

CENTERVILLE CITY PLANNING COMMISSION AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON WEDNESDAY, MAY 22, 2013, AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL 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 Blaine Lutz, