

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 MAY 10, 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

TBD

D. MINUTES REVIEW and ACCEPTANCE

April 12, 2017 PC minutes amended (tabled from April 26 meeting)

April 26th, 2017

E. COMMISSION BUSINESS

7:10 1. Public Meeting – Chitose Johnson Final Subdivision -- 1150 South 240 East
ADMINISTRATIVE DECISION

Consider a proposed Nine Lot single family subdivision at 1150 South 240 East.

7:30 2. Public Hearing -- Zone Map Amendment at Approximately 525 West Lund Lane
LEGISLATIVE DECISION

Consider the proposed zoning map amendment for the property located at approximately 525 W Lund Lane, Parcel ID 07-070-0032 , from an Agriculture-Low Zone to a Residential-Low Zone.

F. ADJOURNMENT

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
5/10/2017**

Item No.

Short Title: April 12, 2017 PC minutes amended (tabled from April 26 meeting)

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- April 12, 2017 PC amended (tabled from April 26 meeting)

PRELIMINARY DRAFT (2)

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. Mr. 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 p.m. and 1:00
45 a.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.

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

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

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

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.
2. 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.
3. 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.
4. A Final Site Plan application shall be submitted following the criteria found in CZC 12.21.110(e)(2).
5. 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.
6. A fence surrounding the outdoor storage shall be included in the Final Site Plan.
7. 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.
8. 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.
9. Applicant shall dedicate public utility easements in accordance with applicable City Ordinances if not currently existing on the property.

REASONS FOR THE ACTION (FINDINGS):

- 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.

**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.

The Commissioners had a discussion about churches and places of worship in Industrial-High (I-H) Zones and whether it should be a permitted use or a conditional use. City Attorney Lisa Romney clarified that in all other zones (A-L, R-L, R-M, R-H, C-M, C-H, and C-VH) churches require a Conditional Use Permit because of traffic implications. The Commissioners decided, for purposes of consistency, it was also best to require a CUP for churches or places of worship in an I-H Zone.

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 1.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.

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

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

14
15 Mr. Hal Blankenship, another parishioner from the Episcopal Church, asked that the
16 grassy area at the end of the driveway be restored if it is dug up or disturbed during construction.
17 Mr. Marshall said it would be restored if disturbed.

18
19 Vice Chair Hayman closed the public hearing at 8:23 p.m.
20

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

25
26 **CONDITIONS:**

- 27 1. Final Subdivision Plat and Construction Plans shall be submitted in accordance with
28 Municipal Code Chapter 15.4 of the Subdivision Ordinance.
- 29 2. Unless otherwise agreed to by the City, the temporary turn-around and access easement
30 should be shown and labeled on the Final Plat, but can be vacated or released by the City
31 upon developer's completion of the public improvements for the subdivision.
- 32 3. Prior to or concurrent with Final Plat review, developer shall obtain required approvals
33 for the proposed vacation of a portion of the 35' wide perpetual right-of-way and public
34 utility easement currently recorded against the property.
- 35 4. The Final Plat shall provide a plat note indicating that no permanent structures are to be
36 built inside of the Public Utility Easements.
- 37 5. Proper legal descriptions of the current, proposed abandoned, and new Public Utility
38 Easements shall be addressed with the Final Plat or related documents.
- 39 6. Building pads for each lot shall be redrawn to show the correct setbacks: 25' front, 20'
40 rear, and 8' and 10' for the sides.
- 41 7. Street, Utility, and Drainage improvements must be submitted with the construction
42 drawings and approved by the City Engineer prior to recording the Final Plat. The lowest
43 elevation of all storm drains and subdrains needs to be verified for drainage issues.
- 44 8. Developer shall provide the lowest floor elevation information with Final Plat submittal
45 and the Final Plat shall provide a plat note regarding lowest floor elevation requirements
46 and limitations.
- 47 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.

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

1 and Assistant City Planner Younger offered to send out a "Doodle" meeting scheduling e-mail to
2 all the Commissioners to help with securing a date for the public forum meeting.

3
4 **CITY COUNCIL ACTIONS REPORT**

5 Brighton Homes General Plan Amendment Denied Request

6
7 **ADJOURNMENT**

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

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11
12
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14 _____
15 Vice Chair Hayman

Date Approved

16
17
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19 _____
Luanne Hudson, Recording Secretary

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
5/10/2017**

Item No.

Short Title: April 26th, 2017

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- Preliminary Minutes April 26th, 2017

PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, April 26, 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 (arrived at 7:07 p.m.)

Gina Hirst (arrived at 7:44 p.m.)

Kevin Daly

Logan Johnson

Kathy Helgesen

Becki Wright (arrived at 7:05 p.m.)

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 – Chair Hirschi

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission meeting held April 12, 2017 were reviewed and amended. Commissioner Helgesen made a **MOTION** to approve the minutes as amended. The motion was seconded by Commissioner Johnson and passed unanimously (4-0). Later after all the Commission members had arrived, Commissioner Wright made a **MOTION** to reopen and table the minutes in order to provide additional detail on the Commission's discussion regarding the approval of a Conditional Use Permit for a church in the Industrial-High (I-H) Zone. The motion was seconded by Commissioner Johnson and passed unanimously (7-0).

