowners and
27 what he heard is a concern about tree overhang, and they will be responsive to that concern.
28 Responding to a question from the Commissioner Daly regarding the sewer line, Mr. Morris said
29 he talked with the Sewer District representative and their plans are reflected in the revised
30 drawings provided to the Commission.

31
32 At 7:35 p.m. Vice Chair Hayman opened the public hearing.

33
34 Tim Wilson lives west of the proposed development and asked for clarification regarding
35 the addition of a fence or trees along that side, adding his wife asked him to plant trees for
36 privacy if the developer does not. Staff said the the west edge contains the detention pond. Mr.
37 Wilson again asked if that included any kind of privacy fencing. Staff said the plan does not
38 show any proposed fence and asked the applicant to address that. Vice Chair Hayman asked the
39 applicant to again come to the microphone to address that question and Chad Morris said, in
40 summary, he did not think a fence or trees were necessary, but he would do what the
41 Commission recommended.

42
43 Linda Martin lives to the south of the proposed development. She asked for the City's
44 assistance is resolving fence line disputes that have gone on for decades. She asked how far
45 from the property line trees would be planted, noting Building One is only ten feet from her
46 property. She specifically stated she did not want branches overhanging her property, but she
47 did want the developer to provide privacy trees to block her rear windows. She also expressed a

1 concern about trees being placed in the parking strip along 400 East that would block visibility.
2 She asked that the applicant address the issue of the existing driveway and dirt mound on the
3 south side of the existing single-family home because it drains onto her property. She expressed
4 a concern that the existing single family zone would be exposed to rental tenants. Ms. Martin
5 expressed additional concerns about the sewer line, wildlife, construction noise and hours, and
6 the installation of a temporary construction fence.
7

8 Charles Madsen, a homeowner on the north, thanked the City for requiring the developer
9 to put up a six-foot fence along the northern edge of the development to address their concerns
10 about privacy and noise. He asked for clarification on whether the fence goes all the way to the
11 sidewalk, saying if not, school children may cut across his property to get to school. Staff said
12 the six-foot fence stops 25 feet from 400 East.
13

14 Director Snyder responded to many of the issues and questions raised in the public
15 hearing. In answer to the question about the placement of the trees, he said there is a ten-foot
16 separation between the property line and the structure and trees will be planted in the middle
17 (five feet) and this complies with the City's requirements for buffer landscaping. He said the
18 developer has agreed to put in a type of tree that will have limited overhang. As regards tree
19 placement between the sidewalk and the road, Mr. Snyder said that is a controversial issue for
20 the City because of the concern for visibility and clearance to see on-coming traffic. The current
21 ordinance allows trees in the parking strip with a permit from the Public Works Director. Mr
22 Snyder predicted that the Public Works Director would advise the developer to put the trees
23 behind the sidewalk.
24

25 In answer to the question about the existing driveway on the north side of the existing
26 home, Mr. Snyder said the developer will relocate the driveway but is not required to remove the
27 mound of dirt, and the City Engineer will sign-off on the drainage. He said the City's Best
28 Management Practices (BMPs) will address the issue of the temporary construction fence. In
29 answer to the question about the existing retaining wall, Mr. Snyder said he consulted with the
30 Public Works Director and the City Engineer and determined it is a non-structural, ornamental,
31 decorative wall that is not required to carry load weights under the City's ordinances. He added
32 that since the utilities will be located in that area there are still some design considerations that
33 need to be finalized. He said the questions regarding the sewer line have been adequately
34 addressed by working with the Sewer District. He said the City's current ordinances regarding
35 construction activities and noise are adequate to address the concerns.
36

37 Vice Chair Hayman asked Staff about Ms. Martin's desire for a buffer between single-
38 family homes and rentals. Mr. Snyder said that may run afoul of the Federal Fair Housing Act,
39 but the developer is using elements like trees and fences to provide a transition.
40

41 Vice Chair Hayman closed the public hearing at 7:54 p.m.
42

43 Vice Chair Hayman invited the applicant to respond to the public comments. Chad
44 Morris said they have presented a good plan with nice, new homes that will look good and be an
45 upgrade to the neighborhood. He plans to request subdivision approval in the future in order to
46 facilitate selling the units to homeowners rather than renting. He said they are willing to work
47 with the City in terms of architectural design and the façade of the homes. He described their

extra efforts in terms of landscaping to meet the concerns of adjacent homeowners and the City and to make it appealing to the eye.

Vice Chair Hayman asked for other questions or discussion. Hearing none, the Vice Chair entertained a motion, noting the application had two parts: a Final Site Plan and a CUP.

Commissioner Johnson made a **motion** for the Planning Commission to approve the Final Site Plan for Canyon Point in Centerville, located at 347 North 400 East, with the Conditions as amended (1-14) and the Reasons for the Action (a-c). The motion was seconded by Commissioner Helgesen and passed unanimously (5-0).

CONDITIONS:

1. Provide evidence of lot line adjustment for acquisition of additional property from Parcel No. 02-099-0033 prior to issuance of building permit for any portion of the property.
2. Provide evidence of combining all parcels and acquired acreage into one parcel prior to issuance of building permit for any portion of the property.
3. Must obtain CUP for density prior to issuance of building permit for any portion of the property.
4. Applicant shall have a ground water assessment prior to issuance of building permit for any portion of the property.
5. Applicant shall provide the legal description and signed PUEs for all required front, side and rear yard PUEs prior to issuance of building permit for any portion of the property.
6. Applicant shall provide legal description and signed waterline easement for City culinary waterline prior to issuance of building permit for any portion of the property.
7. Access to the existing house and the new driveway pad behind the house shall be provided or shown on the plans in accordance with applicable building and zoning codes prior to issuance of building permit for any portion of the property.
8. Landscaping area percentages needs to be recalculated to portray the accurate calculation. Planting materials should be reconsidered to address the needs of the code, and be approved by Staff at the time of Building Permit review.
9. The City Engineer needs to give final approval on issues regarding drainage, structural and retaining walls on the property.
10. The overhead telephone line needs to be addressed or relocated.
11. An amended letter from the South Davis Sewer District with respect to the new sewer line hookups and the existing line connected to the single family home shall be provided prior to issuance of building permit for any portion of the property.
12. Parking and road widths shall be subject to the conditions of the Fire Marshal: The fire apparatus Turn-Around Lane must be marked with "No Parking Fire Lane" signs. The access road shall be at 29' of width where there is side parking – 24' feet where there is no parking. The Fire Turn-Around Lane shall have a minimum of 20' clearance.
13. Remove existing sheds located on the property prior to issuance of building permit for any portion of the property.
14. Submit further details and design of proposed fencing to be approved by Staff prior to issuance of building permit for any portion of the property.

REASONS FOR THE ACTION:

- a) The Final site plan submittal has adequately shown how the property may be developed [CZC 12.21.110(e)(2)].
- b) The development appears to satisfy the goals and objectives found within the Centerville City General Plan [CZC 12.480.2(1)(b)].
- c) The proposed final site plan, with the directives given, appears to be capable of meeting applicable Development Standards for the R-M Zone.

Commissioner Hirst made a **motion** for the Planning Commission to approve the Conditional Use Permit for 6 residential units for Canyon Point in Centerville, located at 347 North 400 East, with the Conditions (1-4) and Reasons for the Action (a-d). Vice Chair Hayman seconded the motion and it passed unanimously (5-0).

CONDITIONS:

1. This Conditional Use Permit shall allow for the density of 8 units per acre on the property located at 347 North 400 East, which consists of .78 acres and is limited to 6 residential units, divided between 3 buildings: a single family home, one duplex, and one triplex.
2. The Conditional Use Permit is dependent on the acceptance of the Final Site Plan layout and design as approved.
3. A solid fence shall be constructed on the south property line along with increased vegetation shown on the site plan, consisting of trees which shall mitigate a multi-family use adjacent to a single-family residential use.
4. Proper drainage shall be identified and approved by the City Engineer, which shall consist of a berm and drainage swall along the south and west property lines and a storm drain outlet within the drainage swall.

REASONS FOR THE ACTION:

- a) A Conditional Use Permit is required for a single-family dwelling and any multi-family above four units per acre (CZC 12.36 (Table of Uses))
- b) The applicant has provided sufficient evidence for a conditional use permit to be reviewed by the Planning Commission (CZC 12.21.100).
- c) The project was found to have somewhat of a negative impact on the property to the south, yet may be mitigated through proper screening (CZC 12.21.100(e)(5)(C)(E)).
- d) The Zoning Ordinance allows up to 8 units per acre with a conditional use permit within the R-M Zone (CZC 12.32 (Residential Zones)).

