

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

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

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. Upon request, a citizen may obtain (without charge) the City Manager's memo summarizing the agenda business, **or may read this memo on the City's website: <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

Dave Hirschi, Chair

D. MINUTES REVIEW and ACCEPTANCE

April 12th

E. COMMISSION BUSINESS

7:10 1. Public Meeting - Final Site Plan - Bleak Accessory Building - 149 West 1850 North
ADMINISTRATIVE DECISION
Consider the proposed Final Site Plan for an unplatted residential development for
an accessory building

7:30 2. Public Hearing - Zone Map Amendment, Final Site Plan and Conditional Use Permit
- Cottage on the Corner - 323 E Pages Lane
LEGISLATIVE AND ADMINISTRATIVE DECISION
Consider the proposed zoning map amendment, Final Site Plan, and Conditional
Use Permit for the proposed development "Cottage on the Corner," a six unit multi-
family residential development at 323 E Pages Lane.

- 7:50 3. Public Hearing - Zone Text Amendment - A-L Setbacks and Height
 LEGISLATIVE DECISION
 Consider the proposed amendments to the Centerville Zoning Code regarding
 setbacks and heights for accessory buildings in Agricultural-Low zones.
- 8:10 4. Community Development Director's Report
 Upcoming Public Forum for Pages Lane, May 10th
- 8:15 5. City Council Actions Report

F. ADJOURNMENT

PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, April 12, 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

Becki Wright

MEMBERS ABSENT

David Hirschi, Chair

STAFF PRESENT

Lisa Romney, City Attorney

Cory Snyder, Community Development Director

Cassie Younger, Assistant City Planner

Luanne Hudson, Recording Secretary

VISITORS

Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER - Commissioner Wright

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held March 8, 2017 were reviewed and amended. Commissioner Helgesen made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Hirst and passed (5-0). Commissioner Wright abstained.

The minutes of the Planning Commission meeting held March 22, 2017 were reviewed and amended. Commissioner Hirst made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Daly and passed (5-0). Commissioner Wright abstained.

PUBLIC HEARING - CONDITIONAL USE PERMIT, 1110 West 650 North, Administrative Decision, Consider the proposed Conditional Use Permit for auto/vehicle sales for Ronin Motors. Cory Bluemel, Applicant

Assistant City Planner Cassie Younger reported on Ronin Motors' application for a Conditional Use Permit for auto sales. The applicant is Cory Bluemel and the location is 1110 West 650 North, Suite B. This property is owned by Brad Vander Meyden and is the location for

three other tenants: a general contractor, one electrician, and another small auto dealership. Staff reviewed the parking conditions necessary for the CUP and reported they are in compliance. The applicant was invited to speak but had no comment.

Vice Chair Hayman opened the public hearing at 7:17 p.m. and seeing no public comment, closed the hearing at 7:17 p.m.

Commissioner Daly made 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 conditions (1-5) and reasons for action (a-e) listed in the Staff Report. Vice Chair Hayman seconded the motion which passed unanimously (6-0).

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.

REASONS FOR THE ACTION (FINDINGS):

- a) The applicant has submitted a complete application for a Conditional Use Permit [CZC 12.21.100(d)(1)].
- b) 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)].
- c) 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].
- d) 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)].
- e) Adequate parking is provided for all four tenants on the lot [CZC 12.32.300].

**PUBLIC HEARING - CONDITIONAL USE PERMIT, 1343 West 75 North,
Administrative Decision, Consider the proposed Conditional Use Permit for a Reception
Center in an Industrial Zone for Arcoiris Reception Center. Jaden Malan and Luz
Estrada, Applicants**

Community Development Director Snyder reported on the Arcoiris Reception Center application for a Conditional Use Permit. He said in December 2016 the City Council approved the applicant's request for a zoning text amendment to allow reception centers in the Industrial-High (I-H) Zone. Currently the building is vacant and was purchased by the applicant for use as a

1 reception center. He said the applicant is not planning to make changes to the building that
2 would require site plan approval. The applicant is planning to remodel the interior to create a
3 large assembly area. He said the surrounding businesses are primarily office/warehouse and light
4 manufacturing uses.

5
6 Mr. Snyder said Staff evaluated parking, based on the fixed seat or general assembly
7 area, and determined that 44 parking stalls are required and the site meets that requirement. Staff
8 believes the parking is sufficient because the primary hours of use are in the evening and will not
9 generally conflict with the daytime use of surrounding businesses. Mr. Snyder noted there is
10 additional parking available on the street and the City has no restrictions on street parking in this
11 area. Mr. Snyder said the applicant has hired an architect to verify the facility's occupancy and
12 the required number of parking stalls.

13
14 Commissioner Daly asked for clarification about use of alcohol on the site. My Snyder
15 said service of alcohol may be a sensitive issue, but it is not considered under the CUP. He
16 explained that sales, use and service of alcohol are subject to a separate permit process required
17 by state and local entities.

18
19 Applicant Eric Estrada addressed questions regarding alcohol service. He said the
20 reception center does not provide alcohol and their rental contract stipulates that if customers
21 want to bring their own alcohol, the reception center provides the bartender. The bartender is
22 responsible for seeing that no one under the age of 21 is served alcohol and once they run out of
23 alcohol, they cannot bring in more. He said the use of alcohol has not been an issue at their other
24 location.

25
26 Commissioner Hayman opened the public hearing at 7:29 p.m. and seeing no comment,
27 closed it at 7:29 p.m.

28
29 Several Commissioners engaged in a discussion about potential parking problems
30 because the overflow parking lot is obstructed by walls. The Commissioners added Conditions 7
31 and 8 to mitigate these concerns. Applicant Luz Estrada agreed that adding parking signage is a
32 good idea. Jared Malan, a broker for Newmark Grubb Acres, said he talked with surrounding
33 businesses and they have no parking concerns associated with the reception center. He said the
34 neighboring businesses primarily use the space in the daytime.

35
36 Vice Chair Hayman made a **motion** for the Planning Commission to approve the
37 Conditional Use Permit for **Arcoiris Reception Center**, as amended, subject to the conditions (1-
38 6) from the Staff Report and additional considerations (7-8) and reasons for action (a-f) from the
39 Staff Report. Commissioner Wright seconded the motion and it passed unanimously (6-0).

40
41 **CONDITIONS:**

- 42 1. This Conditional Use Permit shall only apply to the building and site (*Parcel 06-144-*
43 *0008*) located at 1343 West 75 North.
44 2. The reception center events shall be conducted between the hours of 6:00 a.m. and 1:00
45 p.m.

3. The reception center use, deliveries, and other related activities and uses shall be subject to the City Noise Ordinance, as described in Municipal Code 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 fulfill any circumstances 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.
7. Parking in the back (on both sides of the building) is required to be available for parking during events and for business use.
8. Applicant is further required to add signage to indicate "Reception Center Parking" or similar language for the parking areas on both sides of the building.

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, 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 the CUP with the 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.

PUBLIC HEARING – CONCEPTUAL SITE PLAN – 111 SOUTH FRONTAGE ROAD, Administrative Decision, Consider the proposed Conceptual Site Plan for SDC Investments for a three-story office building at 111 South Frontage Road. Robert Miller, Applicant

Assistant City Planner Younger reported on SDC Investments' Conceptual Site Plan for a three-story office/retail building. She said this is the site of the former Ruby River restaurant that has been vacant for some time. She said Staff is in the process of verifying that this lot was legally subdivided from the adjacent Land Rover lot. She said that SDC's Conceptual Site Plan includes increased landscaping, a pedestrian entrance and reducing parking which is a benefit because previously the site was overparked. It also includes new outdoor storage. She said the architecture shows a good design concept with balconies and a patio.

Applicant Robert Miller said SDC Investment is the investment arm of Symphony Homes. He explained that the first floor of the office building will not house traditional retail but will serve as a design center where homeowners can select items like cabinets, colors and carpet.

1 He said the outdoor storage will consist of garages with rolling doors and the contents will not be
2 visible by the public.

3
4 Vice Chair Hayman opened the public hearing at 7:52 p.m. and seeing no comment,
5 closed the public hearing at 7:52 p.m.

6
7 Commissioner Johnson made a **motion** for the Planning Commission to approve the
8 Conceptual Site Plan for the SDC Investments Commercial Office at 111 South Frontage Road
9 with the conditions (1-9) and reasons for action (a-c) from the Staff Report. The motion was
10 seconded by Commissioner Helgesen and passed unanimously (6-0).

11
12 **CONDITIONS:**

- 13 1. Legality of the subdivision of the property between 111 S Frontage Road and 155 S
14 Frontage Road should be determined before accepting Final Site Plan.
- 15 2. If legally subdivided, the applicant shall provide a cross-access agreement to establish a
16 legal shared access between this site and the Land Rover site at 155 S Frontage Road.
- 17 3. If not legally subdivided, the applicant shall also submit a Lot Split/Small Subdivision
18 application along with the Final Site Plan, in accordance with CMC 15.02.070.
- 19 4. A Final Site Plan application shall be submitted following the criteria found in CZC
20 12.21.110(e)(2).
- 21 5. A complete landscape plan shall be prepared by a licensed landscape architect and follow
22 the criteria found in CZC 12.51 (Landscaping and Screening). This plan shall be
23 submitted with the final site plan and indicate the following: Type and location of all
24 vegetation, total calculations and percentages of landscaping vegetation, and irrigation
25 plan. Preference is given to designs and plans with xeriscaping and drought tolerant
26 species.
- 27 6. A fence surrounding the outdoor storage shall be included in the Final Site Plan.
- 28 7. If the applicant shall have a tenant that follows under "Retail, general", a Conditional Use
29 Permit shall be required. The CUP will need to comply with the objectives found in CZC
30 12.21.100.
- 31 8. Applicant shall submit with Final Site Plan application a title report or other
32 documentation evidencing all easements of record recorded against the subject property.
33 Applicant shall address any issues regarding the swale area and/or easements restricting
34 improvements in this area of the property along Frontage Road.
- 35 9. Applicant shall dedicate public utility easements in accordance with applicable City
36 Ordinances if not currently existing on the property.

37
38 **REASONS FOR THE ACTION (FINDINGS):**

- 39 a) The conceptual site plan submittal has adequately shown how the property may be
40 developed [CZC 12.21.110(d)(2)].
 - 41 b) The development appears to be consistent with the goals and objectives found within the
42 Centerville City General Plan 12-480-2(2)(c)
 - 43 c) "Office" and "Retail, specialty" are permitted uses in a Commercial-Very High Zone, as
44 found in the Table of Uses, CZC 12.36.040. If the applicant's retail use falls under the
45 "retail, general" category, they will need a Conditional Use Permit.
- 46

PUBLIC HEARING –ZONING TEXT AMENDMENT, LEGISLATIVE DECISION,
Consider the proposed Zoning Text Amendment to permit churches and places of worship
in Industrial-High (I-H) Zones. Loren Pankratz, Applicant

Commissioner Johnson asked to be excused from the meeting.

Director Snyder reported on the petition from Bridge Community Church to make a text amendment to the Industrial-High (I-H) Zone usage to allow a church or places of worship. He said although this use is customarily associated with residential neighborhoods, it is not uncommon for this use to be located in commercial or industrial locations.

Loren Pankratz, the pastor of Bridge Community Church, said he has operated a non-denomination Christian church in Centerville since 2011. Due to anticipated changes at their Pages Lane location, they are looking for a new site west of the freeway. He said they have a relatively small congregation of about 150 people and they are not a megachurch. He asked for clarification on the reference in the Staff Report to "worship facilities above or below the 10,000 square foot measurement" because he is considering the old Bountiful Glass building that is 10,500 square feet. Mr. Snyder said 10,000 square feet is not a cap, but because this is a request for a text amendment to a zoning ordinance, the Commission must consider other intensity of use and potential uses in order to mitigate impacts like traffic, parking, and noise. He described a hierarchy of standards from low, medium, high and very high.