PUBLIC MEETING - FINAL SITE PLAN, 149 WEST 1850 NORTH, ADMINISTRATIVE Decision, Consider the proposed Final Site Plan for an un-platted residential development for an accessory building. Terry & Selene Bleak, Applicants.

Community Development Directory Cory Snyder provided a progress report on the Bleak application for approval of a Final Site Plan for an accessory building (garage). He said the Bleaks recently acquired an un-platted parcel of land adjacent to their existing subdivision lot and combined the land together into a single parcel, as allowed by state law. He said this is an interesting case because the Bleaks want to use the end of a dead-end road as access to the lot where they plan to build a garage. He said Staff's challenge was to develop a solution that would

1 be consistent with City ordinances and also fair for future applicants with similar requests. He
2 said Staff has worked through the details to develop an appropriate solution and recommends
3 approval. Staff proposes dedicating an easement to the dead-end road that allows the applicant to
4 construct the access driveway to the proposed garage. The easement would split the dead-end
5 road with the adjacent property/homeowner. Director Snyder said City Attorney Lisa Romney
6 has crafted an agreement between the homeowners and the City for dedication of the temporary
7 turn-around easement and permission to use the area for a driveway access. This agreement will
8 need to be approved by the City Council.

9
10 Commissioner Daly asked what changes had been made since the Commissioners last
11 looked at the project. Director Snyder said the detention basin had been moved out of the
12 easement area. Commissioner Daly asked the applicant about drainage and if the applicant would
13 plant grass and bushes to mitigate issues with the detention basin. Director Snyder said the
14 applicant will be required to pay applicable drainage impact fees.

15
16 Applicant Terry Bleak said he would plant grass or bushes in the easement area. He said
17 this had been a long process and they are anxious to move ahead.

18
19 Chair Hirschi opened the public hearing at 7:14 p.m. and seeing no comments, closed the
20 public hearing at 7:14 p.m.

21
22 Commissioner Daly made a **MOTION** for the Planning Commission to approve the Final
23 Site Plan for the proposed residential development outside a platted subdivision for a tract
24 combined with the home located at 149 West 1850 North, with the Conditions (1-7) and the
25 Reasons for Action (a-b) noted in the Staff Report. The motion was seconded by Commissioner
26 Johnson and passed unanimously (6-0).

27
28 **CONDITIONS:**

- 29 1. The final site plan approval is for Parcel 07-139-0031, consisting of 0.621 acres, which is
30 comprised of the formerly named Lot 20 of the France Estates Subdivision, along with a
31 tract of land adjacent to the south, which have been combined to create one (1) singular
32 legally created lot.
- 33 2. The final site plan approval is for the residential construction of an accessory building
34 (garage), as depicted on the plan submittals dated April 18, 2017 and the conditions of
35 approval. Nonetheless, any additional residential accessory development shall be subject
36 to obtaining an amended site plan approval consistent with City ordinances.
- 37 3. Detention Basin #1 is to be relocated just outside the easement area and be deemed
38 acceptable to the City Engineer, as part of the issuance of a building permit.
- 39 4. The applicants shall pay the related drainage impact fee for the un-platted portion of the
40 property or other applicable fees, as part of the issuance of a building permit.
- 41 5. Due to the applicants' and adjacent property owners' desires to use the end of the public
42 street for site access, the final site plan approval is conditioned upon obtaining City
43 approval, entering into any required agreement, and preparing plans for the constructing
44 and connection of the access drive.
- 45 6. All related access improvements (within the easement area) shall be bonded for as part of
46 the issuance of a building permit and shall be installed and deemed acceptable by the City
47 prior to any final inspection for the accessory building.

- 1 7. The required side lot line and rear lot line utility easements shall be accepted by the City
2 and recorded in a configuration that is contiguous with the easements dedicated for the
3 former Lot 20, and deemed acceptable to the City, prior to issuance of a building permit.
4

5 **REASONS FOR THE ACTION:**

- 6 a) The Planning Commission finds that a final site plan approval is required to obtain
7 approval to construct an accessory dwelling outside a platted subdivision [Section
8 12.21.110.e].
9 b) The Planning Commission finds that the approval and conditions listed ensures
10 compliance with applicable ordinances of the City.
11

12 **PUBLIC HEARING - ZONE MAP AMENDMENT, FINAL SITE PLAN AND Conditional**
13 **Use Permit, Legislative and Administrative Decisions, Cottage on the Corner, 323 Pages**
14 **Lane. Scott Balling, Applicant**
15

16 Assistant Planner Younger reported on the applications for a Zone Map Amendment,
17 Final Site Plan, and Conditional Use Plan for the Cottage on the Corner development from
18 Applicant Scott Balling. She said the project now requires a zoning change to Residential-
19 Medium (R-M) for two slivers of property that the applicant acquired from adjacent lots. He
20 acquired the additional property in order to meet the density requirement to build six townhomes
21 in a multi-family development. The applicant plans to convert the site into a Planned Unit
22 Subdivision and sell each unit individually. Staff recommends that the two new slivers of
23 property be rezoned R-M to match the rest of the parcel.
24