PUBLIC HEARING CONCEPTUAL SITE PLAN - 149 WEST 1850 NORTH, Administrative Decision, Consider the proposed Conceptual Site Plan for an accessory building and driveway access. Terry and Selene Bleak, Applicant

Director Snyder explained the Bleak's application to construct a new garage at their residence and use an adjacent dead-end street stub to install a driveway. The Bleaks acquired an un-platted parcel of land adjacent to their subdivision lot and combined the land into a single parcel, as allowed by State law. However, the added parcel remains outside of the platted subdivision boundary. According to CZC 12.21.110(c)(2), "any residential development outside

1 a platted subdivision" is required to obtain a Site Plan Review from the Planning Commission.
2 Staff recommended this application be approved with conditions.
3

4 The property owners who live on the other side of the street stub want to join with the
5 Bleaks in constructing the driveway in order to provide access for possible future use. Mr.
6 Snyder said this project would require minimal services as the applicant is not extending water or
7 sewer lines.
8

9 Staff is concerned about water runoff, drainage and the associated storm drain impact of
10 the proposed hard surface driveway. Director Snyder said the City is reviewing the application to
11 confirm that typical utility easements are in place and to assess applicable development impact
12 fees. He explained the big issue is access to the parcel because no temporary turn around for the
13 stub street was provided or installed during the construction of the original subdivision. He
14 explained this application requires more than one approval and permitting. The Planning
15 Commission will make the decision regarding the site plan. The Public Works Director and the
16 City Council will make the decision on the proposed access from the stub street, including an
17 encroachment agreement. An excavation permit will also be required for improvements within
18 the public right-of-way. Mr. Snyder said that, although the applicant could use a seven-foot side
19 yard setback, he recommended the new eight-foot setback, as approved in a recent code update.
20

21 Vice Chair Hayman asked for questions on the staff report and hearing none, invited the
22 applicant to speak.
23

24 Terry Bleak said he appreciates and will comply with the City's suggestion for an eight-
25 foot side yard setback. The applicant said their plans also take into consideration the fact that, in
26 the future, the stub road to the back may be extended to facilitate further development. Their
27 plans show a 40' setback from the rear of the property.
28

29 At 8:20 p.m. the public hearing was opened and closed with no public comment.
30

31 Vice Chair Hayman said this application is a good example of the type of administrative
32 decision that could be shifted to the City's very capable staff rather than coming before the
33 Planning Commission. She asked for a motion.
34

35 Commissioner Daly made a **motion** for the Planning Commission to approve the
36 conceptual site plan for the proposed residential development for an un-platted parcel that has
37 been combined with the home located at 149 West 1850 North, with the Conditions as amended
38 (1-8) and the Reasons for the Action (a-c). Commissioner Hirst seconded the motion and it
39 passed unanimously (5-0).
40

41 **CONDITIONS:**

- 42 1. The applicant must submit a final site plan application meeting the standards found in
43 CZC 12-21-110(e).
- 44 2. As part of Final Site Plan submittal, the owners are to prepare the required legal
45 descriptions for one 7' side yard and one 7' rear yard public utility easement(s). Such
46 easement descriptions are to be reviewed by the City Engineer and deemed acceptable.
47 Such easements must be accepted by the City Council and recorded with the Davis

- 1 County Recorder's Office prior to issuance of a building permit for the accessory
2 structure.
- 3 3. The final site plan must show all utilities being provided to the site and the accessory
4 structure and owners must obtain and submit to the City the necessary "will serve" letters
5 from any of the applicable utility providers.
- 6 4. As part of the Final Site Plan submittal, a grading and drainage plan is to be prepared and
7 submitted with the application. Such plan is to be deemed acceptable by the City
8 Engineer.
- 9 5. The owners will also be required to pay any development fees that may be applicable for
10 the development of this lot prior to issuance of a building permit for the accessory
11 structure.
- 12 6. As part of any Final Site Plan approval, the owners desiring to use the end of the street
13 for access will be required to obtain City approval for such access, enter into any required
14 agreement for access, dedicate the required temporary turn-around easement, and prepare
15 plans for the constructing any access drive. The temporary turn-around easement must be
16 accepted by the City Council and recorded with the Davis County Recorder's Office prior
17 to issuance of a building permit for the accessory structure.
- 18 7. The owners shall submit with Final Site Plan submittal revised plans showing the
19 proposed temporary turn-around and access plans for use of the public right-of-way.
- 20 8. The applicant is encouraged to consider compliance with the new minimum setback of 8
21 feet on the west side to avoid future non-conforming issues due to the newly adopted
22 accessory building setbacks standards of March 2017.

23
24 **REASONS FOR THE ACTION:**

- 25 a. The applicant has clearly shown how the property may be developed [CZC
26 12.21.110(d)(2)].
- 27 b. Applicable utility services and easements are required for residential development [CZC
28 12.21.110(e)(2)(iii)(d) and CMC 15-5-106(8)].
- 29 c. A final site plan application is required for completing the process to obtain approval to
30 construct an accessory dwelling on un-platted parcels [CZC 12.21.110(e)].

31
32 **PUBLIC HEARING - CONCEPTUAL SITE PLAN, 25 W PARRISH LANE,**
33 **Administrative Decision, Consider the proposed Conceptual Site Plan for a drive-thru style**
34 **Pizza Hut. Richard Hill, Applicant**
35

36 City Planner Cassie Younger provided the staff report on the Conceptual Site Plan for a
37 Pizza Hut Express Drive-Thru. She said the site is at the corner of Parrish and Main Street and
38 has been vacant for just under a year. Because of the change of use from a specialty shop
39 (Galazy Frozen Yogurt) to fast food (Pizza Hut Express Drive Thru), UDOT required a site study
40 to reevaluate access to the site and adjusting entrances and exits. The applicant has made
41 changes to the access of the site and is awaiting an approval from UDOT. Ms. Younger said the
42 applicant will also need a Conditional Use Permit because of the categorical use change. She said
43 although the site falls within the Parrish Lane Gateway Area and the South Main Street Corridor
44 Overlay Zone, the site itself is a nonconforming site. She said the biggest diversion from the
45 design guidelines is the nonconforming setbacks. She wants to amend the existing conditions to

1 require a new traffic study using the new access points instead of the old ones. Staff
2 recommended this application be approved with conditions.

3
4 Staff said the proposed new architecture is an improvement, featuring brick, gables, and
5 big windows. Staff recommended upgrading the look of the drive-thru portico. Staff also
6 recommends improved landscaping due to the site's high visibility on the corner of Main and
7 Parrish. She emphasized the need for buffering and screening on the west adjacent to Grease
8 Monkey and on the south adjacent to an apartment complex.

9
10 Commissioner Daly asked for clarification on the requirements for the previous user
11 classified as specialty retail (yogurt) and the new user classified as fast food (pizza), saying it
12 appeared to be a change of use from food to food. Director Snyder responded that, as Zoning
13 Administrator, he wrote an interpretive administrative opinion on how the ordinance applies to
14 the two different types of uses, and he will forward that opinion to the Commissioners.

15
16 Commissioner Johnson asked for clarification on how a new traffic study would impact
17 approval. Mr. Snyder said in approving a CUP, the City needs to evaluate circulation capacity
18 and traffic flow through the intersection, for example, to see if a median is required for this auto-
19 centric fast food location.

20
21 Vice Chair Hayman asked if the Commission could encourage the applicant to follow
22 some of the Parrish Lane and Main Street design guidelines and invited the applicant to speak.

23
24 Richard Hill is an attorney with the law firm of Durham, Jones & Pinegar and represents
25 Wasatch Valley Pizza, the Utah franchisee for Pizza Hut. He believes UDOT will approve the
26 conceptual site plan. He said the drive-thru portico will be substantially upgraded and there will
27 be only one ingress/egress on Main Street and the other access off of Main Street will be closed
28 to meet UDOT requirements. He said they will be happy to upgrade landscaping and clarified
29 their plan to leave the existing six-foot white vinyl fence to the west.

30
31 At 8:46 p.m. the public hearing was opened and closed with no public comment.

32
33 Commissioner Johnson asked Director Snyder if, in the event the Commission disagreed
34 with the opinion of the Zoning Administrator, was there a way for the Commission to change it.
35 Mr. Snyder said yes. The Commission could request another interpretation and then submit an
36 appeal of that interpretation to the Board of Adjustment within 14 days. Mr. Snyder again stated
37 he would provide a copy of the interpretive administrative opinion to the Commissioners.

38
39 Commissioner Helgesen made a **motion** for the Planning Commission to approve the
40 Conceptual Site Plan for Pizza Hut Centerville, located at 25 W Parrish Lane, with the
41 Conditions as amended (1-7) and Reasons for the Action (a-c). Commissioner Hirst seconded
42 the motion and it passed unanimously (5-0).

43
44 **CONDITIONS:**

- 45 1. A Final Site plan application must be submitted in accordance with CZC 12.21.110(e)(2).
46 2. A Conditional Use Permit application must be submitted in accordance with CZC
47 12.21.100.

3. Consider how to further utilize the landscaping and screening expectations under CZC 12.51 (Landscaping), with consideration of recommendations from staff.
4. The applicant must provide written permission from UDOT that their change in access from Parrish and Main is adequate.
5. A development schedule must be submitted with the Final Site Plan.
6. All proposed drainage and utilities should be reviewed and deemed by a City Engineer for the Final Site Plan.
7. A new traffic study must be provided by the applicant updating and re-evaluating the new access points instead of the old ones.

SUGGESTED REASONS FOR THE ACTION:

- a) The conceptual site plan submittal has adequately shown how the property may be developed [CZC 12.21.110(d)(2)].
- b) The development appears to satisfy, or be able to satisfy, the goals and objectives found within the Centerville City General Plan [Section 12-430-2]
- c) The proposed site has a nonconforming status, due to the change of tenant but not occupancy status, as established in [CZC 12.22.080(b)]

PUBLIC HEARING - GENERAL PLAN AMENDMENT, LEGISLATIVE DECISION,
Consider a proposed amendment to the General Plan, Chapter 12-480-2 Neighborhood 1,
Southwest Centerville, Section 2, to allow residential uses in the Pages Lane Commercial
District. Winegar Brothers and Brighton Homes, LLC, Applicant

Director Snyder presented the staff report on the petitioner's request to amend the General Plan text of the Pages Lane Commercial Area of the Southeast Neighborhood Plan. The petitioner wants to obtain Residential-Medium (R-M) zoning and develop up to eight (8) dwelling units per acre. Mr. Snyder said, unfortunately, this is not a good time to entertain this petition because of planning initiatives already underway. Since late 2016, the City has been reevaluating the specific plan for this neighborhood. He said the Planning Commission will need to decide whether to consider this petition in advance of the City's current reevaluation. Staff recommends this petition be denied.

Vice Chair Hayman invited the petitioner to speak.

Taylor Spendlove of Brighton Homes said their objective is to obtain all the property east of Deseret Industries and request a zoning change to Residential-Medium (R-M). He said they already have three parcels under contract and are close to getting the fourth. He said it has taken over two years to get these parcels under contract and a delay in a decision from the Planning Commission will negatively impact this potential project. He asked the Planning Commission to table their decision to give Brighton Homes time to return with a more complete visual concept of their proposal.