Vice Chair Hayman opened the public hearing at 8:10 p.m. and seeing no comment, closed it at 8:10 p.m.

Commissioner Wright made a **motion** for the Planning Commission to recommend to the City Council, subject to the reasons for action (a-k) as listed in the Staff Report, 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 upon approval of a Conditional Use Permit.***

The motion was seconded by Commissioner Helgesen and passed unanimously (5-0).

REASONS FOR THE ACTION (FINDINGS):

- a) The Planning Commission finds that the "decision to amend the...zoning ordinance is a matter within the legislative discretion of the City Council as described in CZC 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 I.H of the same goal states a desire to limit land uses to light manufacturing, office, professional service, and specialty retail type uses.
- f) The Planning Commission also finds 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 a "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 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.

**PUBLIC HEARING –PRELIMINARY SUBDIVISION, 1150 SOUTH 240 East,
Administrative Decision, Consider the proposed Preliminary Subdivision for Chitose
Johnson Subdivision. Ronn Marshall, Applicant**

City Planner Younger reported on the Chitose Johnson Subdivision and said the Planning Commission approved the rezone of the property to Residential-Low (R-L) in February. She said it is a nine lot single-family subdivision near Pages Lane. She said there are minor adjustments to the side setbacks, some of the building pads need adjustment, and some of the public utility easements will be adjusted on the final plat. The applicant has submitted a geotechnical investigation and soils report for review by the City Engineer.

Applicant Ronn Marshall made a brief statement saying he has gone over the plans thoroughly and it will be a nice subdivision.

Vice Chair Hayman opened the public hearing at 8:17 p.m.

Parishioner William Ray from the Episcopal Church of the Resurrection said he regrets the development of the vacant field, but he understands the growth of the community and expects to have great neighbors. He said when the Episcopal Church was built, the City required an easement for the driveway on the south that covers the storm drain, sewer, and water lines. His concern is that the driveway will become a thoroughfare to the subdivision. He said he noticed workers doing soil testing for the water table and asked if the houses will have basements. He asked if there was anything else he should be concerned about that might impact the Episcopal Church.

1 Applicant Ron Marshall responded that he had no use for the driveway. He said he will
2 work with his title company to vacate the easement to the Episcopal Church. Director Snyder
3 said the entrance into the subdivision is from 1200 South and will not connect with the driveway
4 at the church. Applicant Marshall said the new houses will have basements and the purpose of
5 the water testing is to require builders to construct at the correct depth.

6
7 Mr. Hal Blankenship, another parishioner from the Episcopal Church, asked that the
8 grassy area at the end of the driveway be restored if it is dug up or disturbed during construction.
9 Mr. Marshall said it would be restored if disturbed.

10
11 Vice Chair Hayman closed the public hearing at 8:23 p.m.

12
13 Commissioner Hirst made a **motion** for the Planning Commission to approve the
14 Preliminary Subdivision Plat for the Chitose Johnson Subdivision, located at 1150 South 240
15 East, subject to the conditions (1-12) and reasons for action (a-d) listed in the Staff Report. The
16 motion was seconded by Commissioner Daly and passed unanimously (5-0).

17
18 **CONDITIONS:**

- 19 1. Final Subdivision Plat and Construction Plans shall be submitted in accordance with
20 Municipal Code Chapter 15.4 of the Subdivision Ordinance.
 - 21 2. Unless otherwise agreed to by the City, the temporary turn-around and access easement
22 should be shown and labeled on the Final Plat, but can be vacated or released by the City
23 upon developer's completion of the public improvements for the subdivision.
 - 24 3. Prior to or concurrent with Final Plat review, developer shall obtain required approvals
25 for the proposed vacation of a portion of the 35' wide perpetual right-of-way and public
26 utility easement currently recorded against the property.
 - 27 4. The Final Plat shall provide a plat note indicating that no permanent structures are to be
28 built inside of the Public Utility Easements.
 - 29 5. Proper legal descriptions of the current, proposed abandoned, and new Public Utility
30 Easements shall be addressed with the Final Plat or related documents.
 - 31 6. Building pads for each lot shall be redrawn to show the correct setbacks: 25' front, 20'
32 rear, and 8' and 10' for the sides.
 - 33 7. Street, Utility, and Drainage improvements must be submitted with the construction
34 drawings and approved by the City Engineer prior to recording the Final Plat. The lowest
35 elevation of all storm drains and subdrains needs to be verified for drainage issues.
 - 36 8. Developer shall provide the lowest floor elevation information with Final Plat submittal
37 and the Final Plat shall provide a plat note regarding lowest floor elevation requirements
38 and limitations.
 - 39 9. Flood plain classification and survey shall be submitted as part of Final Plat submittal.
 - 40 10. Lots should be numbered and labeled to include the lot located at 1188 S 240 East, which
41 shall be labeled as either Lot 1 or Lot 9.
 - 42 11. Existing deferral agreement for public improvements associated with the previous
43 subdivision of property shall be addressed by the developer and confirmed with the City
44 Attorney prior to final plat approval.
 - 45 12. All easements of record shall be shown on the Final Plat with reference to entry number,
46 book and page, as applicable.
- 47

REASONS FOR THE ACTION (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.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Upcoming Agendas:

- Text Amendments to A-L setbacks and heights
- Cottage on the Corner Final Site Plan
- Bleak Final Site Plan
- Pages Lane Work Session/Open House with Public Comment from City

Director Snyder reported on the City Council's denial of the Brighton Homes General Plan Amendment for the Pages Lane area. He said it was a difficult decision for the Council because the Brighton Homes application was a "bird-in-hand" project and yet the Council had no feel for public opinion. The City Council directed Staff to work with the Planning Commission to gather public input on the Pages Lane southeast development. He said the Council also wants to gather input from area businesses and property owners like Deseret Industries, Steak and Shake, and Village on Main.

Mr. Snyder suggested the Planning Commission add a 5:30 p.m. work session to the next meeting on Wednesday, April 26th to conduct a public forum. He said the goal is to answer big picture questions about the likes and dislikes for development (commercial or residential, park, community garden or cemetery). He said the forum will also include a presentation from Brighton Homes as an option. Assistant City Planner Younger suggested providing a survey and suggestion boxes. Staff will compile input from the public forum and present it at a later meeting.

The Commissioners engaged in a discussion about how to get the word out to the public using social media, the City's website and a press release to the Davis County Clipper. The Commissioner also suggested sending flyers to business owners, nearby schools and churches. A concern was aired about letting Brighton Homes dominate the discussion at the public forum. Mr. Snyder said he would take the Commissioners input on the proposed public forum to the City Manager and report back. Also, the Commission debated the proposed open forum dates and Assistant City Planner Younger offered to send out a "Doodle" meeting scheduling e-mail to all the Commissioners to help with securing a date for the public forum meeting.

CITY COUNCIL ACTIONS REPORT

Brighton Homes General Plan Amendment Denied Request

ADJOURNMENT

Vice Chair Hayman made a **motion** to adjourn. Commissioner Daly seconded the motion, which passed unanimously (5-0). The meeting adjourned at 8:59 p.m.

Vice Chair Hayman

Date Approved

Luanne Hudson, Recording Secretary

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT**

**655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

**PROPERTY OWNER/
APPLICANTS:** **TERRY & SELENE BLEAK
149 WEST 1850 NORTH
CENTERVILLE, UTAH 84014
(emmittdoc@yahoo.com)**

PROPERTY: **PARCEL 07-139-0031**

ACREAGE: **0.621 OF AN ACRE**

ZONING: **RESIDENTIAL-LOW (R-L)**

APPLICATION: **FINAL SITE PLAN FOR RESIDENTIAL DEVELOPMENT
OUTSIDE A SUBDIVISION**

RECOMMENDATION: **CONSIDER APPROVAL OF THE FINAL SITE PLAN –
SUBJECT TO CONDITIONS**

BACKGROUND

The Bleaks desire to construct a new accessory garage located at their place of residence. Recently, they acquired an un-platted parcel of land adjacent to their original subdivision lot and combined the land together into a single parcel (as allowed by state law). However, the added parcel remains outside of the platted subdivision boundary. According to Section 12.21.110.c.2, “any residential development outside a platted subdivision” is required to obtain a Site Plan Review from the Planning Commission. As a reminder, a Site Plan Review is a two-step process, Conceptual Site Acceptance and Final Site Plan Approval. The applicants have completed the Conceptual Site Plan process and are seeking a Final Site Plan Approval.

REVIEW OF FINAL SITE PLAN (12.21.110.e)

On March 22, 2017, the Planning Commission accepted the Conceptual Site Plan, subject to the following directives:

1. The applicant must submit a final site plan application meeting the standards found in CZC 12-21-110(e) - **Completed**
1. As part of Final Site Plan submittal, the owners are to prepare the required legal descriptions for one 7’ side yard and one 7’ rear yard public utility easement(s). Such

- easement descriptions are to be reviewed by the City Engineer and deemed acceptable - Pending - applicant's surveyor is preparing the descriptions
2. Such easements must be accepted by the City Council and recorded with the Davis County Recorder's Office prior to issuance of a building permit for the accessory structure - Pending - applicant's surveyor is preparing the descriptions
 2. The final site plan must show all utilities being provided to the site and the accessory structure and owners must obtain and submit to the City the necessary "will serve" letters from any of the applicable utility providers - No utility services are proposed
 3. As part of the Final Site Plan submittal, a grading and drainage plan is to be prepared and submitted with the application. Such plan is to be deemed acceptable by the City Engineer Drainage Plan was submitted, City Engineer says Detention Basin #1 needs to be relocated just outside the easement area
 4. The owners will also be required to pay any development fees that may be applicable for the development of this lot prior to issuance of a building permit for the accessory structure - Due at building permit issuance
 3. As part of any Final Site Plan approval, the owners desiring to use the end of the street for access will be required to obtain City approval for such access, enter into any required agreement for access, dedicate the required temporary turn-around easement, and prepare plans for the constructing any access drive. The temporary turn-around easement must be accepted by the City Council and recorded with the Davis County Recorder's Office prior to issuance of a building permit for the accessory structure - Pending, currently being drafted by City Attorney
 5. The owners shall submit with Final Site Plan submittal revised plans showing the proposed temporary turn-around and access plans for use of the public right-of-way - Completed
 6. The applicant is encouraged to consider compliance with the new minimum setback of 8 feet on the west side to avoid future non-conforming issues due to the newly adopted accessory building setbacks standards of March 2017 - Completed

PLANNING STAFF RECOMMENDATION

After reviewing the Final Site Plan submittal, staff believes the applicant has/is providing or can satisfy the approval standards for "residential development outside a platted subdivision." Therefore, Staff recommends that the Planning Commission approve the final site plan, as follows:

PROPOSED ACTION: I hereby make a motion for the Planning Commission to **APPROVE** the final site plan the proposed residential development outside a platted subdivision for a tract that has been combined with home located at 149 West 1850 North, with the following directives:

1. The final site plan approval is for Parcel 07-139-003, consisting of 0.621 acres, which is comprised of the formerly named Lot 20 of the France Estates Subdivision, along with a tract of land adjacent to the south, which have been combined to create one (1) singular legally created lot.
2. The final site plan approval is for the residential construction of an accessory building (garage), as depicted on the plan submittals dated April 18, 2017 and the conditions of

approval. Nonetheless, any additional residential accessory development shall be subject to obtaining an amended site plan approval consistent with City Ordinances.