25 Assistant Planner Younger then addressed the Final Site Plan and the remaining
26 landscaping issues. By City ordinance, the project should meet the 40% landscaping requirement
27 based on total acreage. Because space is limited, the applicant is requesting a waiver to 35%. In
28 order to compensate for the reduced landscaping overall, the applicant has enhanced the
29 landscaping along the high-visibility streets of Pages Lane and 300 East by adding decorative
30 trees and fencing. Staff said another way to meet the 40% landscaping requirement would be to
31 convert some of the planned parking spaces into landscaping but neither Staff nor the applicant
32 feel that is in the best interests of the project. Another method for getting to 40% landscaping
33 would be to include patios in the landscaping calculation. City Attorney Romney recommended
34 against using patio measurements in the landscaping calculation.
35

36 Assistant Planner Younger then addressed the issues related to the parking spaces, the
37 garbage dumpster, and the turning/backing area for a garbage truck in the limited space. She said
38 A-1 Disposal has issued a letter and a diagram showing there is sufficient space to turn a garbage
39 truck around within the project without backing onto Pages Lane.
40

41 Assistant Planner Younger then addressed the application for the Conditional Use Permit.
42 She recommended approval for many of the same reasons addressed in the discussion of the
43 Final Site Plan including the enhanced landscaping making a better streetscape along Pages
44 Lane. She said the development has adequate parking, fits nicely in the neighborhood, and Staff
45 does not see any adverse impacts.
46

1 The Commissioners engaged in a lengthy discussion about parking spaces near the
2 garbage dumpster and their potential, if occupied, to interfere with the garbage truck's ability to
3 navigate the space without backing up within the development or onto Pages Lane. The
4 Commissioners mitigated these concerns by adding conditions to the approval. Commissioner
5 Daly said even with the additional conditions, the parking and garbage truck turnaround issues
6 remain a concern for him.

7
8 Applicant Scott Balling addressed the landscaping, parking, dumpster, and garbage truck
9 turnaround issues. He said he will put up appropriate signage. He said he thinks it is more
10 important to provide parking than landscaping. In requesting the landscaping waiver, he said
11 there are areas in the development where he cannot put additional trees because the space is
12 obstructed by overhead powerlines.

13
14 Chair Hirschi opened the public hearing at 7:39 p.m. Mr. Dale McIntyre from
15 Centerville said he is concerned about the parking and described a scenario where someone
16 leaves a car parked for a few days that interferes with the garbage collection. He also said he
17 was disappointed that the photos provided by the applicant do not show all the buildings or every
18 angle and do not show how crowded and tiny the property is. He said he thinks the photos are
19 deceitful. Chair Hirschi closed the hearing at 7:41 p.m.

20
21 Applicant Scott Balling responded by saying he is very concerned with how the
22 development looks from Pages Lane and has added trees and two-rail fences to improve the look.
23 He has included a masonry enclosure and a Serbian Pine tree to hide the dumpster from road
24 visibility. He said he provided elevation views that show the units from every direction.

25
26 Commissioner Daly expressed a concern about the development not meeting the
27 ordinance requirement to landscape 40% of the total gross acreage. Director Snyder said a
28 waiver allows a reduction to 30%, but in this case, the applicant is only requesting a reduction to
29 35%. Director Snyder said if you look at it by calculating the square footage it does look like a
30 big number, but if you consider that the applicant has added landscaping and fences along Pages
31 Lane and 300 East, the Commissioners can consider if those items better serve the community
32 than five percent more grass.

33
34 Commissioner Johnson asked Staff for guidance on the waiver. Assistant Planner
35 Younger reviewed the waiver guidelines listed in the Staff Report. Commissioner Wright said
36 this is a perfect example of why the Planning Commission is given some flexibility like the 10%
37 range in the waiver. Commissioner Daly reviewed the waiver guidelines and concluded the
38 project does not meet them. Commissioner Johnson says he thinks the enhanced landscaping that
39 provides screening and privacy better meets the intent of the ordinances.

40
41 Commissioner Helgesen said she has a concern for children from the adjacent elementary
42 school and a nearby junior high school if the garbage truck is backing either onto Pages Lane or
43 within the space-constrained development. The Commissioners discussed adding a condition that
44 would schedule garbage pickup at a time that does not coincide with walking school children.
45 Director Snyder said it is important to set the conditions and he believes the additional conditions
46 are reasonable to mitigate the risks, but added the City cannot stop all behaviors. He added if
47 there are problems, the CUP can be redressed.

Commissioner Wright made a **MOTION** for the Planning Commission to recommend approval of the Zone Map Amendment, as amended, for the additional land acquired for the "The Cottage on the Corner" Townhomes Project, located on property at 323 East Pages Lane, from R-H and R-L to R-M for Reasons for Action (a-c) as noted in the Staff Report. Commissioner Hayman seconded the motion and it passed unanimously (7-0).

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 to the Staff Report.
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-Medium (R-M) 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.