At 8:58 p.m. the public hearing was opened and closed with no public comment.

Vice Chair Hayman invited discussion, saying she does not think commercial works in the area, but she is interested in the developer's proposal.

1 Commissioner Daly said he wants fuller discussion about whether this area is right for
2 residential or commercial uses and whether the area should be divided for development as east
3 and west parcels. He said another reason to wait is because there are actually five parcels, and so
4 while the Petitioner has tied up three of the parcels, approval now may result in piecemeal
5 development.

6
7 Commissioner Helgesen expressed a desire not to rush but to wait for the City Council's
8 direction and consensus.

9
10 Commissioner Hirst said this is an opportunity to take a large parcel of land and plan a
11 great development, and also that the public should be invited into the process. Commissioner
12 Hirst said, based on the discussion at the work session with the City Council on March 21, the
13 decision should not be rushed by market conditions and encouraged public participation before a
14 decision is made. She recalled the planning process for development of the west side and
15 suggested a community survey.

16
17 Director Snyder said one option is to hold a charrette or visioning process to discuss
18 design standards and whether the site is best for residential, commercial and something else
19 entirely. He says the City has talked about this for three or four years and recommends staying
20 true to the larger picture process.

21
22 Commissioner Johnson expressed his opinion that he sees land use planning creeping
23 towards property owners being able to do less and have less discretion over their property. He
24 said it is incredible that the developer has these parcels under contract and this opportunity may
25 not come again.

26
27 The Commission noted that it may be best to wait until more input could be gathered
28 from the public and a consensus developed between the City Council and the Planning
29 Commission.

30
31 Seeing a man who wanted to make a public comment, Vice Chair Hayman asked for a
32 motion to reopen the public hearing at 9:18 p.m. Commissioner Daly made the **motion** and
33 Commissioner Johnson seconded it.

34
35 The man introduced himself as Scott from Colonial Ace Hardware located in the Pages
36 Lane Commercial Area. He said he wanted to challenge the notion that the location was not
37 good for commercial use. He said Ace Hardware has a 25 year lease and it is a good retail area.
38 He said he has doubled the profits in the last three years. He speculated that Deseret Industries
39 may not stay at the current location. He agreed with the Commission's plan to get public input
40 and referred to recent public pushback over homeless shelters in Salt Lake City.

41
42 Vice Chair Hayman closed the public hearing at 9:21 p.m. She said while she is sensitive
43 to Commissioner Johnson's comments, she is inclined to deny the petition until such time as
44 public comment is sought.

45
46 Commissioner Daly made a **motion** for the Planning Commission to recommend that the
47 General Plan Amendments to the Pages Lane Commercial Area, as proposed by the Petitioner,

be denied based on the Reasons for the Action (a-c). Commissioner Johnson seconded the motion and it passed unanimously (5-0).

REASONS FOR THE ACTION:

- a. The Planning Commission finds that a decision to amend the General Plan is a matter within the legislative discretion of the City Council as described in CZC 12.21.060(a).
- b. The Planning Commission finds that the City is currently underway in a larger effort to reconsider the future land use planning for the Southeast Neighborhood Plan that already includes reevaluating the Pages Lane Commercial Area.
- c. The Planning Commission finds that further evaluation efforts are needed to determine if it's appropriate to allow for a broad neighborhood plan language change, as proposed by the petitioners.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Upcoming for the April 12th:

- Arcoiris Reception Center CUP
- Ronin Motors CUP
- Chitsoe Johnson Preliminary Subdivision

CITY COUNCIL ACTIONS REPORT

- Accessory Building Setbacks
- SE Neighborhood Residential Plan
- Parrish Creek PDO
- Legacy Commons PDO

Vice Chair Hayman made a **motion** to adjourn. Commissioner Hirst seconded the motion, which passed unanimously (5-0). The meeting was adjourned at 9:25 p.m.

Vice Chair Cheylynn Hayman

Date Approved

Luanne Hudson, Recording Secretary

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/12/2017**

Item No. 1

Short Title: Public Hearing - Conditional Use Permit - 1110 W 650 N

Initiated By: Cory Bluemel, Applicant

Scheduled Time: 7:15

SUBJECT

ADMINISTRATIVE DECISION

Consider the proposed Conditional Use Permit for auto/vehicle sales for Ronin Motors.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ Ronin Motors Staff Report
- ☐ Ronin Motors Site Plan

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

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNER: **BRAD VANDER MEYDEN
BPS HOLDINGS LLC
1110 W 650 NORTH**

APPLICANT: **RONIN MOTORS
CORY BLUEMEL
1988 N MAIN STREET
CENTERVILLE UT 84014
RONINMOTORSONLINE@GMAIL.COM**

PROPERTY LOCATION: **1110 WEST 650 NORTH SUITE B**

PARCEL SIZE: **.84**

ZONING DISTRICT: **INDUSTRIAL – HIGH**

APPLICATION: **CONDITIONAL USE PERMIT**

STAFF RECOMMENDATION: **APPROVE, WITH CONDITIONS**

Background

Cory Bluemel has applied for a Conditional Use Permit for auto sales, to be located at Suite B 1110 West 650 North. This property is owned by Brad Vander Meyden, who has three other tenants on the site; a general contractor, one electrician, and another small auto dealership. Mr. Bluemel has a small operation with only a few cars per year, so he doesn't need much space.



Table of Uses Allowed 12.36.

“Vehicle sales” is only allowed with a Conditional Use Permit in an Industrial–High Zone. This specific use is defined in the Zoning Ordinance as, “An establishment engaged in the retail, sale or rental, from the premises, of used motorcycles, automobiles, and/or light trucks, along with incidental service or maintenance” [Chapter 12-12].

CUP Approval Factors to be Reviewed [CZC 12.21.100(e)(5)(A-K)]

The City's General Plan states that in order for the City to generate revenue for local services "...Centerville City should provide for the establishment and viability of commercial and industrial services in designated areas of the community" [Section 12-430-1]."

Furthermore, the West Centerville Neighborhood Plan states that "preserving the economic viability is critical to the success of the neighborhood" (see *Future Land Use, Goal 1, 12-480-6*).

The proposed use is to be located in an existing office/warehouse complex and appears to be limited in nature. Thus, staff believes that the proposed use could be deemed consistent with the goals and objectives of the General Plan. Finally, in the past, the City has approved several comparable vehicle sales uses in this same neighborhood.

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

The proposed use will be located within an industrial area, which over the years has had several limited use auto dealerships very similar to what is being proposed. Just next door in Suite A another individual auto-dealer was recently approved for this site. Other businesses within the area include warehousing, car repair, manufacturing, and other like uses. Given the proposed use will be occupying an already existing building, the use will not incur additional impact on the built environment by way of added utility services or supportive infrastructure. Staff believes that the use and the site could be adequate for operating a small dealership, as evidenced by other similar circumstances.

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

It appears that the proposed use will not likely be creating a large amount of noise, or other harmful irritants to the surrounding community. Since the auto dealership will only receive a small number of customers, they will not likely be increasing the amount of traffic within the area.

It is anticipated that since some of the vehicles are being marketed for purchase, the vehicles on display will likely be operable and in good aesthetic condition, meaning, that no junk vehicles, vehicles in need of repair, or wrecked vehicles would be stored on site.

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

A common recurring concern with auto sales is how vehicles are delivered to the site. Every so often, vehicles can come by way of transport truck. This can become a problem when a loading and off-loading area is not provided. Due to the fact the use is part of a larger shared complex of uses, and without a full understanding of the proposed business operation, this could become problematic. Deliveries can block other user parking and access, or trucks may stay on the public roads and create a hazard or block other traffic. To mitigate such concerns, staff recommends prohibiting the use of public streets for unloading/loading operations.

Staff's largest concern is the shared parking spaces between the four suites on the property. Enough parking for customers, employees, and display use is necessary for each tenant. Currently on the lots there is only one portion of the lot that is paved for parking – the other is unpaved and mostly used for storage. This unpaved area would not be included in current parking calculations, but could be included in at a later

time if it were to be paved and striped. After calculating parking spots per use for the paved area of the site, it appears there is more than adequate parking for all four suites at 1110 W 650 West, alleviating the biggest concern. Mr. Ronin in Suite B has 5 parking stalls, which leaves him with 2 stalls for display vehicles.

The parking calculations as provided in CZC 12.52.300 are provided below:

Suite	Use	Parking Requirement	Provided	Compliance
A (1,350 SF)	Vehicle Sales	1 space per 250 SF plus 1 for every 10 displayed = 5	7	Yes
B (Ronin Motors) (1,350 SF)	Vehicle Sales	1 space per 250 SF plus 1 for every 10 displayed = 5	7	Yes
C (1,350 SF)	Construction Sales and Service	1 per 250 Gross Floor Area = 5	7	Yes
D (1,350 SF)	Construction Sales and Service	1 per 250 Gross Floor Area = 5	7	Yes

Conclusion

Ronin Motors auto sales would not seem to cause any negative impact on the neighborhood, and seems harmonious with other uses and services in the surrounding area. With some conditions, there should be no issues to provide adequate parking, loading, and vehicular circulation on the site.

PLANNING STAFF RECOMMENDATION

Suggested motion for a Conditional Use Permit - I hereby make a motion for the Planning Commission to approve the Conditional Use Permit for Ronin Motors Auto Sales at 1110 West 650 North, Suite B, with the following conditions:

1. This Conditional Use Permit shall apply only to the user space located at 1110 W 650 North, Suite B.
2. This Conditional Use Permit approval is for vehicle sales, limited to Suite B.
3. All display vehicles shall be operable and in good condition, and the display of vehicles shall be limited to no more than two (2) vehicles and are to be located within the warehouse space for Suite B.
4. The paved portion of the parking lot must be striped as shown in the Site Plan provided by Corey Bluemel, with 7 spots per tenant, or 35 spots total before the applicant can assume operations. Conducting business at this site prior to the striping of the parking lot shall constitute a violation of this Conditional Use Permit.
5. Loading and unloading of vehicles must be done on site and not in the public right of way.