3. Detention Basin #1 is to be relocated just outside the easement area and be deemed acceptable to the City Engineer, as part of the issuance of a building permit. The applicants shall pay the related drainage impact fee for the un-platted portion of the property or other applicable fees, as part of the issuance of a building permit.
4. The applicants shall pay the related drainage impact fee for the un-platted portion of the property or other applicable fees, as part of the issuance of a building permit.
5. Due to the applicants and adjacent property owner desires to use the end of the public street for site access, the final site plan approval is conditioned upon obtaining City approval, entering into any required agreement, and preparing plans for the constructing and connection of the access drive.
6. All related access improvements (*within the easement area*) shall be bonded for as part of the issuance of a building permit and shall be installed and deemed acceptable by the City prior to any final inspection for the accessory building.
7. The required side lot line and rear lot line utility easements shall be accepted by the City and recorded in a configuration that is contiguous with the easements dedicated for the former Lot 20, and deemed acceptable to the City, prior to issuance of a building permit.

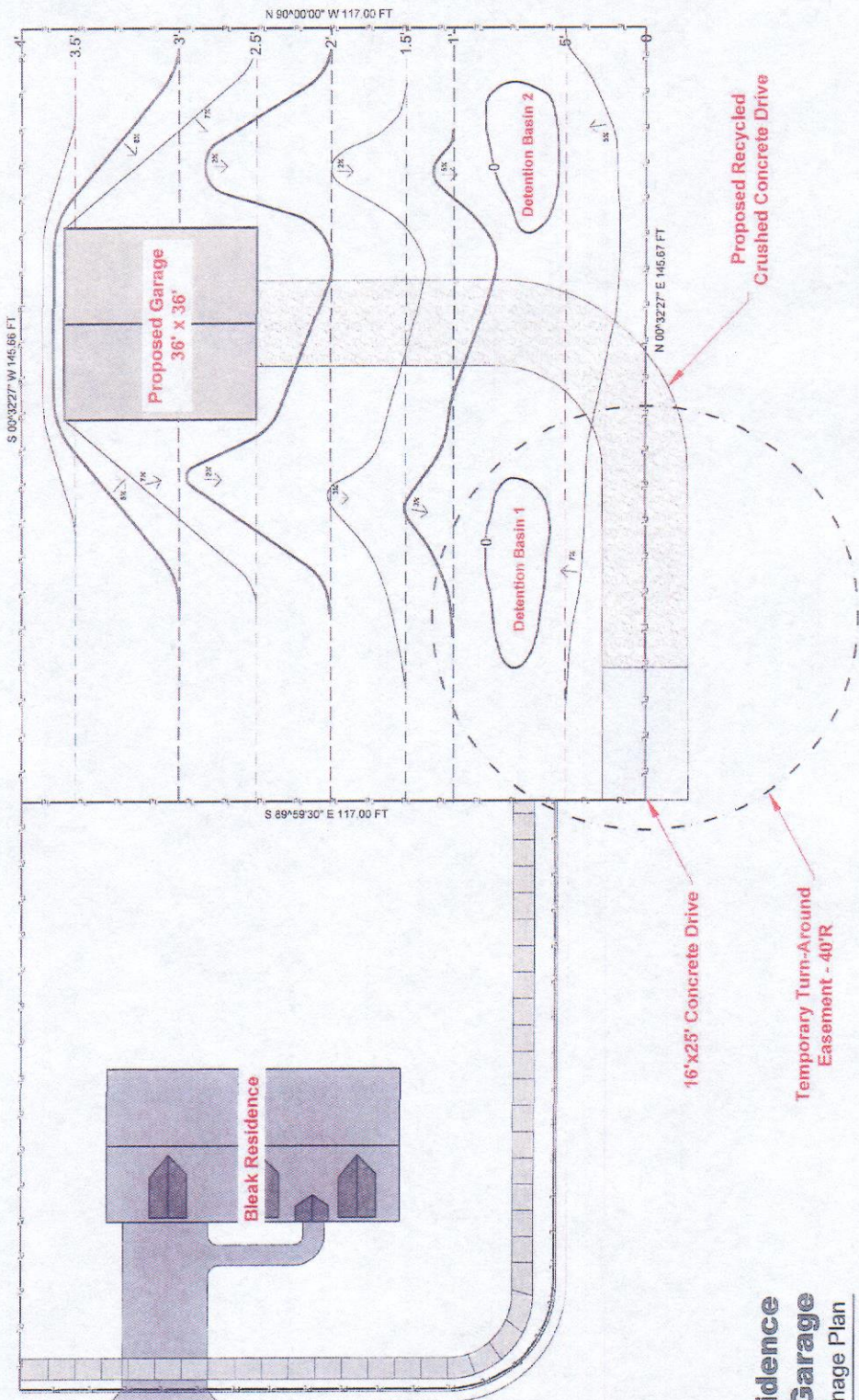
SUGGESTED REASONS FOR THE ACTION:

- a. The Planning Commission finds that a final site plan approval is required to obtain approval to construct an accessory dwelling outside a platted subdivision [Section 12.21.110.e].
- b. The Planning Commission finds that the approval and conditions listed ensures compliance with applicable ordinances of the City.



Rational Method Runoff Calculation - Q=CIA

Units	Detention Basin 1 - Capacity
C = .95 Coefficient	Cut - 35.5' x 11.0' x 6" = 7.2 Cubic Yards or 1480 Gallons
I = 3.5 Inches Per Day*	Detention Basin 2 - Capacity
A = 848 Square Feet	Cut - 25.5' x 15.25' x 6" = 7.2 Cubic Yards or 1480 Gallons
Q = 4332 Gallons Per Day	
*Source = US Department of Commerce, Technical Paper No. 40	



Bleak Residence
Proposed Garage
Grading and Drainage Plan

Scale: 1" = 20'

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Rational Method Runoff Calculation - Q=CIA

Units
 C = .95 Coefficient
 I = 3.5 Inches Per Day
 A = 648 Square Feet
 Q = 1332 Gallons Per Day
 *Source = US Department of Commerce, Technical Paper No. 40

Detention Basin 1 - Capacity
 Cut - 35.5' x 11.0' x 6" = 7.2 Cubic Yards or 1460 Gallons
 Detention Basin 2 - Capacity
 Cut - 25.5' x 15.25' x 6" = 7.2 Cubic Yards or 1460 Gallons



**Bleak Residence
 Proposed Garage
 Site Plan**

April 18, 2017 Scale: 1" = 30'

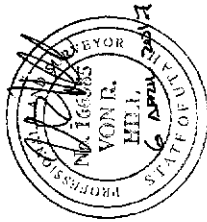
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Intelligent. Innovative.
Inclusive.

March 31, 2017

Terry Blake: (Holbrook/Reynolds)
Cul-de-sac Easement

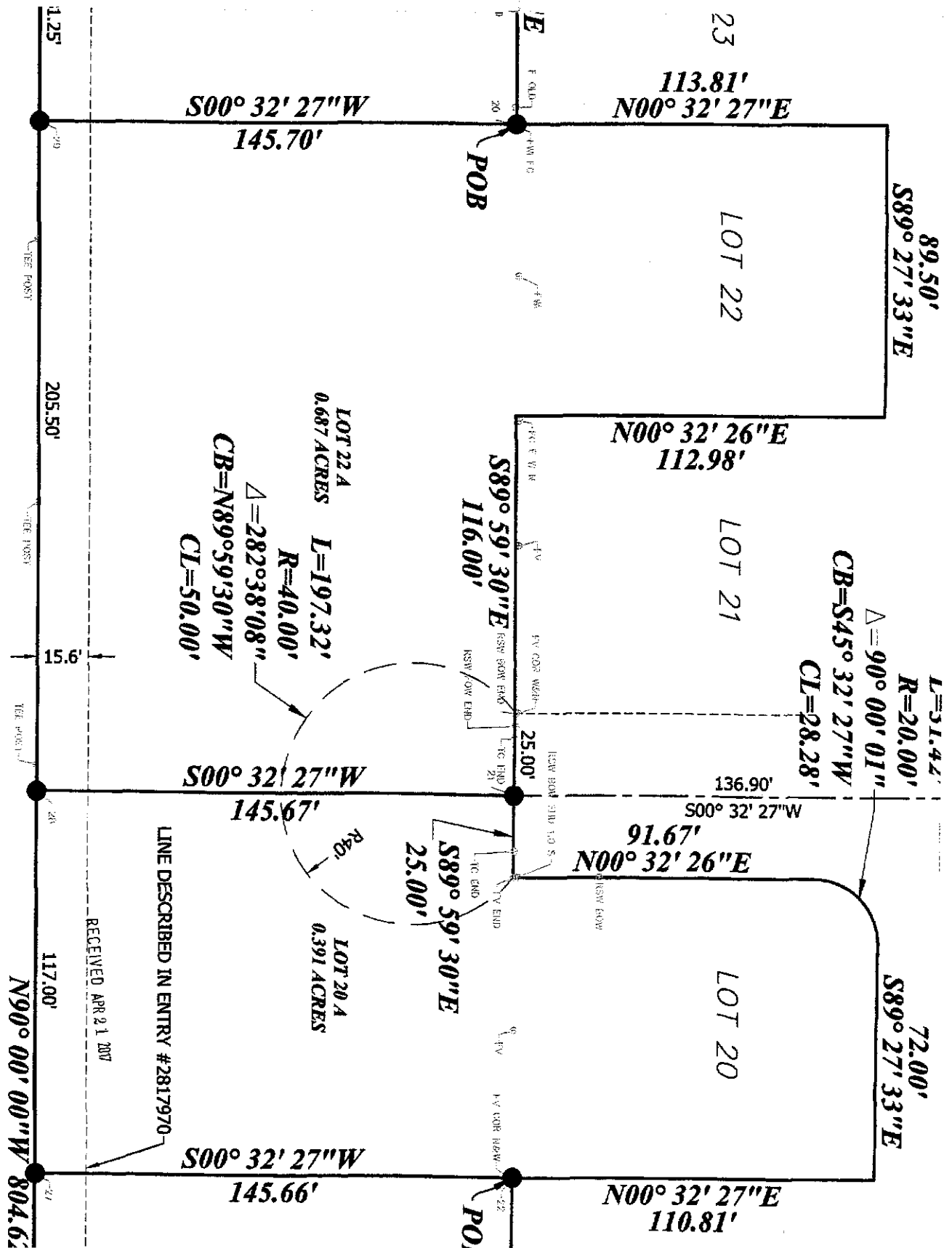
Beginning at the Southwest Corner of Lot 20, France Estates Subdivision, being part of the South Quarter of Section 31, Township 3 North, Range 1 East, Salt Lake Base and Meridian, Davis County, Utah and running thence along the arc of a 40.00-foot radius curve to the right for a distance of 197.32 feet, Radius point bears South 38°41'26" West, Chord Bearing and Distance = North 89°59'30" West 50.00 feet, Central Angle = 282°38'08", thence South 89°59'30" East 50.00 feet to the point of beginning.