Vice Chair Hayman made a **MOTION** for the Planning Commission to approve 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 Conditions (1-8), as amended, and the Reasons for Action (a-c) as noted in the Staff Report. It was seconded by Commissioner Johnson and passed (6-1). Commissioner Daly voted against the motion.

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 35% 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.
4. The A-1 Truck Disposal or any garbage disposal provider for the project 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. This prohibition on backing onto Pages Lane shall be clearly and permanently posted on the dumpster.
5. A permanent "no parking" sign shall be placed and posted on the northern most parking stall prohibiting parking on days or times when garbage pickup is scheduled.
6. Applicant and applicable HOA shall schedule garbage pickup during off-peak foot traffic times.
7. Applicant shall provide legal descriptions for the required public utility easements (PUEs) for the project in accordance with City ordinances. Such PUEs shall be

submitted to the City Council for acceptance and recorded against the property prior to issuance of a building permit.

8. 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.

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 and 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 Staff Report.

Commissioner Johnson made a **MOTION** for the Planning Commission to approve the Conditional Use Permit for "The Cottage on the Corner" Townhomes Project, to be located on property at 323 East Pages Lane, with Directives (1-2), as amended, and the Reasons for Action (a-b) from the Staff Report. The motion was seconded by Commissioner Hirst and passed (6-1). Commissioner Daly voted against the motion.

DIRECTIVES:

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

REASONS FOR THE ACTION:

- 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.

PUBLIC HEARING - ZONE TEXT AMENDMENT, LEGISLATIVE DECISION,
Consider the proposed amendments to the Centerville Zoning Code regarding setbacks and heights for accessory buildings in Agricultural Low (A-L) Zones.

Community Development Director Cory Snyder reported on the City Council's request of Staff to adjust the setbacks and heights for accessory buildings in Agricultural-Low (A-L) Zones. He said the table in the Staff Report was incorrect and so he did not use it in his report to the Planning Commission. He said the table should use language similar to that from the R-L table that was approved by the City Council but plug in the A-L parameters. He said that one of the benefits of making these adjustments is the consistency it provides for Staff by having predictable patterns in setbacks and heights. He said it also makes it fair for smaller agricultural lots. He said the original request from the City Council came because of a shed in an A-L zone that butted up against an R-L Zone. Staff recommends capping the height of accessory buildings in the A-L Zone at 30 feet and recognized that may be an issue for decorative barns or equestrian property owners. He said a building of greater height may be allowed under a Conditional Use

1 Permit, provided that each additional one-foot in height is matched by a one-foot setback from
2 property lines and structures.

3
4 Commissioner Wright said the City should make the issue of setbacks and heights of
5 accessory buildings work for property owners and the neighbors of property owners. Chair
6 Hirschi said this ordinance works for smaller property owners but he expressed a concern for
7 larger agricultural property owners.

8
9 Chair Hirschi said the City is the applicant in this matter. He opened the public hearing
10 at 8:36 p.m. and seeing no comment, closed the public hearing at 8:36 p.m.

11
12 Commissioner Hirst made a **MOTION** to recommend approval of the proposed Zoning
13 Ordinance Text Amendments, as amended, regarding accessory buildings in the Agricultural
14 Low (A-L) Zones subject to the Reasons for Action (a-f) noted in the Staff Report. The motion
15 was seconded by Commissioner Hayman and it passed unanimously (7-0).

16
17 **REASONS FOR THE ACTION:**

- 18 a) The Planning Commission finds that in Section 12-420, Residential Development, the
19 main or prominent theme of this section of the General Plan is the suburban residential
20 lifestyle of Centerville City. Low-Density, single-family, development is the preferred
21 lifestyle for much the planned residential areas.
22 b) The Planning Commission finds that the General Plan is focused on preserving the
23 quality of single-family development.
24 c) The Planning Commission finds that the purpose of the A-L Zone is "to provide areas
25 where single-family residences can be located along with low intensity agricultural
26 activities, such as pasturing of animals and farming activities on relatively small lots or
27 parcels."
28 d) The Planning Commission finds that allowing for accessory uses and buildings is
29 consistent with this desire.
30 e) The Planning Commission finds that the allowance of accessory buildings is subject to
31 the preferred or acceptable bulk and area standards (e.g. setbacks, heights, etc.) that are
32 adopted by legislative body.
33 f) Therefore, the Planning Commission finds that the proposed amendments can be deemed
34 acceptable and/or consistent with review factors of Section 12.21.080(e) of Centerville
35 City's Zoning Ordinance.

36
37 **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

38 Development Director Snyder said a public forum is scheduled for May 10, 2017 from 5:00
39 p.m. to 6:30 p.m. to gather public input regarding proposed development near Pages Lane. He
40 said the noticings for the public forum will go out early next week and Brighton Homes is
41 preparing exhibits. Items for the next Planning Commission meeting include:

- 42
43 • Higley property rezone on Lund Lane
44 • Chitose Johnson Final Subdivision

45
46 **CITY COUNCIL ACTIONS REPORT**

47 No report.

ADJOURNMENT

Chair Hirschi made a **MOTION** to adjourn. Commissioner Hayman seconded the motion, which passed unanimously (7-0). The meeting adjourned at 8:51 p.m.