Suggested Reasons for the Action (Findings):

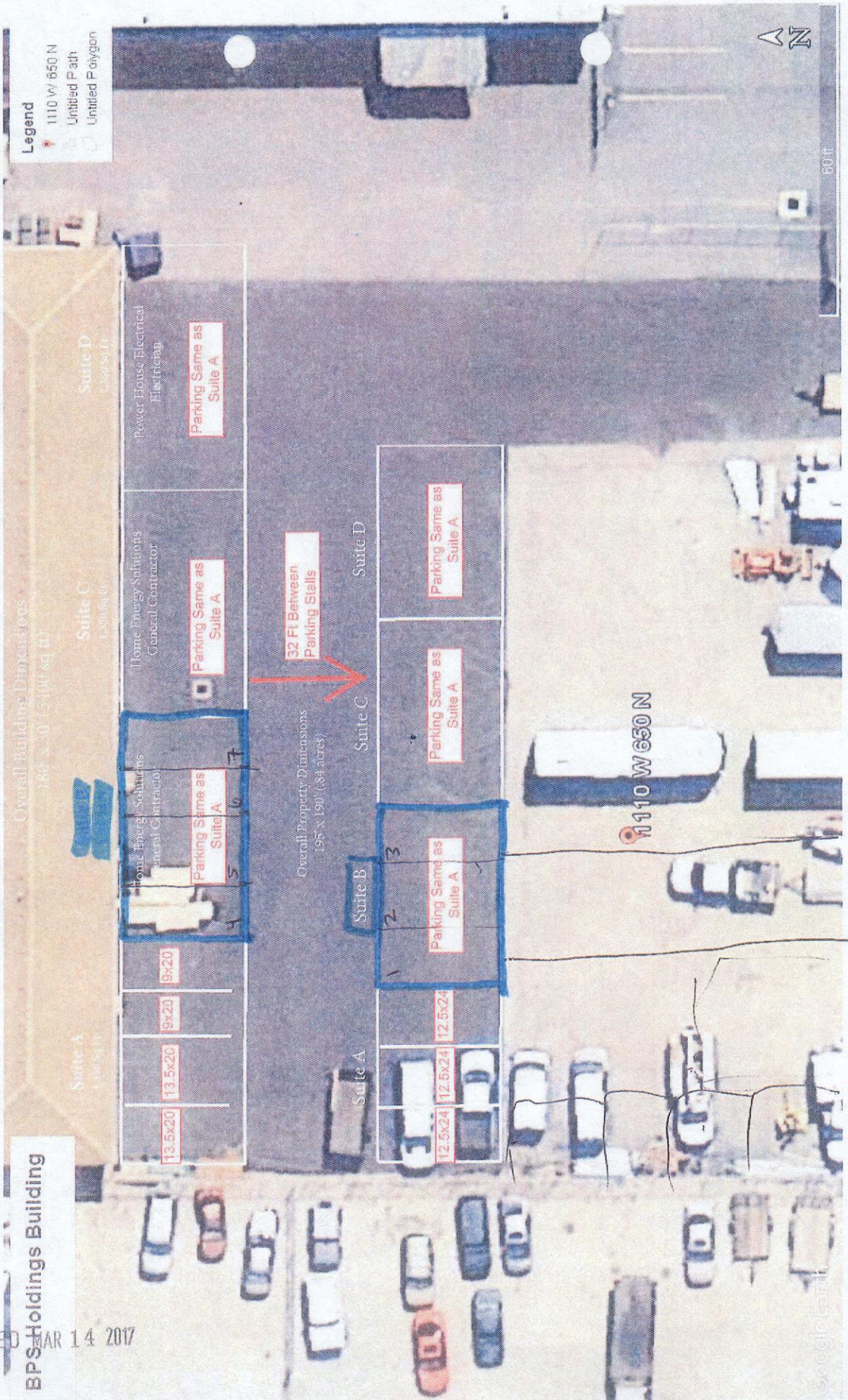
1. The applicant has submitted a complete application for a Conditional Use Permit [CZC 12.21.100(d)(1)].
2. The use of vehicle and equipment rental or sales is a permitted use within the Industrial-High Zone with a Conditional Use Permit [CZC 12.36 (Table of Uses)].
3. The use is consistent with the expectation of the City's General Plan [Section 12-430-1 & Future Land Use, Goal 1, 12-480-6].

4. The use does not appear to have any negative impacts to the existing property and the surrounding community that have not been mitigated by the conditions of approval [CSC 12.21.100(e)(3)(A-D) and CZC 12.21.100(e)(5)(A-K)].
5. Adequate parking is provided for all four tenants on the lot [CZC 12.32.300].

RECEIVED MAR 14 2017

BPS Holdings Building

Cory Blumenthal
Paving Motors Suite B @ 1110 W. 650 N. Centerville, UT 84014



**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/12/2017**

Item No. 2

Short Title: Public Hearing - Conditional Use Permit - 1343 West 75 North

Initiated By: Jaden Malan and Luz Estrada, Applicants

Scheduled Time: 7:30

SUBJECT

ADMINISTRATIVE DECISION

Consider the proposed Conditional Use Permit for Arcoiris Reception Center in an Industrial Zone.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ PC Staff report Arcoiris Reception Center CUP
- ☐ Arcoiris Reception Center Site Layout Submittal

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

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNERS: LUZ ESTRADA/FRANCISCO ESTRADA
1529 NORTH MANDALAY RD.
SALT LAKE CITY, UTAH 84116
(salondefiestasarcoiris@yahoo.com)

APPLICANT: JADEN MALAN
NEWMARK GRUBB ACRES
376 EAST 400 SOUTH #120
SALT LAKE CITY, UTAH 84111
(jmalan@ngacres.com)

PROPERTY LOCATION: 1343 WEST 75 NORTH
APN: 06-144-0008

PARCEL SIZE: 0.70 ACRES

ZONING DISTRICT: INDUSTRIAL HIGH (I-H)

LAND USE APPLICATION: CONDITIONAL USE PERMIT – RECEPTION
CENTER

STAFF RECOMMENDATION: CONSIDER APPROVAL OF THE CONDITIONAL
USE PERMIT

BACKGROUND

The applicant(s) are proposing to operate a "Reception Center" use in the Industrial-High (I-H) Zone. The purpose is to expand their business (*Arcoiris Reception Center*) to a selected site in Centerville located at approximately 1343 West 75 North (see photo).

According to the Zoning Ordinance, this request requires the approval of a Conditional Use Permit from the City's Planning Commission. Thus, the request has been noticed for review, a public hearing, and decision before the Commission.



NON-CONFORMITY MATTERS OF THE PROPERTY

According to City zoning and building permit records, the building located on the proposed site was approved and constructed in 2001, when the area was previously zoned Business Planned (B-P) Zone. Initially, the use of the property appears to have been an auto repair business, formally known as Phil's Auto. Simultaneously, a Conditional Use Permit was approved by the Planning Commission for the then auto repair use.

Today, the property is zoned Industrial High (I-H). Currently, the building/site is vacant and was recently purchased by the current owner for the purpose of establishing a reception center use. According to Section 12.22.080, Non-conforming Development that is consistent with the originally approved plan shall be deemed compliant with the current zoning ordinance. In review of the site plan submittal that is required as part of the CUP application, it appears that the use is not proposing changes to the site that triggers correcting any possible site plan related non-conformities. Therefore, it is staff's position that the Commission's review is limited to the standards of the Conditional Use Request and of imposing any site or other conditions related to mitigating impacts of the proposed conditional use.

PROPOSED CONDITIONAL USE PERMIT REQUEST REVIEWTable of Uses Allowed 12.36

The Table of Uses Allowed, indicates that a "Reception center, is allowed in the Industrial High (I-H) Zone with an approval of a conditional use permit. This use is defined in the Zoning Ordinance as, "A facility rented for private social gatherings," (see 12.12.040).

Conformance with the City's General Plan

The General Plan states the following:

- ✓ Section 12.430.1, Need for Commercial and Industrial Development Policies – "...To assist in the provision of revenues for high quality local services, and to provide needed personal and business services..."
- ✓ Section 12.430.3.2, West Centerville – "...best use of land...is for well-planned highway commercial, light industrial, and manufacturing uses..."
- ✓ Section 12.480.6 – "Goal 1...Enhance the Centerville City Business Park District."
- ✓ Section 12.480.6 – "Goal 1...Preserving the economic viability of a now aging development area is critical to the success of the neighborhood."
- ✓ Section 12.480.6 – "Objective 1.H...Limit land uses of the Business Park to light manufacturing, office, professional service, and specialty retail type uses."

Staff's Conclusion – In November 2016, the City reviewed and subsequently approved a zoning text amendment to allow reception centers in the I-H zone, as proposed earlier by the applicants. Therefore, the request for allow a reception center use has been deemed consistent with the City's General Plan.

CUP Approval Factors to be Reviewed [12.21.100.e.5.A-K]

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

According to the applicants, the building and site have been vacant for the past two (2) years. The current configuration of the building and site is set up in a manner to be used for office, warehouse, storage yard/parking, and employee customer parking. The reception center setup would consist of remodeling the interior building space leaving some office space, but creating a large assembly area for patrons and guests. The surrounding properties and uses are similar to the previous use for the site consisting predominately of office/warehousing uses (*see photo in this report and the applicant's submittal*). Staff concludes that although the reuse of the building for a reception center is a different use than office/warehouse, the needed assembly space and parking configuration remains relatively the same for both use types.