181 North 200 West
Suite 4
Riverton, Utah
84010

Tel 801 298 2736
Fax 801 298 5093
Web www.vonchris.com

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**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/26/2017**

Item No. 2

Short Title: Public Hearing - Zone Map Amendment, Final Site Plan and Conditional Use Permit - Cottage on the Corner - 323 E Pages Lane

Initiated By: Scott Balling, Applicant

Scheduled Time: 7:30

SUBJECT

LEGISLATIVE AND ADMINISTRATIVE DECISION

Consider the proposed zoning map amendment, Final Site Plan, and Conditional Use Permit for the proposed development "Cottage on the Corner," a six unit multi-family residential development at 323 E Pages Lane.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ PC Staff Report - Cottage on Corner Rezone Final Site and CUP
- ☐ Cottage on the Corner Site Plan
- ☐ Zoning Map Amendment Illustration
- ☐ Legal description Zone Map Amendments
- ☐ Revised Landscaping Plan
- ☐ Rendering Streetscape
- ☐ Car Turnaround Parking Lot Diagram
- ☐ Dumpster Truck turnaround Diagram
- ☐ Architecture Elevations 1
- ☐ Arch Elevations 2

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

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNER: SCOTT BALLING
P.O. BOX 805
CENTERVILLE CITY, UT 84014

APPLICANT: SAME AS ABOVE
(jscottballing@gmail.com)

PROPERTY LOCATION: 323 EAST PAGES LANE
APNs 03-004-0082 & 03-004-0083

PARCEL SIZE: 0.527 NET ACRES & 0.75 GROSS ACRES

ZONING DISTRICT: RESIDENTIAL-MEDIUM (R-M), LOT LINE
ADJUSTMENTS INCORPORATED R-H AND R-L

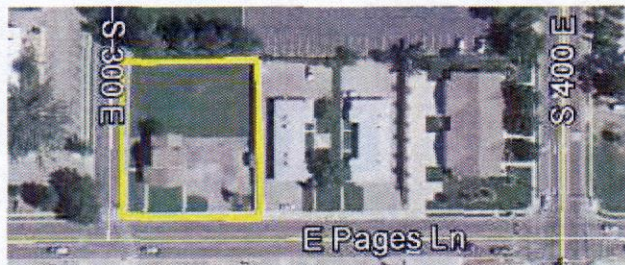
APPLICATIONS: FINAL SITE PLAN ACCEPTANCE, CONDITIONAL USE
PERMIT, ZONING MAP AMENDMENT FOR
SURROUNDING PROPERTY

STAFF RECOMMENDATION: ACCEPTANCE CONDITIONAL ON CC APPROVAL

BACKGROUND

After a previous rezone from C-H to R-M and Conceptual Site Plan acceptance on this property, the applicant, Scott Balling, has now applied for his Final Site Plan, Conditional Use Permit, and an additional rezone of some newly acquired property from his lot line adjustments. The

applicant now desires to develop the property as a multi-family development consisting of six (6) townhomes.



The first phase of development is to begin constructing the multi-family development by gaining a Final Site Plan approval and during the construction activities convert the site into a Planned Unit Subdivision to allow the opportunity to individually sell each unit in the future.

Mr. Balling has acquired some property from his surrounding neighbors, changing the boundaries of his own property in order to achieve the correct density for his project. These boundary adjustments are needed to allow the applicant to seek the development an R-M density allowance of up to eight (8) units per acre. These additional tracts of land are currently in R-L (the LDS Church property) and R-H (Heer apartments) and need to be rezoned to match Balling's own property, R-M.

Lastly, the residential density proposed requires the issuance of a Conditional Use Permit from the Planning Commission for this density allowance.

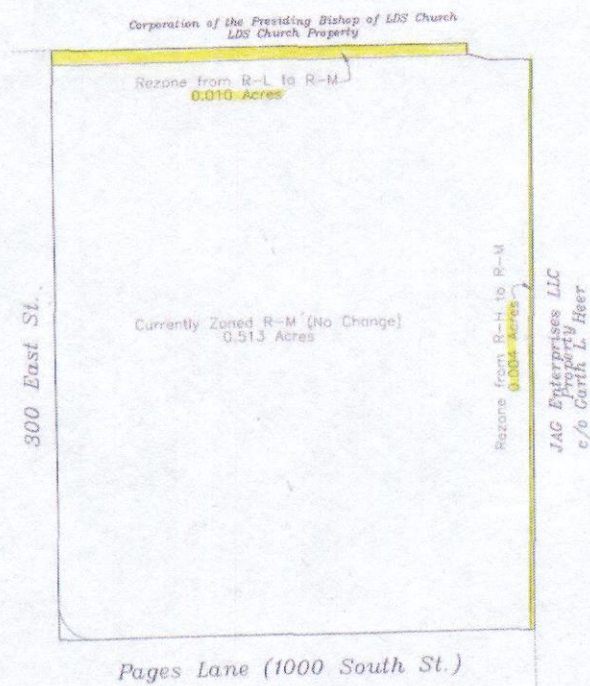
ZONING MAP AMENDMENT APPLICATION

Mr. Balling has adjusted some lot lines from his neighbors in order to reach a density of eight units per acre. With these small changes to his property, he is now at .527 acres net, and .749 Gross acreage (Density is rounded to the nearest tenth). This allows his him up to eight (8) units per acre, which is six (6) units on his lot.

These small tracts of lots are currently in different zones, so they will have to be amended to be incorporated in Mr. Balling's R-M zoned lot.

.010 Acres acquired from LDS Church Property to the North = R-L to R-M

.004 Acres of JAG Enterprises LLC c/o Garth Heer = R-H to R-M



Factors to be considered, Section 12.21.080(e)

1. Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?
 - The General Plan does not call out this location specifically within Neighborhood 1, the Southeast Centerville Neighborhood. Originally, there was some concern as

to what would be a preferred use around the elementary school instead of a commercial zone. In September of 2016, the City Council approved this location from a Commercial High Zone to a Residential Medium zone. Since these additional properties of .014 acres is of the same intent as the original property, and there would be no reason not to accept these additional zone map amendments to this piece.

2. **Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?**
 - Yes, the amendment only adds up to .014 acres of additional property for R-M zoning. There is high density, public facility, and commercial zones surrounding the property along Pages Lane, and R-M is harmonious with those uses, especially along a commercial corridor.
3. **What is the extent to which the proposed amendment may adversely affect adjacent property?**
 - The addition of these slivers of property do not affect the overall character of the development. They do allow the property owner to develop six (6) units instead of five (5) based on gross density calculations. The addition of one more unit on this property will not adversely affect the development or neighborhood as a whole. Any adverse effects would have been considered in the re-zoning of the majority of the property
4. **What is the adequacy of facilities and services intended to serve the subject property?**
 - The area is located within an already developed neighborhood with adequate facilities and services. Any future development would be reviewed by City staff to ensure that proper public utilities have been set forth and other zoning concerns have been satisfied.

Due to these factors, there is no reason why these additional pieces of land that Mr. Balling has acquired should continue to be under a different zone. Zoning prefers to stay within property boundary lines, so therefore his new property should remain the same as the rest, in R-M.

FINAL SITE PLAN

Previous Conditions with Conceptual Site Plan:

1. Prior to submittal of a Final Site Plan application, the applicant is to secure the needed lot line adjustments and obtain any needed rezoning of these properties to the R-M Zoning District; If unable, the applicant is to redesign the development to meet the density allowances of the R-M Zone. **Complete/ In Progress**
2. In conjunction with any Final Site Plan submittal, the applicant is to prepare and submit for a Conditional Use Permit to be considered for any density request that has a dwelling density of 5-8 units per gross acre. **In Progress**
3. As part of the expected Conditional Use Permit review, the CUP submittal is to also address the following:

- a) The design plan and layout is to address the concerns regarding the needed two/three-point turn to exit the garages for Units 3 & 4. Diagrams have been submitted that show the turning radius of a car from the visitor parking spots and the garages for Units 3 and 4.
 - b) The design plan and layout is to be reviewed by the South Davis Metro Fire Agency and the Public Works Director to ensure that there is sufficient access, circulation and hydrants; including fire hydrant flow capacity to service the proposed development. **No Letter Submitted – Pending Approval**
 - c) The design plan and layout will need to be reviewed by the City Engineer to determine how to provide for proper site drainage and storm water management. **Construction plans will be reviewed and need approval by a City Engineer at time of the Building Permit.**
 - d) The design plan and layout is to address the visual streetscape and landscaping design elements that were raised in the staff report for the Conceptual Site Plan acceptance. The site plan facing 300 East now has fencing and a variety of landscaping including more trees than is required for our standards. The balconies, patios, and fencing provide some visual relief and enhanced streetscape than previously submitted.
4. The applicant is to submit a final site plan application meeting the standards found in Section 12-21-110(e) of the Zoning Ordinance. **Complete**
 5. The final site plan submittal is to also address the following:
 - a. Provide a Landscaping Plan and address the standards of Chapter 12.51. Landscaping & Screening. Additionally, this plan is to address the short-comings listed in the Planning Staff report for the Concept Site Plan acceptance.

The Final Site Plan is still only at 35% landscaping, with 38% if patios are included. CZC 12.52 does allow some landscaping to be hardscaping.

Required Landscaping Summary Chapter 12-51			
Guidelines	Standard	Required Site Specific	Actual/Compliance
Total Area Landscaping	40%	38.8% with patios	Not in Compliance
Total Required Trees	1 Tree & 2 Shrubs per Dwelling Unit	6/ 12	26/12 = Yes
Trees for Street Frontage	1 per 25 linear feet	7 (west) 6(south)	9 (west) = Yes 11 (south) = Yes
Total Interior Parking Lot Landscaping	10%	12 Garage Parking Provided – None Req'd	Cut outs in Parking spaces = Yes
Total Interior Parking Lot Trees and Shrubs	For every six required stalls: 1 tree	4 Visitor Stalls	

Total Interior Parking Lot Trees and Shrubs	For every six <i>required</i> stalls: 2 shrubs	10% LS Req'd	
Public Street Landscaping (curb to interior lot)	10 Feet for Local Streets (300 East) 15 Feet for Arterial Streets (Pages Lane)	Local > than 10' is being provided Arterial > than 15' is being provided	Yes

According to 12.51.050, waiver of strict compliance may be granted if the following can be provided:

1. **Preserves the intent of this Chapter and the provision for which a waiver is authorized;**
 - At 38%, the 2% difference in landscaping does not dramatically affect the overall intent to provide a healthy amount of landscaping that provides proper beautification, screening, and environmental considerations to our sites.
2. **The granting of a waiver will not result in an adverse impact on surrounding properties;**
 - 2-5% reduction in landscaping will not adversely affect other properties, as long as adequate screening and buffering of these properties still exists. There seems to be adequate trees and shrubs on the perimeter of this property, therefore fulfilling this role.
3.
 - a) **The strict application of the provision in question is unreasonable or unnecessary for the specific use, design or site proposal given the nature of the proposal or alternate measures proposed by the applicant; or**
 - The applicant has provided well over the required amount of trees for the site, and landscaping along the streetscape, where it is most desired. He has also added enhanced design along 300 East, even though this was not required by code.
 - b) **The property has extraordinary or exceptional physical conditions that do not generally exist on nearby property in the same zone and such conditions will not allow strict compliance with the all of provisions of this Chapter.**
 - It is possible for the applicant, if the Commission deems necessary, to remove one visitor parking spot, or adjust other site plan elements, in order to accommodate for more landscaping, if the missing 2-5% of landscaping is not deemed acceptable by the Commission.
- b. The final site plan is to address the prohibition of vehicles (i.e. dumpster location) backing onto the Public Right-of-Way for exiting.
 - ➔ A-1 Disposal has provided a letters of acceptability of the dumpster location and the adequate accessibility of the dumpster truck. But it stated that the truck would back out onto Pages Lane, which this violates our code, which states that "Each parking lot shall include required backing space within the lot or parcel so a

vehicle will not exit by backing onto a public street”[CZC 12.52.100.d,]. Instead, the applicant has provided a diagram for the turnaround of a dumpster truck turning around within the parking lot, so it may exit the parking lot without reversing onto public right of way.