Chairman Hirschi

Date Approved

Luanne Hudson, Recording Secretary

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
5/10/2017**

Item No. 1.

Short Title: Public Meeting – Chitose Johnson Final Subdivision – 1150 South 240 East

Initiated By: Ronn Marshall, Applicant

Scheduled Time: 7:10

SUBJECT

ADMINISTRATIVE DECISION

Consider a proposed Nine Lot single family subdivision at 1150 South 240 East.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ Staff Report -- Final Subdivision Chitose Johnson
- ☐ Final Subdivision Chitose Johnson

**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 REALITY
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: FINAL 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. The Preliminary plat was approved by the Planning Commission on April 12th, 2017.



PREVIOUS DIRECTIVES FROM PRELIMINARY REVIEW

The following directives from the Preliminary Review have been completed:

- The Final Plat shall provide a plat note indicating that no permanent structures are to be built inside of the Public Utility Easements. Complete
- Proper legal descriptions of the current, proposed abandoned, and new Public Utility Easements shall be addressed with the Final Plat or related documents. Complete
- Building pads for each lot shall be redrawn to show the correct setbacks: 25' front, 20' rear, and 8' and 10' for the sides. Complete
- 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. Complete
- 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. Complete
- All easements of record shall be shown on the Final Plat with reference to entry number, book and page, as applicable. Complete

Some other directives will need to be made before Final Recording of the Plat. No other issues are outstanding.

Suggested Motion for Preliminary Subdivision

I hereby make a motion for the Planning Commission to recommend APPROVAL to the City Council for the Final 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, and shall vacate the public right of way easement prior to recording, as deemed acceptable by the City Attorney.
4. 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.
5. Flood plain classification and survey shall be noted on plat prior to recording.
6. 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 recording, as deemed acceptable by the City Attorney.

Suggested Reasons for the Actions (Findings):

- a) The Final subdivision appears to be consistent with the General Plan.
- b) The Final subdivision complies with applicable provisions of the Centerville Municipal Code, Title 15 (Subdivisions).
- c) The subdivision meets 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 Final Subdivision, Title 15-4 have been reviewed and directives established to allow the proposal to proceed to Final Subdivision Plat submittal.

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 18
TOWNSHIP 2 NORTH, RANGE 1 EAST, S. L. B. & M.
CENTERVILLE CITY, DAVIS COUNTY, UTAH

SURVEYOR'S CERTIFICATE

YON S. HILL, A REGISTERED LAND SURVEYOR HOLDING CERTIFICATE NO. 166235, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE AN ACCURATE SURVEY OF THE TRACT OF LAND SLOAN ON THIS PLAT AND DESCRIBED THE BURNHEIM AND URGENT IN SAID TRACT OF LAND HEREAFTER TO BE KNOWN AS CHITOSE JOHNSON AMENDED SURVEY, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AS SHOWN ON THIS PLAT.

—

BOUNDARY DESCRIPTION

DESCRIPTION
SALT OF LOT 2, BRANCHED ALKANOATE, A REFINED SUBMISSION LOCATED IN THE
SOUTHWEST 1/4 SECTION 15, TOWNSHIP 2 NORTH, RANGE 2 EAST, SALT
AND BRINE AND MERIDIAN.

[illegible]

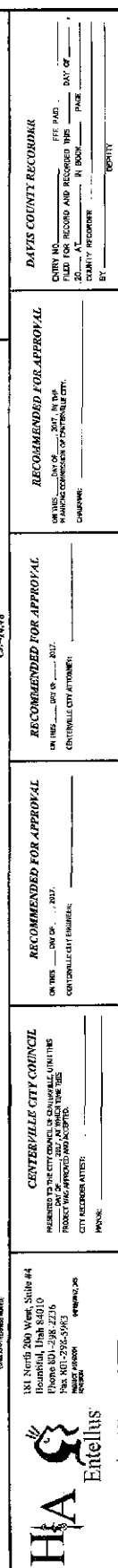
OWNER'S DEDICATION

[illegible]

ACKNOWLEDGMENT

ON THIS _____ DAY OF _____, 20____, THERE
PERSONALLY APPEARED BEFORE ME _____,
CO-SIGNER OF THE COMPANY'S CERTIFICATION, WHO FULLY ACKNOWLEDGED THEY SIGNED
IT FREELY, AND VOLUNTARILY AND FOR THE PURPOSES MENTIONED HEREIN,