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

From staff's review the predominate difference of the reception center and other uses is the schedule and hosting of large events that will likely occur on nights and weekends. Receptions can draw large crowds and as indicated during the applicant's original zone text amendment in November 2016, those events would most likely occur between the hours of 5:00 p.m. and 1:00 a.m. It was further stated that customers can provide their own alcohol, and the facility can provide a certified bartender. However, the applicant and Commission should be advised that any alcohol sales or use is subject to issuance of local and state regulations and permits. A separate permit and approval will be required to determine if any alcohol use may be provided or served at an event.

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

In Staff's review of the site and the use, it appears that the proposed assembly area requires 44 parking stalls and there are 44 existing parking stalls with the main egress from 75 North Street. Additionally, during the text amendment meeting in a response to the question of the City Council, Police Chief Child stated that he is not concerned about traffic in the area, and with his current knowledge of the proposal, the use would probably not be that big of an impact. He also stated that a reception center would probably not be a large impact on police services. Additionally, the applicants will be required to meet adopted and applicable building and fire codes for any remodel or assembly area use.

PLANNING STAFF RECOMMENDATION

Suggested Motion for a conditional use permit located at 875 South Frontage Road

I hereby make motion for the Planning Commission to approve the conditional use permit for *Arcoiris Reception Center*, subject to the following conditions:

1. This conditional use permit shall only apply to the building and site (*Parcel 06-144-0008*) located at 1343 West 75 North.
2. The reception center events shall be conducted between the hours of 6:00 am through the day until 1:00 am.
3. The reception center use, deliveries, and other related activities and uses shall be subject to the City Noise Ordinance, as described in Chapter 7.09 (*Noise Control*).
4. The applicant shall obtain approval of the City's Building Official and the South Davis Fire Marshall and address or fulfil any circumstances that are deemed necessary to

comply with the applicable Building and Fire Codes for the interior reception center use and activities.

5. All alcohol sales or use is subject to issuance of local and state regulations and permits. A separate permit and approval will be required to determine if any alcohol use may be provided or served at an event.
6. All desired business signs shall obtain a sign permit approval from the City.

Suggested Reasons for the Action (Findings):

- a. The Planning Commission finds that the proposed reception center use in the I-H Zone requires issuance of a conditional use permit [12.36 Table of Uses]
- b. The Planning Commission finds that the use is consistent with the General Plan of Centerville City, as reviewed in the Planning Staff Report.
- c. The Planning Commission finds that according to Section 12.22.080, Non-conforming Development that is consistent with the originally approved plan shall be deemed compliant with the current zoning ordinance.
- d. The Planning Commission finds that in its review of the related site layout submittal, that is required as part of the CUP application, the Arcoiris Reception Center is not proposing any changes to the site that triggers correcting any site plan related non-conformities.
- e. The Planning Commission has reviewed the approval standards for issuance of a CUP, as listed in Section 12.21.100 of the Zoning Ordinance.
- f. Therefore, the Planning Commission finds that approving with the CUP request conditions listed will not create additional issues that need to be mitigated and sufficient evidence has been shown to meet the review criteria for issuance of a Conditional Use Permit.



ONYX
DESIGN
COLLECTIVE

ONYX DESIGN COLLECTIVE
3000 W. 10TH AVENUE
BOULDER, UT 84010
(907) 698-7801
info@onyxdesigncollective.com
www.onyxdesigncollective.com

PRELIMINARY
REVIEW SET
FOR
CONSTRUCTION

ARCOIRIS RECEPTION CENTER

LUZ ESTRADA
343 W. 75 N. CENTERVILLE, UT. 84014
SITE PLAN REVIEW

Drawn: Date: Description:

NOTE: THIS DRAWING IS INTENDED FOR A
SPECIFIC SITE. IF THE BUILDING OR
LANDSCAPE IS TO BE CHANGED, THE
DRAWING MUST BE REVISED
DATE: 11/01/13
DRAWN BY: Audrey Anne Chaudry
CHECKED BY: Luz Estrada
DATE: 3-30-17

SITE PLAN

A0.1

GENERAL SITE NOTES

SITE LEGEND

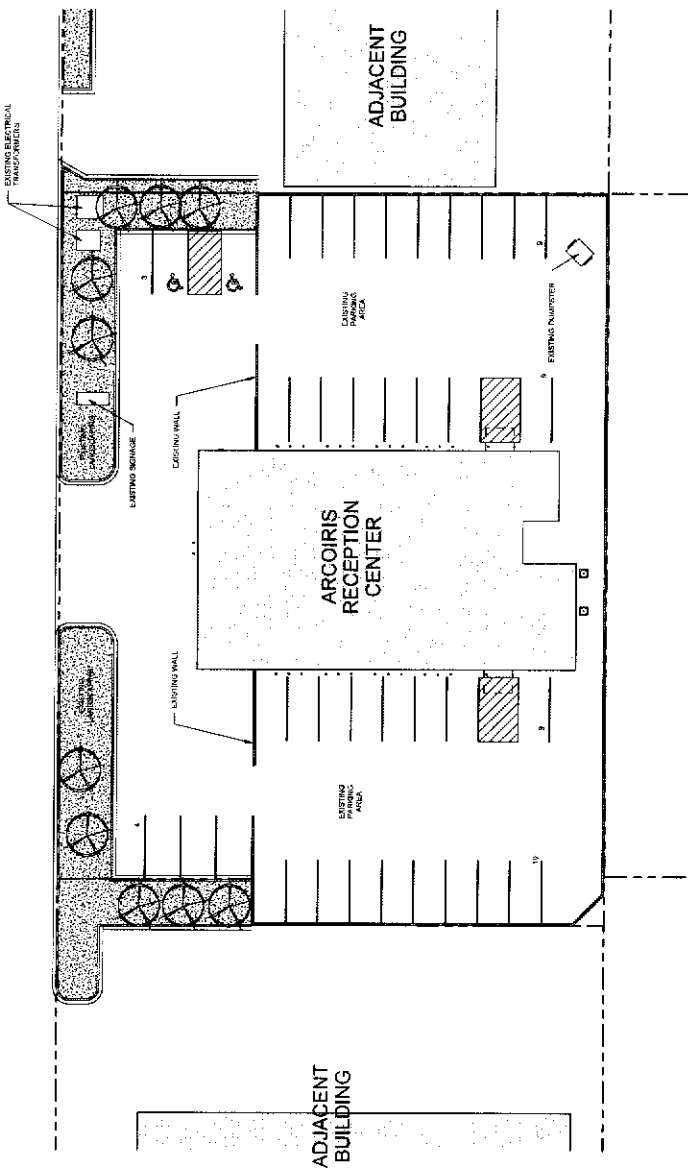
--- PROPERTY LINE
--- EXISTING FENCE LINE

ZONING INFORMATION

ZONING AREA: M-1
PERMITTED USES: RESIDENTIAL, COMMERCIAL, INDUSTRIAL, OFFICE, RECREATION, CULTURAL, EDUCATIONAL, PUBLIC USE, AND OTHER USES THAT ARE NOT INCONSISTENT WITH THE ZONING ORDINANCE.
PERMITTED ACCESSORY USES: ACCESSORY USES THAT ARE NOT INCONSISTENT WITH THE ZONING ORDINANCE.
TOTAL PARKING PROVIDED: 44 STALLS

NOTE:
SITE PLAN FOR REFERENCE ONLY.
ALL PARKING, SIDEWALKS, STIPING, AND FENCING IS EXISTING.
PLAN TO SHOW CONSTRUCTION OF PARKING REQUIREMENT ONLY.
NO CONSTRUCTION WILL BE DONE ON SITE.

75 NORTH



TRUE NORTH



A1 SITE PLAN
100' = 1" = 0'

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/12/2017**

Item No. 3

Short Title: Public Hearing - Conceptual Site Plan - 111 S Frontage Road

Initiated By: Robert Miller, Applicant

Scheduled Time: 7:50

SUBJECT

ADMINISTRATIVE DECISION

Consider the proposed Conceptual Site Plan for SDC Investments for a three story office building at 111 South Frontage Road.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ Staff Report SDC Investments Conceptual Site Plan
- ☐ SDC Investments Site Plan
- ☐ SDC Architecture

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

**STAFF REPORT
AGENDA: ITEM 3**

**PROPERTY OWNER
& APPLICANT:**

**ROBERT MILLER
SDC INVESTMENTS
526 N 400 WEST
NORTH SALT LAKE UT 84054**

PROPERTY LOCATION: 111 SOUTH FRONTAGE ROAD

PARCEL SIZE: 1.62

PARCEL NUMBER: 02-026-0070

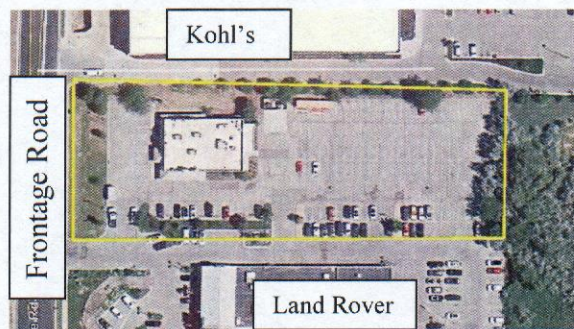
ZONING DISTRICT: COMMERCIAL-VERY HIGH

APPLICATION: CONCEPTUAL SITE PLAN

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

Background

SDC Investments has proposed an office and retail space at 111 S Frontage Road. This site was previously a Ruby River and has been sitting vacant for some time. Because this lot was previously part of the southern lot (which Land Rover is on), there is some discrepancy over whether this was legally subdivided from Land Rover back in 1997. Date of origination for this parcel is September 5, 1997.



Before Final Site Plan approval, it should be determined whether this lot was legally subdivided according to Centerville City Ordinances. If not, it will need to go through a Lot Split/ Small Subdivision process along with the Final Site Plan.

General Plan – 12-430-3-1.