- c. The proposed dumpster is to be completely screened from view with an opaque six-foot wall or fence. The wall or fence is to be compatible in material and color
- d. of the main buildings on the site. Noted on Building Plans of a 6' tall steel fence “with visible barrier” in front of the dumpster.
- e. If any project signs are desired, the desired sign location is to be depicted on the final site plan. Cottage on the Corner sign detail is provided. – will be reviewed during Building Permit for adherence for CZC 12.54.

CONDITIONAL USE PERMIT APPLICATION

In order to achieve the desire six units on the site (at eight units an acre), the applicant needs to fulfill the requirements of a Conditional Use Permit [CZC 12.32.300] [CZC 12.21.100]

The proposed project is harmonious with the existing uses in the vicinity; will not be injurious to existing development; is suitable for the proposed use; (A-C)

This project is surrounded by many other uses directly surrounding this location – a church, a school, an apartment building, and a commercial strip. Pages Lane truly provides a mix of uses on this corridor, and Balling development adds to that by contributing condominium style housing on this site. This development is an acceptable use for these surrounding areas –it will provide little interruption for the elementary school, and leaves an aesthetically pleasing walk or view for them across the street. As we decide the future of Pages Lane in the next coming weeks, this is not likely to be a use or development that would be injurious or detrimental to any proposed development that may go across the street.

Aesthetic and economic impact of the proposed facility to the surrounding area, while safeguarding adverse effects from the facility from person or property in the area; does not impact the health, safety or welfare of those in the surrounding area (D-E, I-J)

This proposed facility does not negatively impact the surrounding area economically, but provides further housing options in this area of town.

Aesthetically, the streetscape and urban design of the property have been much improved since the Conceptual Site Plan. Plenty of trees, shrubs, fencing, and a decorative sign have been added to the street appeal of this corner and neighborhood. Rather than the old vacant building that exists now, the new design will breathe life into this corner. Mr. Balling has made a conscience effort to improve the design of the building to better interact with the streets around it. While not perfect, it does provide an aesthetic improvement to the community.

The present and future requirements for transportation, traffic, water, sewer, and other utilities, for the proposed site and surrounding area; The safeguards proposed or provided to insure adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, and pedestrian and vehicular circulation; The safeguards provided or proposed to prevent noxious or offensive omissions such as noise, glare, dust, pollutants and odor from the proposed facility or use;(G,H,J)

Adequate parking facilities exist in this location, and the new proposed location will not add a substantial amount of traffic and circulation to the property. All of the owners of these units will have their own two-car garage and the site has a few spots for visitor parking, so on-street parking will not be common for this development. The biggest concern is with the dump truck access off Pages Lane, which the A-1 company has assured is adequate,

Grading and drainage plans have been submitted, and swales, retention ponds and retaining walls have been noted on the plan. Final approval will be necessary by the City Engineer at the time of Building Permit, but no serious concerns have arose.

No known safeguards are necessary to guard against omissions, noise, pollutants, etc, that would heed warning for this property. All adequate facilities exist or will be implemented at the time of construction.

ZONE MAP AMENDMENT SUGGESTED MOTION

I hereby make a motion for the Planning Commission to *recommend APPROVAL* for the additional land acquired for the "The Cottage on the Corner" Townhomes Project, located on property at 323 East Pages Lane, as follows:

1. These amendments include only the .010 acres acquired from the LDS Church to the North and the .004 acres acquired from JAG Enterprises LLC to the East, as provided in the legal description attached.
2. The area is to be combined into a single parcel

SUGGESTED REASONS FOR ZONE MAP AMENDMENT –

- a) The proposed amendment meets the requirements found in Section 12.21.080(4)(e).
- b) The proposed Zone Map Amendment is consistent with the overall intent of the goals and objectives of the General Plan [Section 12.480.2(c)].
- c) According to the associated Neighborhood Plan, amending the zoning map for this location to Residential-High (R-H) appears to likely have less of a long-term impact on the surrounding neighborhood than the current zoning of Commercial-High (C-H) that is anticipated in the plan.

FINAL SITE PLAN SUGGESTED MOTION

PROPOSED ACTION: I hereby make a motion for the Planning Commission to *ACCEPT* the Final Site Plan for "The Cottage on the Corner" Townhomes Project, to be located on property at 323 East Pages Lane, subject to the following conditions:

CONDITIONS:

1. City Council approval of the Zone Map Amendment of the small additions of property to the North and East of the original lot, the additional .014 acres of property, rezoned from R-H and R-L to R-M.
2. Approval from South Davis Metro Fire on Final Site Plan is required before Building Permit issuance.
3. A waiver of strict compliance shall be given to accept only 38% landscaping coverage, due to the fact that 4 times the amount of trees required were provided, and were concentrated along the perimeter for buffering and an enhanced streetscape design of corners and entrances. OR
 - a. The Applicant shall provide a new landscaping plan that has the full required amount of landscaping, 40% of the site, before Building Permit issuance.
4. The A-1 Truck disposal shall be prohibited from backing onto Pages Lane, as required in CZC 12.52.100.d, and shall use the parking lot to turn around, as diagramed in the prohibited illustration.
5. Final Approval is conditioned upon the acceptance of a Conditional Use Permit, for the desired density, at eight units per acre, and six dwelling units for the site.

SUGGESTED REASONS FOR THE ACTION:

- a) The final site plan submittal has adequately shown how the property may be developed [Section 12-21-110(e)].
- b) The development appears to be consistent with the goals and objectives found within the Centerville City General Plan [Section 12-480-3].
- c) The Final Site Plan that has been submitted depicts how the site could be appropriately developed is designed to comply with the applicable provisions of the Residential-Medium (R-M) Zone (see Section 12.21.110.e) and other relevant regulations, as discussed in the Planning Staff Report.

CONDITIONAL USE PERMIT SUGGESTED MOTION

PROPOSED ACTION: I hereby make a motion for the Planning Commission to ***ACCEPT*** the Conditional Use Permit for "The Cottage on the Corner" Townhomes Project, to be located on property at 323 East Pages Lane, with the following directives:

1. The Conditional Use Permit is dependent on the acceptance of the zoning map amendment, incorporating the lot line adjustments, as accepted by the City Council.
2. The CUP is dependent on the design, layout and development as depicted in the Final Site Plan as approved by the Planning Commission.

SUGGESTED REASONS

- a) The property is allowed up to 6 units on the property, with .749 Acres Gross, at Density Rounded to the nearest tenth [CZC 12.21.030]
- b) The applicant has fulfilled the factors to be considered in a CUP, as outlined in CZC 12.21.100.

NDC'01'41"W
201.94'

2,362.04'

Pages Lane

161.33

Garth Heer
Property

Legend

Center Line X X X
Boundary Line
Curb and Gutter
4" Wide Concrete Walk
Concrete Driveway

	Area (sq.ft.)	Percent
Building	8,326	36.7
Landscaping	8,127	35.8
Driveway and Walks	6,264	27.6
Total	22,717	100
Area to Centerlines	32,452	0.75 Acres
Number of Units	6 Units	
Density	8.0 Units/Acre	
Parking	18 Spaces (3 per Unit)	
Unit Dimensions		
Unit 1 (3 Bedroom, 2.5 Bath)	833 sq.ft.	
Basement	821 sq.ft.	
Main Floor	821 sq.ft.	
Total	1,653 sq.ft.	
Unit 2 (4 Bedroom, 3.5 Bath)		
Basement	734 sq.ft.	
Main Floor	722 sq.ft.	
2nd Floor	829 sq.ft.	
Total	2,286 sq.ft.	
Unit 3 (3 Bedroom, 2.5 Bath)		
Basement	1,392 sq.ft.	
Main Floor	971 sq.ft.	
Total	2,363 sq.ft.	
Unit 4 (4 Bedroom, 3.5 Bath)		
Basement	867 sq.ft.	
Main Floor	863 sq.ft.	
Total	1,726 sq.ft.	
Unit 5 (4 Bedroom, 3.5 Bath)		
Basement	754 sq.ft.	
Main Floor	728 sq.ft.	
2nd Floor	854 sq.ft.	
Total	2,336 sq.ft.	
Unit 6 (3 Bedroom, 2.5 Bath)		
Basement	954 sq.ft.	
Main Floor	934 sq.ft.	
Total	1,892 sq.ft.	

Surveyor	Scott Bolling		
Date Surveyed	Date	Description	1
Drafting			
Checked By			
Submittal Date 11-30-18			
File Number			

The Cottage on the Corner Site Plan

For Kentrel Bay LLC
323 East Page Lane
Centerville, Utah 84014
Phone: 801-589-7305
Email: jscott@king@gmail.com



Balling Engineering

323 E. Pagos Lane
Centerville, Utah 84014

Phone: (801) 295-7237
Fax: (801) 299-0419

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KELLS
CAGERT

Corporation of the Presiding Bishop of LDS Church
LDS Church Property

Rezone from R-L to R-M
0.010 Acres

Currently Zoned R-M (No Change)
0.513 Acres

Rezone from R-H to R-M
0.004 Acres

JAG Enterprises LLC
Property
c/o Garth L. Heer

300 East St.

Pages Lane (1000 South St.)