NOTARY PUBLIC
RESIDENCE: _____



Crew Table			
Crew #	NAID#	ID#	Crew Assignment
C1	127403	127403	127403 20 PM
C2	127404	127404	127404 20 PM
C3	127405	127405	127405 20 PM
C4	127406	127406	127406 20 PM
C5	127407	127407	127407 20 PM
C6	127408	127408	127408 20 PM
C7	127409	127409	127409 20 PM
C8	127410	127410	127410 20 PM
C9	127411	127411	127411 20 PM
C10	127412	127412	127412 20 PM
C11	127413	127413	127413 20 PM
C12	127414	127414	127414 20 PM
C13	127415	127415	127415 20 PM
C14	127416	127416	127416 20 PM
C15	127417	127417	127417 20 PM
C16	127418	127418	127418 20 PM
C17	127419	127419	127419 20 PM
C18	127420	127420	127420 20 PM
C19	127421	127421	127421 20 PM
C20	127422	127422	127422 20 PM
C21	127423	127423	127423 20 PM
C22	127424	127424	127424 20 PM
C23	127425	127425	127425 20 PM
C24	127426	127426	127426 20 PM
C25	127427	127427	127427 20 PM
C26	127428	127428	127428 20 PM
C27	127429	127429	127429 20 PM
C28	127430	127430	127430 20 PM
C29	127431	127431	127431 20 PM
C30	127432	127432	127432 20 PM
C31	127433	127433	127433 20 PM
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C34	127436	127436	127436 20 PM
C35	127437	127437	127437 20 PM
C36	127438	127438	127438 20 PM
C37	127439	127439	127439 20 PM
C38	127440	127440	127440 20 PM
C39	127441	127441	127441 20 PM
C40	127442	127442	127442 20 PM
C41	127443	127443	127443 20 PM
C42	127444	127444	127444 20 PM
C43	127445	127445	127445 20 PM
C44	127446	127446	127446 20 PM
C45	127447	127447	127447 20 PM
C46	127448	127448	127448 20 PM
C47	127449	127449	127449 20 PM
C48	127450	127450	127450 20 PM
C49	127451	127451	127451 20 PM
C50	127452	127452	127452 20 PM
C51	127453	127453	127453 20 PM
C52	127454	127454	127454 20 PM
C53	127455	127455	127455 20 PM
C54	127456	127456	127456 20 PM
C55	127457	127457	127457 20 PM
C56	127458	127458	127458 20 PM
C57	127459	127459	127459 20 PM
C58	127460	127460	127460 20 PM
C59	127461	127461	127461 20 PM
C60	127462	127462	127462 20 PM
C61	127463	127463	127463 20 PM
C62	127464	127464	127464 20 PM
C63	127465	127465	127465 20 PM
C64	127466	127466	127466 20 PM
C65	127467	127467	127467 20 PM
C66	127468	127468	127468 20 PM
C67	127469	127469	127469 20 PM
C68	127470	127470	127470 20 PM
C69	127471	127471	127471 20 PM
C70	127472	127472	127472 20 PM
C71	127473	127473	127473 20 PM
C72	127474	127474	127474 20 PM
C73	127475	127475	127475 20 PM
C74	127476	127476	127476 20 PM
C75	127477	127477	127477 20 PM
C76	127478	127478	127478 20 PM
C77	127479	127479	127479 20 PM
C78	127480	127480	127480 20 PM
C79	127481	127481	127481 20 PM
C80	127482	127482	127482 20 PM
C81	127483	127483	127483 20 PM
C82	127484	127484	127484 20 PM
C83	127485	127485	127485 20 PM
C84	127486	127486	127486 20 PM
C85	127487	127487	127487 20 PM
C86	127488	127488	127488 20 PM
C87	127489	127489	127489 20 PM
C88	127490	127490	127490 20 PM
C89	127491	127491	127491 20 PM
C90	127492	127492	127492 20 PM
C91	127493	127493	127493 20 PM
C92	127494	127494	127494 20 PM
C93	127495	127495	127495 20 PM
C94	127496	127496	127496 20 PM
C95	127497	127497	127497 20 PM
C96	127498	127498	127498 20 PM
C97	127499	127499	127499 20 PM
C98	127500	127500	127500 20 PM
C99	127501	127501	127501 20 PM
C100	127502	127502	127502 20 PM

QUEST

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H.A. Entellus

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
5/10/2017**

Item No. 2

Short Title: Public Hearing – Zone Map Amendment at Approximately 525 West Lund Lane

Initiated By: Brighton Homes, Applicant

Scheduled Time: 7:30

SUBJECT

LEGISLATIVE DECISION

Consider the proposed zoning map amendment for the property located at approximately 525 W Lund Lane, Parcel ID 07-070-0032 , from an Agriculture-Low Zone to a Residential-Low Zone.

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ PC Staff Report A-L to R-L Higely-Brighton Homes Petition

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

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNER: LUND LANE LAND
C/O JOHN HIGLEY
1529 N. FORD CANYON DR.
CENTERVILLE, UT 84014

APPLICANT: BRIGHTON DEVELOPMENT UTAH
TAYLOR SPENDLOVE
215 N. REDWOOD ROAD #8
NORTH SALT LAKE, 84054

PROPERTY: PARCEL # 07-070-0032

ACREAGE: 1.6 ACRES

CURRENT ZONING: AGRICULTURAL-LOW (A-L)