South Frontage Road: “As existing heavy commercial and industrial uses in the South Frontage Road area are discontinued or moved, such should be replaced with more attractive, commercial and retail oriented businesses. [...] Future development in this area should also be carefully considered for its appearance from Interstate 15, as this is an important entrance to Centerville City.”

This proposed commercial development provides more retail and office uses, with an upgrade in visual appeal in regards to architecture and landscaping.

Table of Uses

Office is a permitted use in C-VH zone, while “Retail, general” is a Conditional Use. “Retail, specialty” is a Permitted Use in C-VH. Depending on what type of retail goes into this building, they may need a Conditional Use Permit.

Development Standards 12.34.300

Development Standard	Required	Provided	Compliance?
Distance between buildings	6 feet	20'+	Yes
Maximum height	45 feet	45' + 6'	Yes
Minimum frontage	80 feet	~150'	Yes
Minimum width	80 feet	~150'	Yes
Front setback	20 ft	48'	Yes
Side setback	8 (both 18)	15'	Yes
Rear setback	None	>100'	Yes
Floor Area per building Maximum	50,000 SF	21,048	Yes

Landscaping and Screening– 12.51.

More than the necessary landscaping is planned for the site, but there is no official landscaping plan submitted. Screening of the outside storage must be provided with an opaque fence or wall [12.51.110].

Required Landscaping Summary Chapter 12-51			
Guidelines	Standard	Required Site Specific	Actual/Compliance
Total Landscaping Area	10%	7,061	14,777 SF = 21%
Total Required Trees	1 Tree per 500 square feet of <i>required</i> landscaping	14	TBD
Trees for Street Frontage	1 per 25 linear feet	6	TBD
Building Frontage/Foundation	50%	~30 feet	Yes
Total Interior Parking Lot Landscaping	5%	11%	Yes
Total Interior Parking Lot Trees and Shrubs	For every six <i>required</i> stalls: 1 tree	16.3	TBD
	For every six <i>required</i> stalls: 2 shrubs	32.6	

Parking –

12.52

SDC has actually removed a row of parking that fronted the road, and replaced it with landscaping. They have also decreased the previous total number by replacing one row with outdoor storage. The site had been previously very much over-parked, and this revised site plan brings the parking calculation to a more reasonable number for the uses on the site.

Parking requirement	Calculation	Needed	Provided	Compliance
Retail	$7,016 / 250 = 28$	98	105	Yes
Office	$14,032 / 200 = 70$			7 surplus

Signs 12.54

No signs have been submitted for this property yet – when ready, they will need to follow the CZC 12.54 (Signs) and submit proper permits.

Architectural Design

Submitted architectural design (see attached) include a three story building with brick or stone at the bottom, many dimensions throughout the building, with balconies and a patio in the back.

Conclusion

This site meets all the necessary requirements for a Conceptual Plan and shows good design concepts for the site. The only remaining problem in question is whether the property was legally subdivided from the previous owner.

PLANNING STAFF RECOMMENDATION –

Conceptual Site Plan – Suggestion Motion for Conceptual Site Plan Approval

PROPOSED ACTION: I hereby make a motion for the Planning Commission to APPROVE the Conceptual Site Plan for the SDC Investments Commercial Office at 111 S Frontage Road, with the following conditions:

1. Legality of the subdivision of the property between 111 S Frontage Road and 155 S Frontage Road should be determined before accepting Final Site Plan.
 - a. If legally subdivided, the applicant shall provide a cross-access agreement to establish a legal shared access between this site and the Land Rover site at 155 S Frontage Road.
 - b. If not legally subdivided, the applicant shall also submit a Lot Split/Small Subdivision application along with the Final Site Plan, in accordance with CMC 15.02.070.
2. A Final Site Plan application shall be submitted following the criteria found in CZC 12.21.110(e)(2).
3. A complete landscape plan shall be prepared by a licensed landscape architect and follow the criteria found in CZC 12-51 (Landscaping and Screening). This plan shall be submitted with the final site plan and indicate the following: Type and location of all vegetation, total calculations and percentages of landscaping vegetation, and irrigation plan. Preference is given to designs and plans with xeriscaping and drought tolerant species.
4. A fence surrounding the outdoor storage shall be included in the Final Site Plan.
5. If the applicant shall have a tenant that follows under “Retail, general”, a Conditional Use Permit shall be required. The CUP will need to comply with the objectives found in CZC 12.21.100.
6. Applicant shall submit with Final Site Plan application a title report or other documentation evidencing all easements of record recorded against the subject property. Applicant shall

address any issues regarding the swale area and/or easements restricting improvements in this area of the property along Frontage Road.

7. Applicant shall dedicate public utility easements in accordance with applicable City Ordinances if not currently existing on the property.

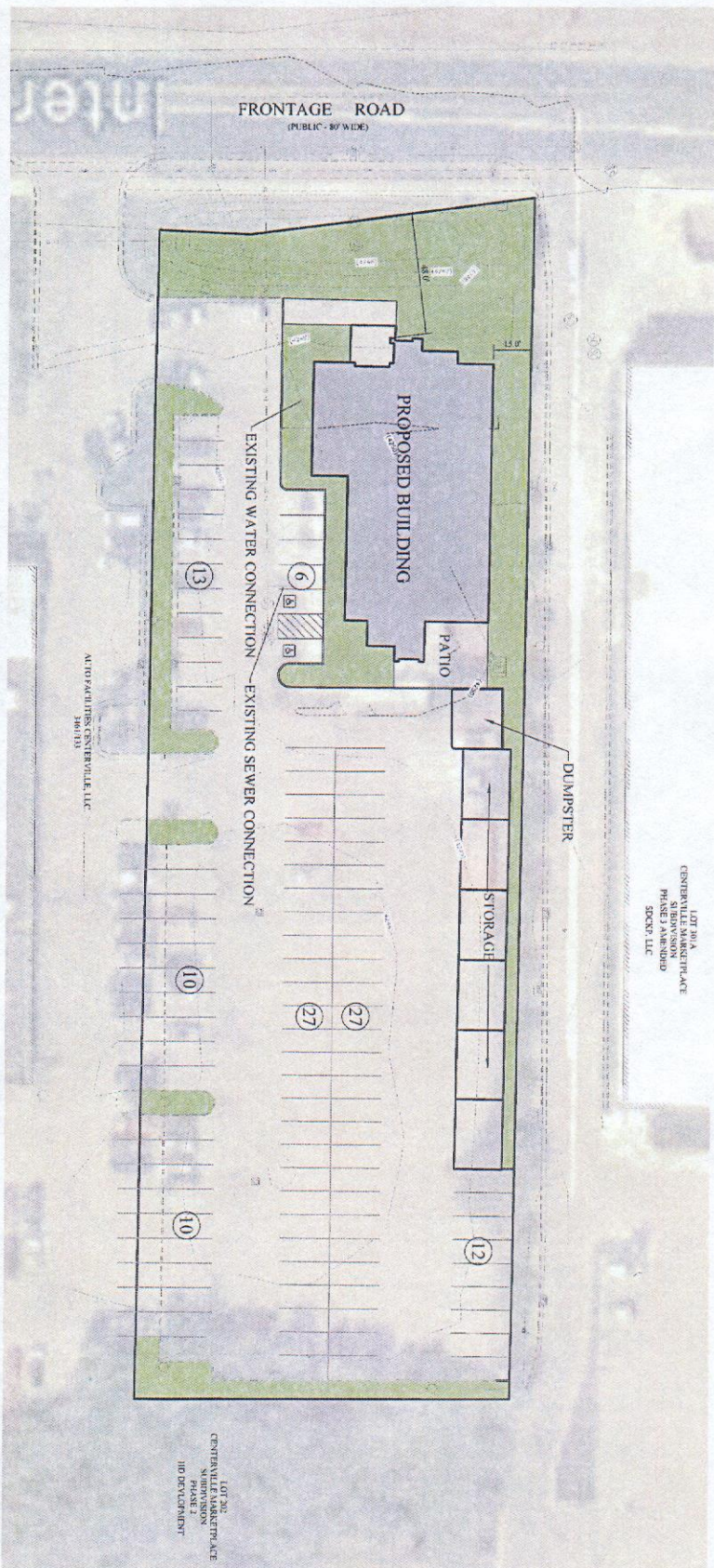
REASONS FOR ACTION

- a) The conceptual site plan submittal has adequately shown how the property may be developed [CZC 12.21.110(d)(2)].
- b) The development appears to be consistent with the goals and objectives found within the Centerville City General Plan 12-480-2, 2 (c)
- c) "Office" and "Retail, specialty" are permitted uses in a Commercial-Very High Zone, as found in the Table of Uses, CZC 12.36.040. If the applicant's retail use falls under the "retail, general" category, they will need a Conditional Use Permit.



NOTE:
 1. THIS PLAN IS A CONCEPTUAL PLAN AND NOT A FINAL PLAN. ANYTHING IS SHOWN IN THE PLAN IS FOR INFORMATION ONLY. THE FINAL DESIGN SHALL BE DETERMINED BY THE CLIENT.
 2. CONSTRUCTION SHALL BE TO START BUILDING SHORTLY AFTER ALL APPLICABLE APPROVALS HAVE BEEN OBTAINED.

CONCEPT NARRATIVE COMMERCIAL	
LOCATED IN CENTERVILLE, UTAH	
TOTAL FLOOR SPACE (3 FLOORS)	21,048 SQFT
RETAIL	7,016 SQFT
OFFICE	14,032 SQFT
OPEN SPACE	14,777 SQFT (21%)
PARKING SPACES	102 SPACES
PARKING LOT AREA	43,254 SQFT
PARKING LOT LANDSCAPE	4,693 SQFT (11%)
TOTAL AREA	70,612 SQFT



GENERAL NOTE:
 THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE IF ANY NEW DATA IS OBTAINED. THE PLAN IS FOR INFORMATION PURPOSES ONLY.