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Total . 527

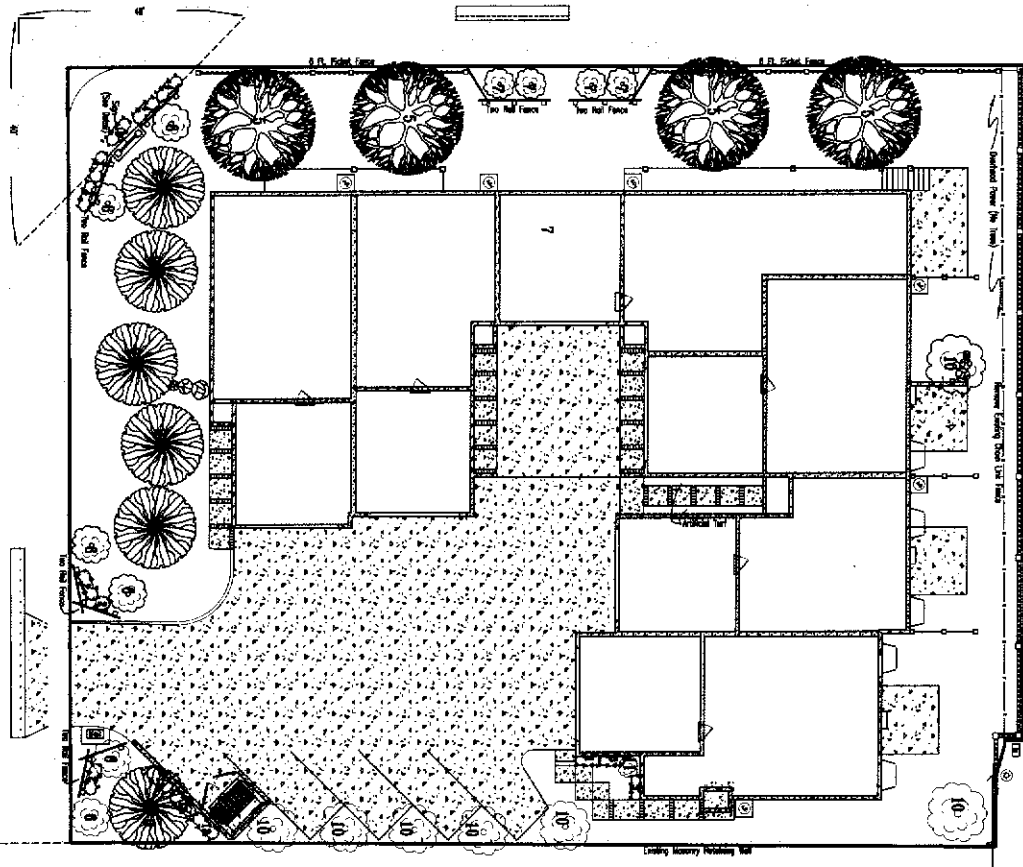
Description of Property to be Zoned R-M

Centerville, Utah

Beginning on the North Line of Pages Lane, a 66 ft. wide road, at a point S89°36'20"W along the North Line of said street 297.72 ft. from the West Line of 400 East Street, said point being also N89°35'58"E 72.60 ft. along the 1/4 Section Line to an Existing Brass Witness Corner Monument and S00°15'55"W 280.04 ft. along the centerline of said 400 East Street and S89°36'20"W 330.72 ft. along said North line of Pages Lane from the East Quarter Corner of Section 18, T.2N., R.1E., S.L.B. & M. and running thence S89°36'20"W 136.37 ft. along said North line of Pages Lane to the East line of 300 East Street, a 49.50 ft. wide road; thence N00°01'41"W 168.78 ft. along said East line of 300 East Street; thence N89°58'19"E 118.80 ft.; thence S00°28'37"E 3.28 ft. to a point on the boundary as described in a certain Boundary Line Agreement as recorded in Book 3178, Page 1042 of Davis County Records; thence along said boundary in the following three courses: (i) N89°35'15"E 0.90 ft., (ii) S74°07'20"E 5.47 ft., (iii) S89°16'24"E 12.43 ft.; thence S00°20'32"W 162.98 ft. along the East side of a masonry wall to the point of beginning.

Containing 0.527 Acres.

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Legend

Boundary Line
Grass Sod Area

Scale: 1" = 10'

Shrubs

- 1 Feathered Reed Grass
- 2 Day Lilly
- 3 Hosta
- 4 Spiraea (Little Princess)
- 5 Heavenly Bamboo
- 12 William Penn Barberry
- 13 Variegated Dogwood
- 14 Mock Orange
- 15 Creeping Oregon Grape

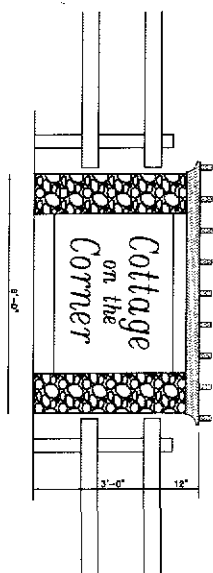
Scientific Name
Columbigrostis - Karl Foerster
Hemerocallis
Funkia
Spiraea Japonica
Nandina Domestica
Barberry Glady/tenis
Cornus Alba Argenteomarginata
Philadelphus Microphyllus
Mahonia Repens

Trees

- 5 Shodemaster Honeylocust
- 6 Kauter Vesuvius Flowering Plum
- 7 Elberta Peach
- 8 Kwansan Cherry (Cultivar)
- 9 Serbian Spruce
- 10 Capital Flowering Pear
- 11 Snowfountain Flowering Cherry

Quantity
Gleditsia Triacanthos Inermis 4
Prunus Cerasifera Krauter Vesuvius 4
Rosaceae
Prunus Sp. 4
Picea Omorika 6
Colleyana Capital 7
Prunus Snowfountain 1

Sign Detail



Revisions

Date	Description	By

The Cottage on the Corner Landscaping Plan

For Kestrel Bay LLC
323 East Page Lane
Centerville, Utah 84014

Phone: 801-599-7306
Email: jballing@balling.com



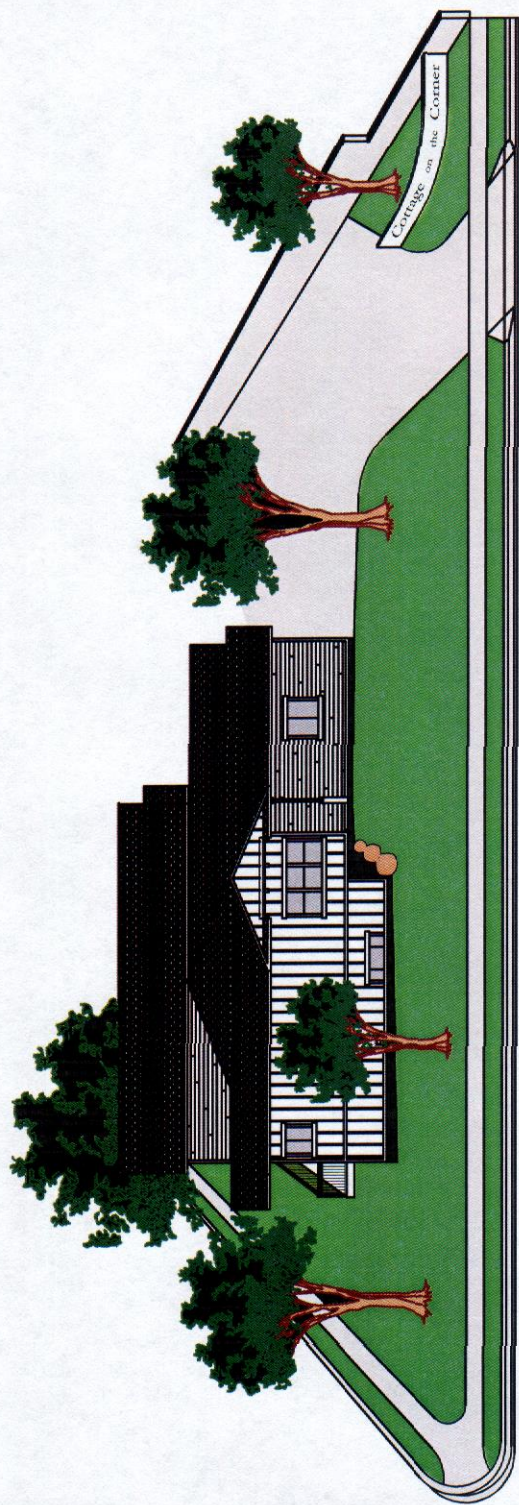
Balling Engineering

Civil Engineering • Surveying • Planning

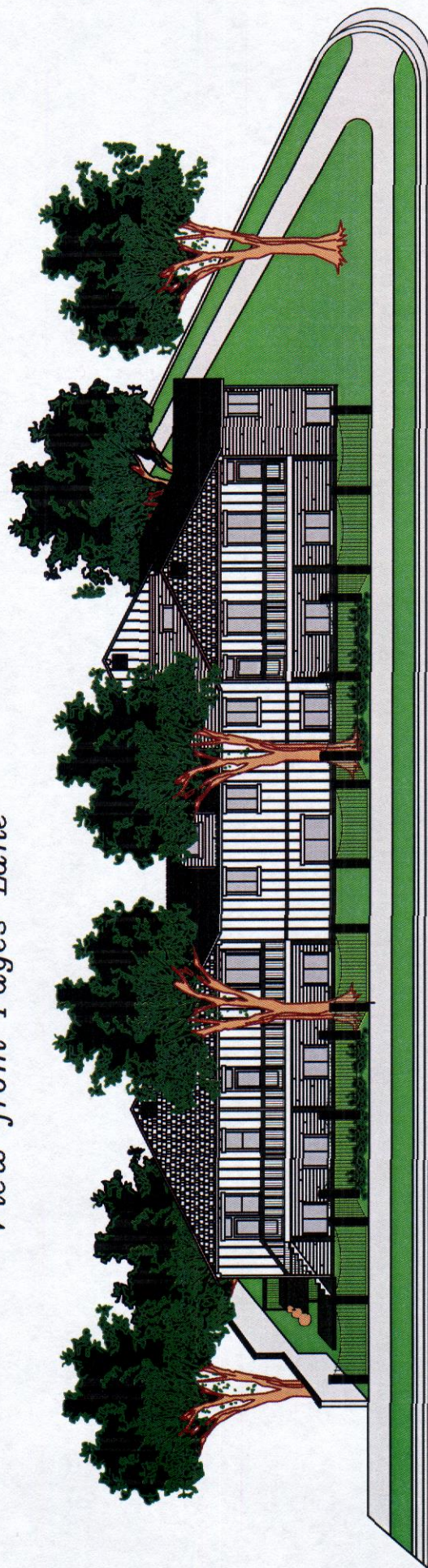
323 E. Page Lane
Centerville, Utah 84014

Phone: (801) 599-7237
Fax: (801) 599-0419

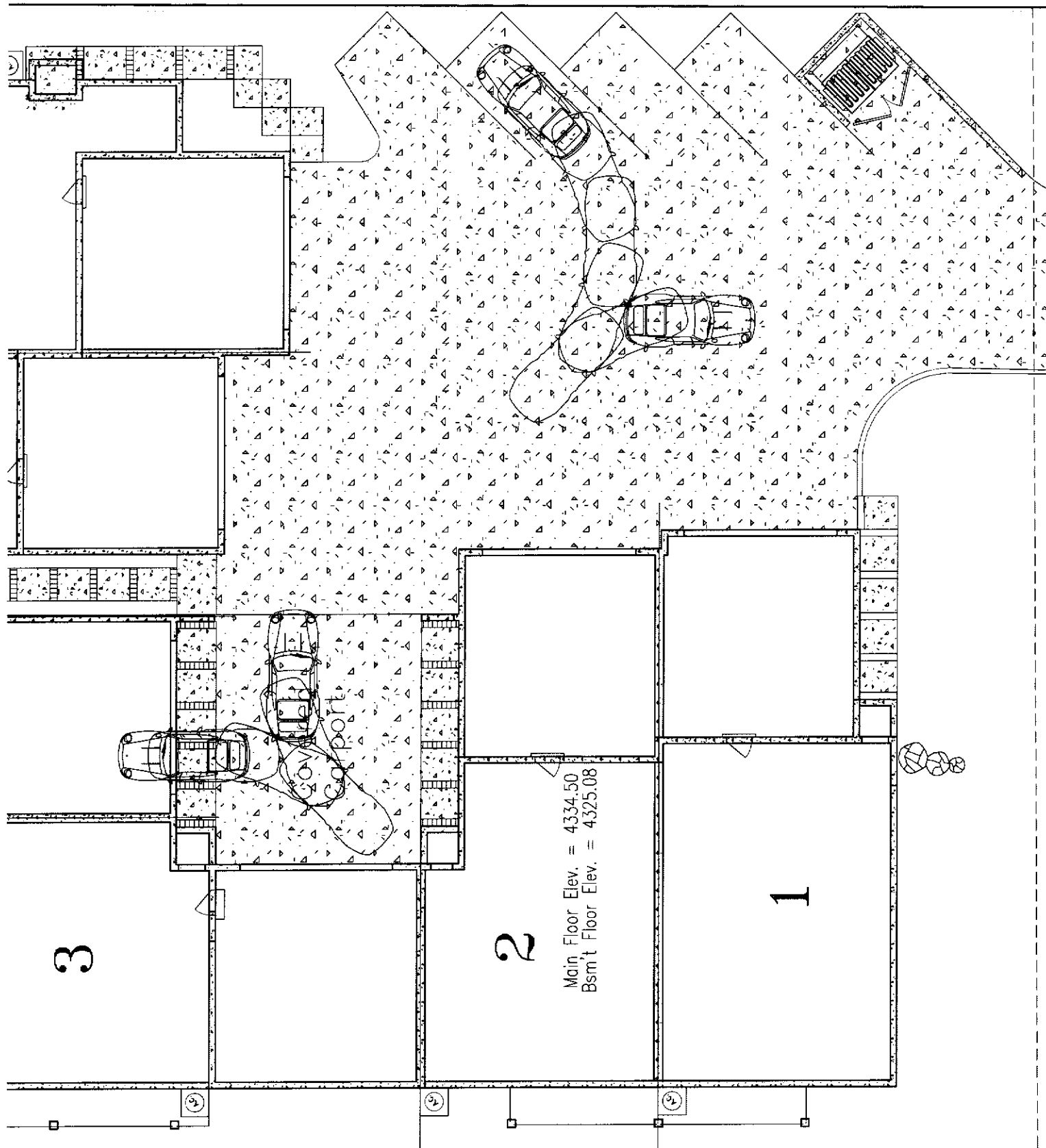
Surveyor: Scott Balling
Date Surveyed:
Drafting:
Checked By:
Submittal Date: 04-25-17
File Number:

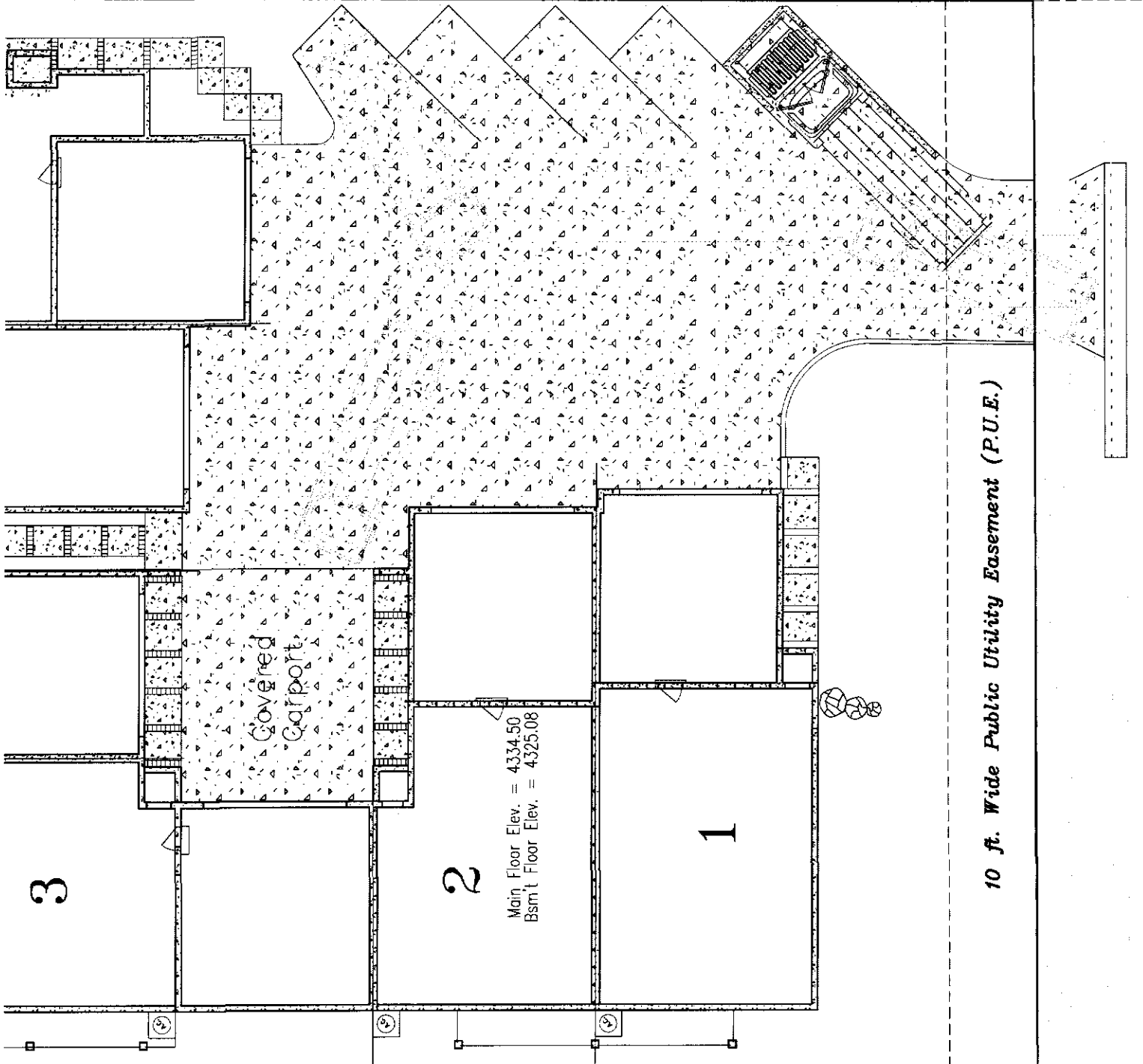


View from Pages Lane

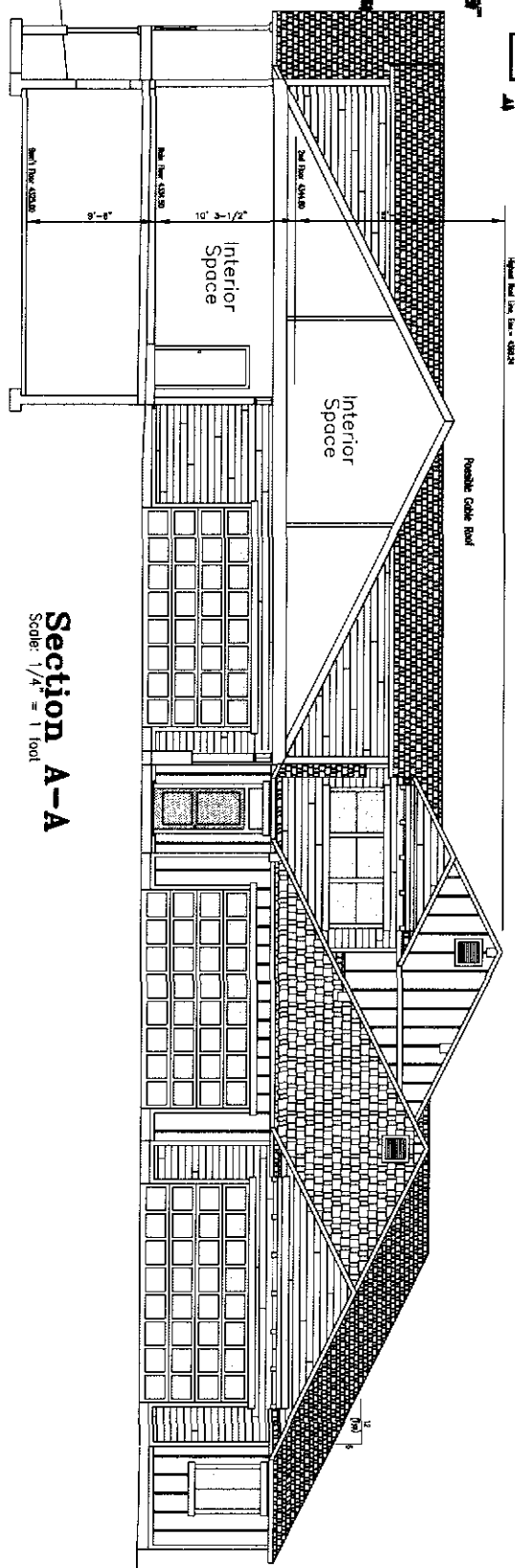
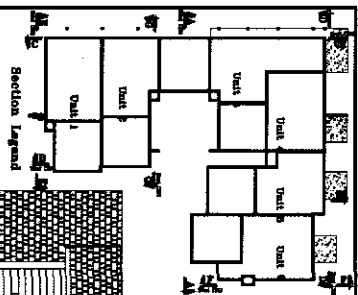


View from 300 East Street

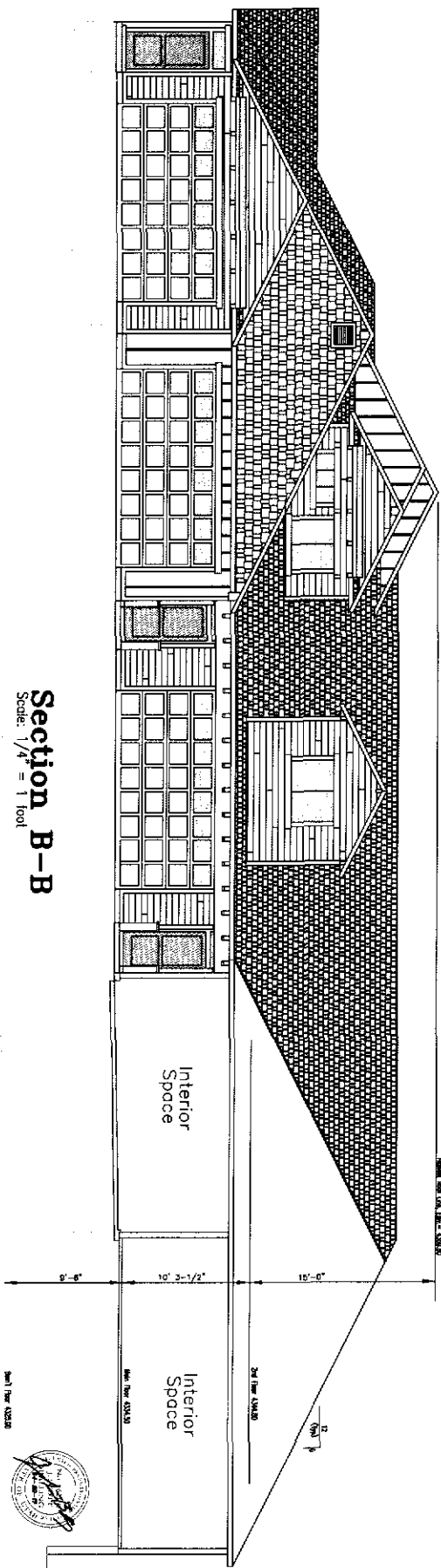




10 ft. Wide Public Utility Easement (P.U.E.)