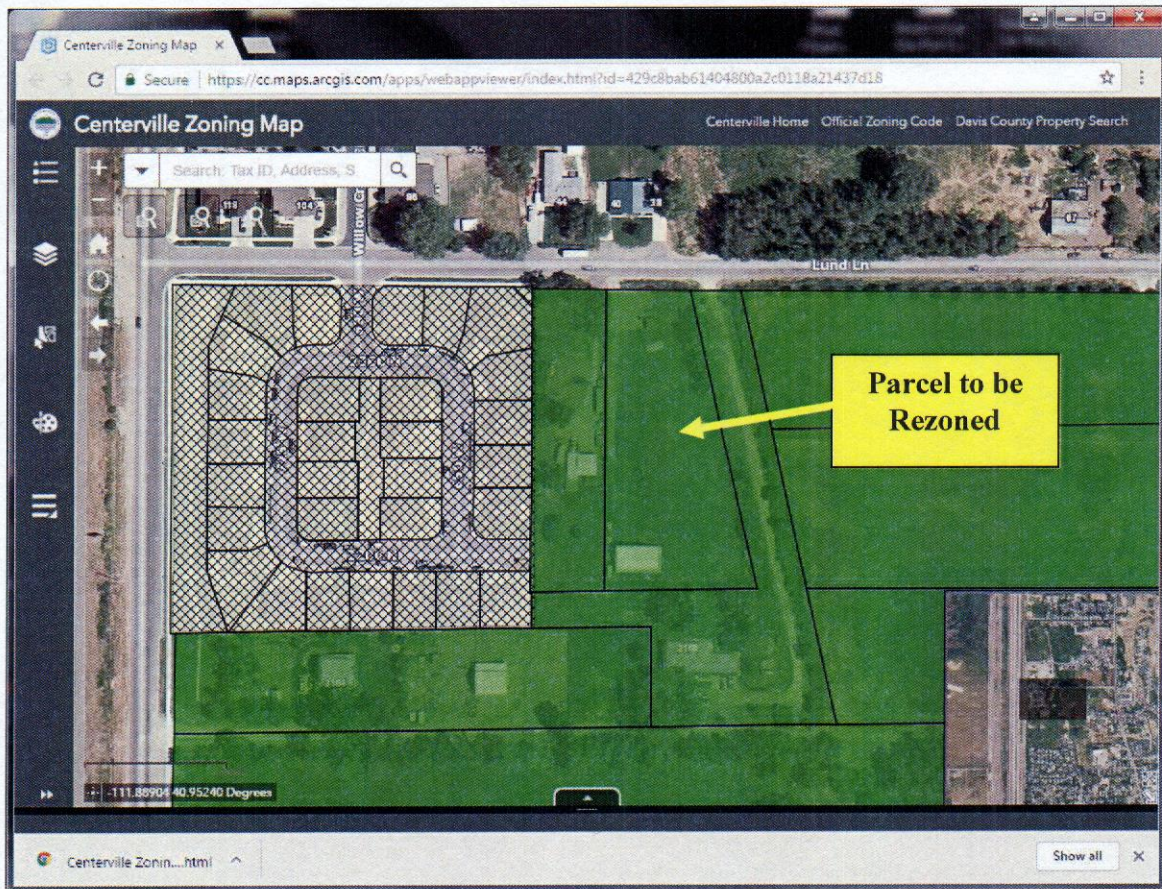
APPLICATIONS: ZONE MAP AMENDMENT
REZONE FROM AGRICULTURAL-LOW (A-L) TO
RESIDENTIAL-LOW (R-L)

RECOMMENDATION: CONSIDER RECOMENDING THE REZONE TO THE
CITY COUNCIL

BACKGROUND

The petitioners, represented by Taylor Spendlove of Brighton Homes, are requesting a rezone of the property from Agricultural-Low (A-L) to Residential-Low (R-L). The applicants desire to divide the parcel into six (6) single-family residenital lots. Currently, the property contains an agricultural use (*i.e. intermittent boarding of horses*) and an accessory building. The immediate area surrounding the request also consists of A-L Zoning, mostly vacant with some scattered single-family home development. However, in the recent past and a short distance to the west, the Woods Parks Subdivision (*a planned development*) located at the corner of Lund Lane and the Frontage Road was rezoned from A-L to R-L and developed with 29 single-family lots.

PROPOSED ZONE MAP AMENDMENT



REVIEW AND ANALYSIS OF THE REQUEST

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 parcel is located within Neighborhood 4, Northwest Centerville [12-480-5], which states the following:
 - [Plan Policy] ***"Issue: Future land uses and transitions between different land uses"***
 - **Statement** – *"Establish appropriate land-use patterns and land use transitions"*