RECEIVED APR 03 2017

SDC INVESTMENTS - OFFICE BUILDING

CENTERVILLE, DAVIS COUNTY, UTAH

SITE PLAN

FOCUS
 ENGINEERING AND SURVEYING, LLC
 22 WEST CENTER STREET
 MIDVALE, UTAH 84047 PH: (801) 353-0075
 www.focusutah.com

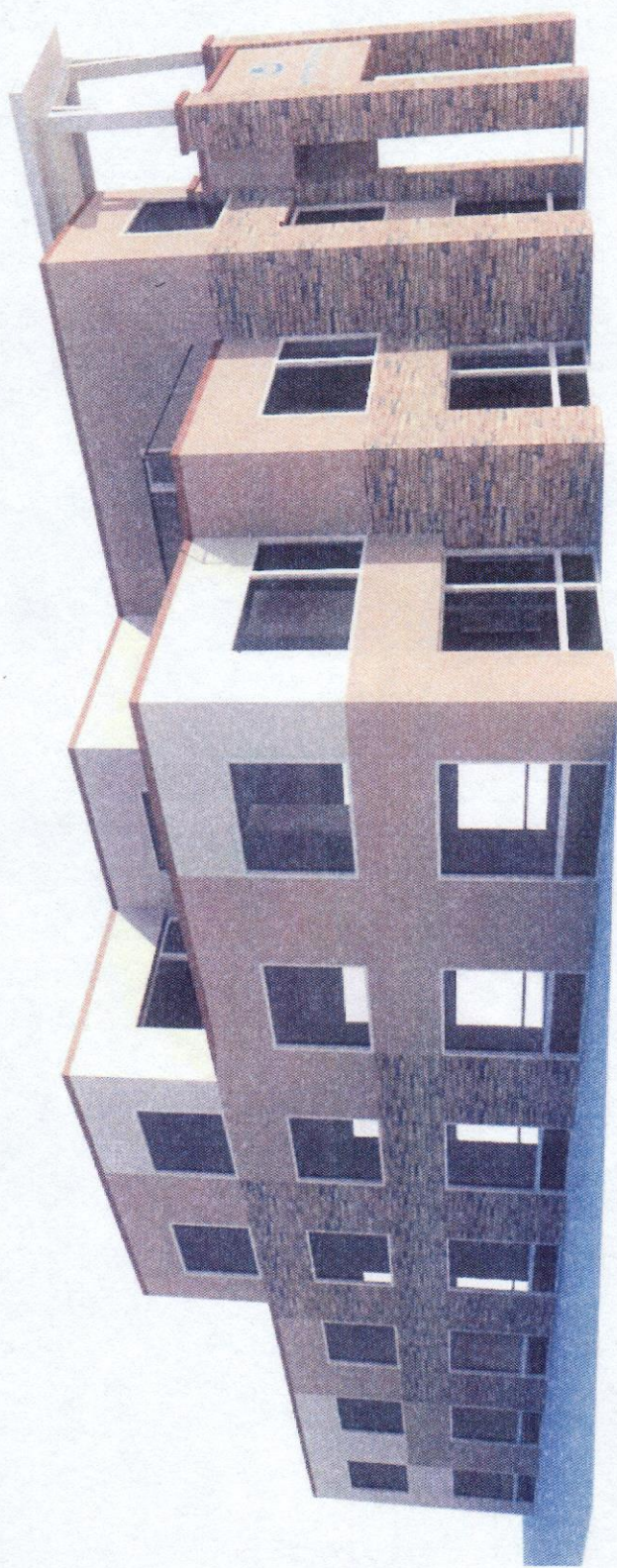
REVISIONS	
NO.	DATE
1	
2	
3	
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6	
7	
8	

SITE PLAN

DATE: 11/11/16
 BY: JLD
 CHECK: JLD

E







**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/12/2017**

Item No. 4.

Short Title: Public Hearing - Zoning Text Amendment

Initiated By: Loren Pankratz, Applicant

Scheduled Time: 8:10

SUBJECT

LEGISLATIVE DECISION

Consider the proposed Zoning Text Amendment to permit Churches and places of worship in Industrial-High Zones.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ PC Staff Report Zone Text Amendment Church or Place of Worship in the I-H Zone
- ☐ The Bridge Community Church Submittal

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

**STAFF REPORT
AGENDA: ITEM 4**

APPLICANT: LOREN PANKRATZ
THE BRIDGE COMMUNITY CHURCH
P.O.BOX 504
CENTERVILLE, UTAH 84014
(loren@thebridgeutah.org)

APPLICATION: ZONING ORDINANCE TEXT AMENDMENT

APPLICANT REQUEST: AMEND THE ZONING CODE TO ALLOW "CHURCHES OR PLACE OF WORSHIP" IN THE I-H (INDUSTRIAL-HIGH) ZONE, AS A PERMITTED USE

RECOMMENDATION: CONSIDER RECOMMENDING THE PROPOSED CHANGE, BUT MODIFY THE PETITION TO ALLOW THE USE UPON APPROVAL OF A CONDITIONAL USE PERMIT

BACKGROUND

The petitioner, Mr. Loren Pankratz of the Bridge Community Church, is considering moving their place of worship to a location on the West Centerville area. The area of interest is currently zoned Industrial High (I-H). However, according to Chapter 12.36 (Table of Uses) of the Zoning Ordinance, a "Church or place of worship" is not permitted within the I-H Zones. Therefore, the petitioner is asking the City to reconsider the allowable uses of the I-H Zone to include "Church or place of worship" as a "Permitted" use. In most cases, "Church or place of worship" is allowed upon approval of a Conditional Use Permit, which include the A-L, R-L, R-M, R-H, C-M, C-H and C-VH Zones. Although this use is customarily associated with residential neighborhoods. It is not uncommon for this use to be located in commercial or industrial locations. More particularly, it is seen in metropolitan areas with a high concentration of worshipers needing a large assembly area, often referred to as a "megachurch." Due to parking demand, traffic, emergency services, and other needs such worship facilities are better suited to be located in commercial and industrial locations.

TEXT AMENDMENT REVIEW AND ANALYSIS (12.21.080.e)

Zone Map Amendments - Pursuant to the City's Zoning Ordinance, the "decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in Section 12.21.060.a.1.B. Additionally, Section 12.21.80.e. lists one (1) criterion

for considering a text amendment petition. The following is a summary of staff's review of the matter:

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

- **Staff Response:** The only reference found in the General Plan in regards to churches can be found in Section 12-480-5, Neighborhood 4, Northwest, Land Use Hierarchy Standards. This reference only gives clarity on the classification of the use intensity, and not what zone is appropriate for a church to be located within. Nonetheless, it states that such uses with facilities less than 10,000 square feet are appropriate at "all level of intensity." Thus, the request to allow this use in the I-H Zone could be deemed consistent with the intensity expectations of the City's General Plan.

Nevertheless, Section 12-480-6 (West Centerville Neighborhood) lists a goal to "Enhance the Business Park District." Objective 1.H states a desire to limit lands uses to light manufacturing, office, professional service, and specialty retail type uses. Thus, the matter at hand is to determine if a "church or place of worship" use is consistent with the desired objective. It is staff's perspective that an objective is subordinate to the stated main goal. Does allowing a "Church" use sustain and support the original goal? It is the position of staff that the other listed allowable uses of the I-H Zone, which include vocational schools and other personal instruction uses, a church use is compatible due to its primary focus in providing a place of worship for personal instruction and edification. Couple this with the idea that "intensity" category for churches less than 10,000 square feet is considered "intensity appropriate" at all levels, the allowance of the petitioner's request could be deemed consistent with the City's General Plan.

ADDITIONAL REVIEW CONSIDERATIONS

As indicated earlier, Churches are allowed upon approval of a Conditional Use Permit in most zones, which includes the A-L, R-L, R-M, R-H, C-M, C-H and C-VH Zones. Although the General Plan uses an "level of intensity" measurement, it appears that the Zoning Ordinance does not make a distinction between worship facilities above or below the 10,000 square feet measurement. Regardless of the proposed size, the Zoning Ordinance chooses to use the Conditional Use Permit process to allow a level of scrutiny to mitigate any potential conflicts or excess burdens on a case by case basis. Thus, the Planning Commission will need to decide if the petitioner's request for a "permitted allowance" is appropriate for the areas of the City that are I-H Zoned. Keep in mind that the maximum size building for the I-H Zone is 50,000 square feet. A worship facility at this size may have need of mitigating some impacts such as traffic, parking, or other such matters. Therefore, it Commission finds favor recommending a text change, it may be appropriate to consider modifying the petition in support of using the Conditional Use Permit approval process.

PLANNING STAFF RECOMENDATION

Suggested Motion for an amendment to the Centerville City Zoning Ordinance in regards to Chapter 12-36 – Tables of Uses Allowed – I hereby make a motion for the Planning

Commission to recommend to the City Council, the following amendment to the Centerville City Zoning Ordinance:

Section 12.36 (Table of Uses Allowed), shall be amended to allow "Church or place of worship" within the Industrial High (I-H) Zone to be allowed as upon approval of a Conditional Use Permit.

Suggested Reasons for the Action (Findings):

- a. The Planning Commission finds that the "decision to amend the...zoning ordinance is a matter of within the legislative discretion of the City Council as described in Section 12.21.060.a.1.B.
- b. The Planning Commission finds that the Land Use Hierarchy Standards in the General Plan only gives clarity on the classification of a church use intensity, and not what zone is appropriate for a church to be located within.
- c. The Planning Commission further finds that the intensity policy states that such church uses with facilities less than 10,000 square feet are appropriate at "all levels of intensity."
- d. The Planning Commission finds that Section 12-480-6 (West Centerville Neighborhood) lists a goal to "Enhance the Business Park District," which is predominately comprised of the I-H Zoning District.
- e. The Planning Commission further finds that Objective 1.H of the same Goal states a desire to limit lands uses to light manufacturing, office, professional service, and specialty retail type uses.
- f. The Planning Commission also finds that the other listed allowable uses of the I-H Zone, which include vocational schools and other personal instruction uses. Therefore, a church use is compatible due to its primary focus in providing a place of worship for personal instruction and edification.
- g. The Planning Commission finds that although the General Plan uses an "level of intensity" measurement, it appears that the Zoning Ordinance does not make a distinction between worship facilities above or below the 10,000 square feet measurement.
- h. The Planning Commission finds that a church or place of worship is predominately currently listed as a Conditional Use within the A-L, R-L, R-M, R-H, C-M, C-H and C-VH Zones.
- i. The Planning Commission finds that it appears that the Zoning Ordinance chooses to use the Conditional Use Permit process to allow a level of scrutiny to mitigate any potential conflicts or excess burdens on a case by case basis.
- j. The Planning Commission further finds that the maximum size building for the I-H Zone is 50,000 square feet. Therefore, a worship facility at this size may have need of mitigating some impacts such as traffic, parking, or other such matters.
- k. Therefore, the Planning Commission finds favor in recommending a text change. However, the recommendation is to modify the petition in support of using the Conditional Use Permit approval process.



March 15th, 2017

Centerville City Planning Commission
655 N 1250 W
Centerville, UT 84014

To whom it may concern:

The Bridge Community is a non-denominational Christian church that has been a part of the Centerville community since 2011. Over the past six years we have met in several locations in the city and hope to purchase property and a facility here in Centerville. We've found several locations that would serve our church needs very well located in industrial high intensity zones (I-H). The current city table of uses for public and civil use (12.36.030) lists "Church or place of worship" as not permitted (N) in I-H zones. The current zone requirements may reflect a neighborhood model of church and not all churches embrace this model. Our church, for example, sees itself as serving the broader South Davis community and so does not need to be attached to a residential area. Indeed, the past two spaces our church has utilized for worship have been non-traditional places of worship (Davis Arts Building, and a commercial property on Pages Lane). **We petition Centerville city to change "churches and places of worship" from not permitted (N) to permitted (P) on the Table of uses for Public and Civic Use in I-H zones (12.36.030).** Below you will find a brief list of reasons to review when considering this request:

- Wasatch Front cities have already permitted churches to use industrial zones as sites for places of worship (e.g., Draper, West Jordan).
- Churches typically operate on different schedules and have different peak use times than other businesses located in Industrial zones. This means that when a church occupies space in an industrial park there is one less business using up parking and clogging streets around the other facilities during regular business hours.
- Churches often have larger sized groups of people coming and leaving at the same time and so churches may actually fit better in an industrial zone rather than in a residential area.
- Industrial zones may be occupied by larger manufacturing businesses and enabling churches to occupy that space keeps the area cleaner and quieter.
- Currently, the city permits vocational schools (P) and reception centers (C) to operate in I-H zones. Permitting these secular uses for public assembly seems to indicate the city is not adverse to public gatherings in Industrial zones and so may be willing to permit churches to use these spaces.

Yours,

Loren Pankratz
Pastor of The Bridge Community

Reach Teach Grow Go

P.O. Box 504 Centerville, UT

e-mail: info@thebridgeutah.org

www.thebridgeutah.org

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/12/2017**

Item No. 5.

Short Title: Public Hearing - Preliminary Subdivision - 1150 240 East

Initiated By: Ronn Marshall, Applicant

Scheduled Time: 8:30

SUBJECT

ADMINISTRATIVE DECISION

Consider the proposed Preliminary Subdivision for Chitose Johnson Subdivision

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ C Johnson Preliminary Sub PC Staff Report
- ☐ C Johnson Prelim Sub Site Plan

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

**STAFF REPORT
AGENDA: ITEM 5**

PROPERTY OWNER: CHITOSE JOHNSON TRUST

APPLICANT: RONN MARSHALL
MAPLE HILLS REALTY
161 NORTH MAIN
BOUNTIFUL, UTAH

PROPERTY LOCATION: CHITOSE JOHNSON SUBDIVISION
1150 SOUTH 240 EAST

PARCEL SIZE: 2.68 ACRES, GROSS, 2.3 NET

ZONING DISTRICT: R-L

APPLICATION: PRELIMINARY SUBDIVISION

STAFF RECOMMENDATION: APPROVE

Background

Ronn Marshall would like to create a nine lot single-family subdivision of the south side of Pages Lane on vacant ground. The houses at 1188 and 1161 S 240 East are already built, making this a nine-lot subdivision, seven of which would be created.

The Conceptual Subdivision Plan was approved by the Planning Commission on February 8, 2017. The rezone of the property from R-M into R-L was approved by the City Council on February 21, 2017.



GENERAL REQUIREMENTS FOR ALL SUBDIVISIONS - CHAPTER 15-5

Layout Section 15-5-101 and Lots Section 15-5-102

The Setbacks listed on the Preliminary plat are incorrect. The side setbacks need to be adjusted to 8' and 10', not 8' and 8'. This may change some of the building footprints, as a few lots were set at 8' and 8'.

Street, Drainage, and Utility Improvements Section 15-5-103, 105, 106

Existing and proposed utilities are noted on the plan. A comprehensive Geotechnical Investigation and Soils report was submitted to staff, examining subsurface conditions. All final engineering plans will need to be approved by the City Engineer.

Public Utility Easements are being changed, and some on the southern end of the lot are being moved further south to accommodate a large building pad on Lot 7 and 8.

Suggested Motion for Preliminary Subdivision

I hereby make a motion for the Planning Commission to APPROVE the Preliminary Subdivision Plat for The Chitose Johnson Subdivision, located at 1150 South 240 East, subject to the following conditions:

Conditions:

1. Final Subdivision Plat and Construction Plans shall be submitted in accordance with Chapter 15-4 of the Subdivision Ordinance.
2. Unless otherwise agreed to by the City, the temporary turn-around and access easement should be shown and labeled on the Final Plat, but can be vacated or released by the City upon developer's completion of the public improvements for the subdivision.
3. Prior to or concurrent with Final Plat review, developer shall obtain required approvals for the proposed vacation of a portion of the 35' wide perpetual right-of-way and public utility easement currently recorded against the property.
4. The Final Plat shall provide a plat note indicating that no permanent structures are to be built inside of the Public Utility Easements.
5. Proper legal descriptions of the current, proposed abandoned, and new Public Utility Easements shall be addressed with the Final Plat or related documents.
6. Building pads for each lot shall be redrawn to show the correct setbacks: 25' front, 20' rear, and 8' and 10' for the sides.
7. Street, Utility, and Drainage improvements must be submitted with the construction drawings and approved by the City Engineer prior to recording the Final Plat. The lowest elevation of all storm drains and subdrains needs to be verified for drainage issues.
8. Developer shall provide the lowest floor elevation information with Final Plat submittal and the Final Plat shall provide a plat note regarding lowest floor elevation requirements and limitations.
9. Flood plain classification and survey shall be submitted as part of Final Plat submittal.
10. Lots should be numbered and labeled to include the lot located at 1188 S 240 East, which shall be labeled as either Lot 1 or Lot 9.

11. Existing deferral agreement for public improvements associated with the previous subdivision of property shall be addressed by the developer and confirmed with the City Attorney prior to final plat approval.
12. All easements of record shall be shown on the Final Plat with reference to entry number, book and page, as applicable.

Suggested Reasons for the Actions (Findings):

- a) The Preliminary subdivision appears to be consistent with the General Plan.
- b) The Preliminary subdivision complies with applicable provisions of the Centerville Municipal Code, Title 15 (Subdivisions).
- c) With minor changes, it is likely to meet all the Development Standards laid out for an R-L Zone in CZC 12.32.300
- d) The applicable review standards of the Subdivision Ordinance pertaining to a Preliminary Subdivision, Title 15-3 have been reviewed and directives established to allow the proposal to proceed to Final Subdivision Plat submittal.

APN: 03040055
CORP OF THE PRESIDING BISHOP OF
THE CHURCH OF JESU

1131 S MAIN STREET

V.T.S.

ALSO DESCRIBED AS

CONTAINING 3.318 ACRES.

APPROXIMATELY 200 EAST 1200 NORTH

PRELIMINARY
NOT FOR
CONSTRUCTION



	DATE	REF. RT.	DESCRIPTION
DRILLING JOB	06/18/2017		
APPLY: SNA	01/18/2017		
PROJECT: 1000004			
1000004 Pre-Slab Aug			
C400			
FREELIQUIDART			
SCHWABSON			

CHITOSE JOHNSON AMENDED SUBDIVISION

Lot	Area (Ac.)	Area (Sq. Ft.)	Dimensions
LOT 1	2.480	169,680	300' x 565'
LOT 2	0.553	38,000	150' x 253'
LOT 3	0.180	12,320	100' x 123'
LOT 4	0.230	15,840	100' x 158'
LOT 5	0.260	17,952	100' x 179'
LOT 6	0.230	15,840	100' x 158'
LOT 7	0.210	14,515	100' x 145'
LOT 8	0.270	18,624	100' x 186'
LOT 9	0.270	18,624	100' x 186'
LOT 10	0.270	18,624	100' x 186'
LOT 11	0.270	18,624	100' x 186'
LOT 12	0.270	18,624	100' x 186'
LOT 13	0.270	18,624	100' x 186'
LOT 14	0.270	18,624	100' x 186'
LOT 15	0.270	18,624	100' x 186'
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LOT 93	0.270	18,624	100' x 186'
LOT 94	0.270	18,624	100' x 186'
LOT 95	0.270	18,624	100' x 186'
LOT 96	0.270	18,624	100' x 186'
LOT 97	0.270	18,624	100' x 186'
LOT 98	0.270	18,624	100' x 186'
LOT 99	0.270	18,624	100' x 186'
LOT 100	0.270	18,624	100' x 186'