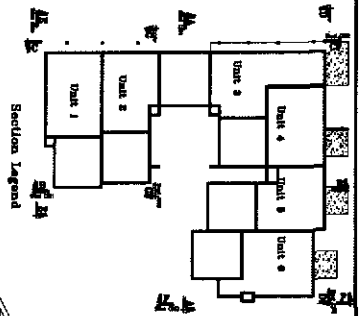
Section A-A
Scale: 1/4" = 1 foot



Section B-B
Scale: 1/4" = 1 foot

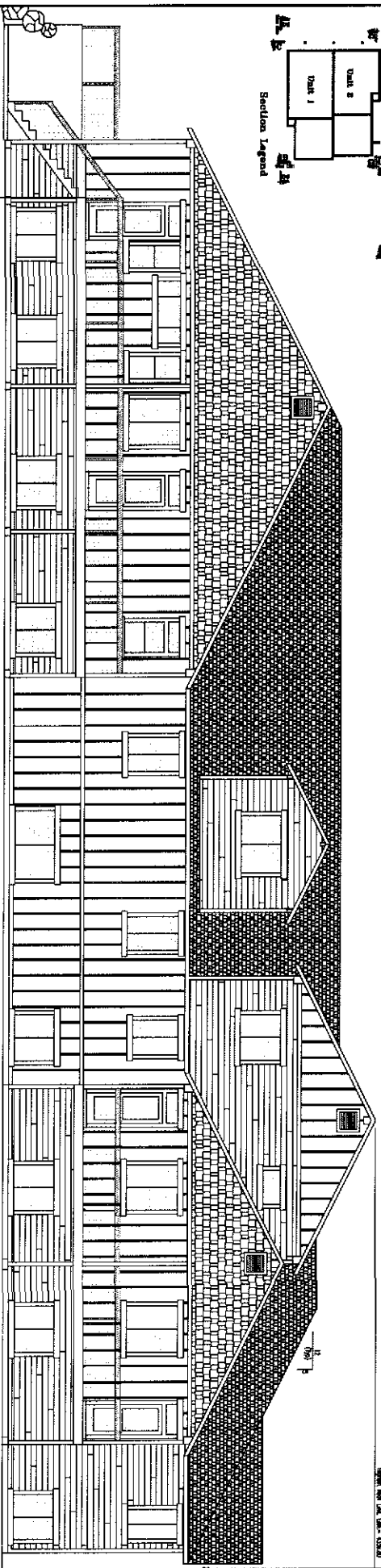


A201 Sheet 17 of 43	Surveyor _____ Date Surveyed _____ Drafting Scott Balling Checked By _____ Submittal Date 04-20-17 File Number _____	Revisions <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 10%;">Date</th> <th style="width: 60%;">Description</th> <th style="width: 30%;">By</th> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>	Date	Description	By										The Cottages on the Corner Elevations (Sheet 1) For Kestrel Bay LLC 323 East Page Lane Centerville, Utah 84014	Balling Engineering Civil Engineering • Surveying • Planning 323 E. Page Lane Centerville, Utah 84014 Phone: (801) 296-7237 Fax: (801) 296-0419
	Date	Description	By													
Phone: 801-599-7306 Email: jscottballing@gmail.com																
323 E. Page Lane Centerville, Utah 84014																
Phone: (801) 296-7237 Fax: (801) 296-0419																
323 E. Page Lane Centerville, Utah 84014																

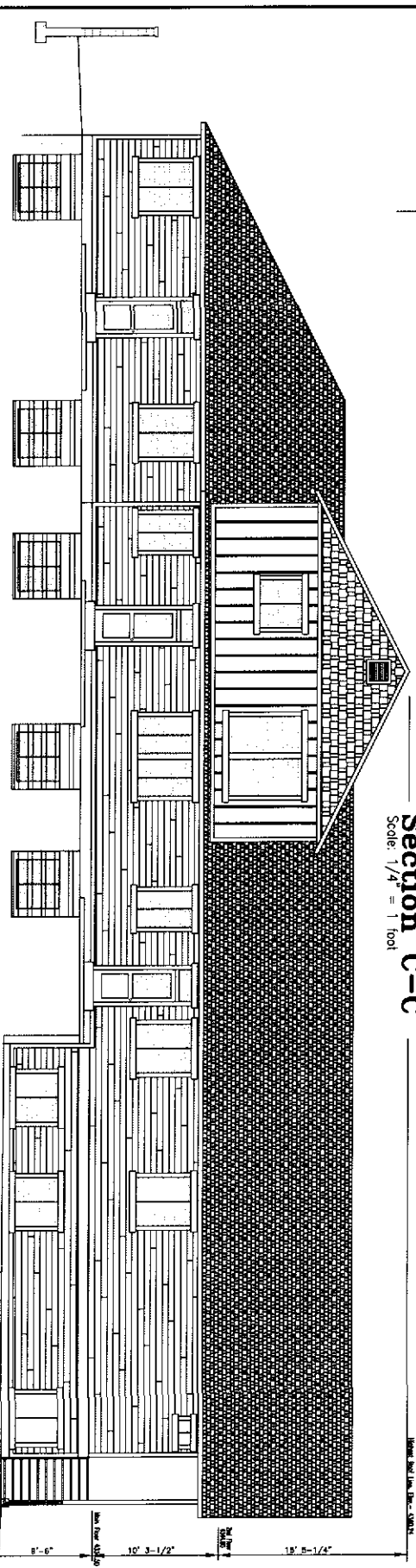


The Cottages on the Corner
 Elevations (Sheet 2)
 For Kentel Bay LLC
 385 East Park Lane
 Centerville, Utah 84014
 Phone: 801-480-7906
 Email: jballing@ballingeng.com

Balling Engineering
 CIVIL Engineering • Surveying • Planning
 385 E. Park Lane
 Centerville, Utah 84014
 Phone: (801) 295-7937
 Fax: (801) 295-0418



Section C-C
 Scale: 1/4" = 1' foot



Section D-D
 Scale: 1/4" = 1' foot

Revisions		
Date	Description	By

A202
 Sheet 18 of 43

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
4/26/2017**

Item No. 3.

Short Title: Public Hearing - Zone Text Amendment - A-L Setbacks and Height

Initiated By: City Council

Scheduled Time: 7:50

SUBJECT

LEGISLATIVE DECISION

Consider the proposed amendments to the Centerville Zoning Code regarding setbacks and heights for accessory buildings in Agricultural-Low zones.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ▢ PC Staff Report A-L Zone Accessory Building & Hieght Text Amendments

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

**STAFF REPORT
AGENDA: ITEM 3**

APPLICANT: **CENTERVILLE CITY COUNCIL
C/O MAYOR PAUL CUTLER
250 NORTH MAIN STREET
CENTERVILLE CITY, UT 84014**

APPLICATION: **ZONING ORDINANCE TEXT AMENDMENT**

APPLICANT REQUEST: **AMEND THE ZONING CODE REGARDING SETBACKS
FOR ACCESSORY BUILDINGS IN THE AGRICULTURAL
LOW (A-L) ZONE**

RECOMMENDATION: **CONSIDER RECOMENDING THE PROPOSED CHANGES
TO THE CITY COUNCIL**

BACKGROUND

In 2016, the City Council directed the Planning Commission and staff to review and consider increasing the accessory building setbacks. In early 2017, the Planning Commission address the Residential-Low (R-L) Zoning Districts and shortly thereafter, the City Council adopted the proposed changes. With this particular report, staff will be addressing the "Accessory Building Setbacks" for the A-L Zone.

It is staff's understanding during the discussion of the proposed residential zones, that some Council members were particularly concerned with the current A-L Zone setbacks, due to a pattern or scattering of smaller parcels and tracts of A-L Districts amongst the prominent areas of the R-L Districts. Additionally, there were possible concerns with the allowable uncapped accessory building heights upon issuance of a Conditional Use Permit (*see Section 12.31.080*).

PROPOSED ZONING ORDINANCE TEXT EDITS – *as drafted by Planning Staff*

- ✓ *Amend [red text] Chapter 12.31.1 (Development Standards in Agricultural Zones), as follows:*

Setback Standards – Rear Yard	Proposed A-L	Existing A-L
Accessory building - portable (one-story) – 200 square feet or less ³	3 feet	5 feet ³ (Any Accessory Building) ³
Accessory building (one-story) – Greater than 200 square feet ³	5 feet	
Accessory building (two-story or greater than 10 feet in height) – All Sizes ³	10 feet	

³ Setback is measured from any interior and/or rear lot line

12.31.080 Special Regulations

Increased Height. Notwithstanding the height limitations set forth in CZC 12.31.300, a greater building height may be allowed in all agricultural zones pursuant to a conditional use permit; provided, however, that each additional one foot in height of the building shall require an additional one foot setback from all property lines and structures **and shall not exceed 50% of the otherwise applicable height limit.**

Staff Comment - The typical maximum required setback for the A-L Zone is 10 feet. Thus, in a similar manner that was recently adopted by the City for the Residential Zones, staff used this 10-foot requirement for all two-story buildings. Also, the current maximum height for accessory buildings in the A-L Zone is 20 feet, with CUP allowance on a one-to-one ratio relationship of height verses setback. The added capped language of 50% would allow up to a potential 30-foot height allowance with a CUP approval, which is still less than the Main Building allowance of 35 feet. Staff believes that there is potential need to allow the CUP height of 30 feet to facilitate and desires for barns with hay lofts, small silos, or covered stables/riding areas. These types of accessory uses are compatible and in harmony with the purpose and intent of the A-L, which is:

“The purpose of the A-L Zone is to provide areas where single family residences can be located along with low intensity agricultural activities, such as pasturing of animals and farming activities on relatively small lots or parcels” [see 12.30.020 (Zone Purposes)]

ZONE TEXT AMENDMENT REVIEW STANDARDS

Factors to be Considered

The Planning Commission is to consider four (4) factors when making a recommendation and a final decision for a Zoning Ordinance Text and Map amendments. These required factors are located in Section 12.21.080(e) of Centerville City’s Zoning Ordinance. The proposed changes, if approved, would apply to any property located in the A-L Zone, as depicted on the City’s Zoning Map. Nonetheless, Factors Two (2) through Four (4) are related specifically to map amendments

rather than text or code changes. Thus, staff's review and conclusions are limited to Factor One (1) the General Plan guidance, as provided below:

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?**
 - ✓ **Section 12.420, Residential Development** – The main or prominent theme of this Section of the General Plan is the suburban residential lifestyle of Centerville City. Low-Density, single-family, development is the preferred lifestyle for much the planned residential areas.

Staff's Conclusion – From review of the General Plan, it is staff's position that the proposed amendment limited to the "accessory uses" typically associated with single-family development. The General Plan expectation is focused on preserving the quality of single-family development. Thus, it is staff's position that allowing for accessory uses and buildings is consistent with this desire. However, the allowance of these are always subject to the preferred or acceptable bulk and area standards (e.g. setbacks, heights, etc.) that are adopted by legislative body.

SUGGESTED MOTION AND FINDINGS

(If Recommending Approval is Desired) "I hereby make a motion to recommend APPROVAL of the proposed Zoning Ordinance Text Amendments regarding "accessory buildings" in the Agricultural Low (A-L) Zones, as follows:

- ✓ Amend [red text] Chapter 12.31.1 (Development Standards in Agricultural Zones), as follows:

Setback Standards – Rear Yard	Proposed A-L
Accessory building - portable (one-story) – 200 square feet or less³	3 feet
Accessory building (one-story) – Greater than 200 square feet³	5 feet
Accessory building (two-story or greater than 10 feet in height) – All Sizes³	10 feet

³ Setback is measured from any interior and/or rear lot line

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Increased Height. Notwithstanding the height limitations set forth in CZC 12.31.300, a greater building height may be allowed in all agricultural zones pursuant to a conditional use permit; provided, however, that each additional one foot in height of the building shall require an

additional one foot setback from all property lines and structures and shall not exceed 50% of the otherwise applicable height limit.

Suggested Reasons for Action (findings):

- a. The Planning Commission finds that in Section 12.420, Residential Development, the main or prominent theme of this section of the General Plan is the suburban residential lifestyle of Centerville City. Low-Density, single-family, development is the preferred lifestyle for much the planned residential areas.
- b. The Planning Commission finds that the General Plan is focused on preserving the quality of single-family development.
- c. The Planning Commission finds that the purpose of the A-L Zone is “to provide areas where single family residences can be located along with low intensity agricultural activities, such as pasturing of animals and farming activities on relatively small lots or parcels.”
- d. The Planning Commission finds that allowing for accessory uses and buildings is consistent with this desire.
- e. The Planning Commission finds that the allowance of accessory buildings is subject to the preferred or acceptable bulk and area standards (e.g. setbacks, heights, etc.) that are adopted by legislative body.
- f. Therefore, the Planning Commission finds that the proposed amendments can be deemed acceptable and/or consistent with review factors of Section 12.21.080(e) of Centerville City’s Zoning Ordinance.