- **Objective** – *“Only compatible land uses shall be located adjacent to each other, as outlined in the Land-Use Hierarchy Standards section of this Ordinance.”*
 - **Staff’s Conclusion** – *Use Intensity:* Low (i.e. less than 4 units/ac) to medium (i.e. 4-8 units/ac) are deemed compatible transitions (see Land Use Hierarchy Standards of the Neighborhood Plan). Therefore, the request from A-L to R-L is consistent with the Neighborhood Plan.
- [Plan Policy] **“Issue** – *Semi-rural areas (i.e. north of Jennings Lane); such areas do not qualify as true rural residential, which typically consist of 5 acres per dwelling. Historical planning practices show that [1/2 to 1 acre] is too small.”*
 - **Statement** – *“Preserve existing areas of semi-rural residential for current property owners”*
 - **Objective** – *“Amend zone text to create overlay or other designation establishing a boundary for area to be preserved as semi-residential.”*
 - **Staff’s Conclusion** – A semi-rural overlay has not been applied to the area being reviewed and no such overlay has been enacted, not even in the 2003 Zoning Code Update for the entire City. The preservation of semi-rural was intended to preserve agricultural uses on parcels much larger than one-acre lots (see 12-480-5, *Semi-rural Residential Areas*). The preservation was also limited to current semi-rural residential property owners (assuming then some owners were interested in creating the said district) and was not intended to limit future development of the entire neighborhood (see same section listed above). Thus, staff believes that leaving the property in an A-L Zone, which allows ½ acre lots, is not consistent with this semi-rural idea.
- [Plan Policy] **“Residential Densities/Development.”**
 - **Statement** – *“The maximum density allowed on residential property is as follows...”*
 - **Objective** – *“The base density for all of Centerville will be a maximum of 4 units/acre” (additional density is allowed in relation to the distance to specified services).*
 - **Staff’s Conclusion** – The request for R-L, which allows up to 4 units per gross acre, is consistent with the base density stated by the Plan (see 12-480-5, *Residential Densities/Development*).

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?

- **Staff Response:** Within this neighborhood, there appears to be an abundance of areas zoned R-L, consisting of low-density single-family development, which is the preferred type of housing density within the City (*see Section 12-12-420-2.2*). The property on Lund Lane is also within a seemingly agricultural/rural residential area with single-family homes scattered around the area w/ some farm type animals. Further to the west is the Woods Park Subdivision, which is zoned R-L/PD, a low/low-medium density subdivision. Staff believes the proposed amendment will be in harmony with the overall character of the existing development in the vicinity, which is low density development.

3. What is the extent to which the proposed amendment may adversely affect adjacent property?

- **Staff's Response:** The primary concern for the immediate area is likely storm water management. As the Commission may remember, the Woods Park Subdivision approval included an agreement between the City and that developer to install a needed drainage pipe under the UTA/Union Pacific rail line system and a larger 36" pipe installed along its Lund Lane frontage. This system captures not only storm water, but also the Pine Creek stream water. A rezone cannot address the construction of such facilities, but can address the availability of services, which will be addressed in Criterion #4. Nonetheless, it is staff's opinion that the mismanagement of storm water could create an adverse effect for this particular area.

4. What is the adequacy of facilities and services intended to serve the subject property?

- **Staff Response:** In general, all needed utility services are available in the area. Keep in mind there are two (2) ways to interpret this. First, all utilities are available at the lot (*as usually the case when buying a lot in an approved subdivision*). Second, utilities are available off-site within a reasonable distance to make necessary connections install them to the property. In the case of this parcel, the utilities are either located in the street (e.g. sewer, gas, electric) or they have been installed from the frontage road up Lund Lane to the east end of the Woods Park Subdivision (water, storm water facilities). Whether, the property is developed as an A-L lot or an R-L subdivision, it will require the off-site extension of the needed utilities that are all present within existing public rights-of-way. The developer of the property will have to assess whether it is cost effective to make such improvement extensions to this particular parcel.

OTHER RELATED MATTERS

The Master Street Plan indicates a 400 West connection to Lund Lane, any development of this particular parcel of land would likely influence the expected connection. Typically, 400 West is aligned along the old Bamberger rail bed. This rail bed is located on the east boarder

of this parcel. During, any subdivision or development approval of this parcel, it is likely that the staff any approving body will require the developer to address the placement and connection of 400 West to Lund Lane.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: I hereby make a motion for the Planning Commission to **RECOMMEND APPROVAL** of Zone Map Amendment, from A-L to R-L, for the parcel number 07-070-0032 located along Lund Lane

SUGGESTED REASONS FOR THE ACTION:

1. The Planning Commission finds that the preferred base density for all of Centerville is a low density of 4 units/acre, which is consistent with the R-L request (*see 12-480-5, Residential Densities/Development*).
2. The Planning Commission finds that that leaving the property in an A-L Zone, which allows ½ acre lots, is not consistent with the undeveloped semi-rural objective of the Neighborhood Plan of preserving semi-rural areas, which need to much more than one (1) acre parcels (*see 12-480-5, Semi-rural Residential areas*).
3. The Planning Commission finds that within this neighborhood, there appears to be an abundance of areas zoned R-L, consisting of low-density single-family development, which is the preferred type of housing density within the City (*see Section 12-12-420-2.2*).
4. The Planning Commission finds that in the matters of “Use Intensity,” a low (i.e. less than 4 units/ac) to medium (i.e. 4-8 units/ac) is deemed a compatible transition (*see Land Use Hierarchy Standards of the Neighborhood Plan*).
5. The Planning Commission finds that all needed utilities are available off-site within a reasonable distance to make necessary connections install them to the property.
6. Therefore, the Planning Commission finds that the proposed amendment can be deemed acceptable with the approval review standards of Section 12.21.080 (*Zone Map Amendment*) of the City’s Zoning Code.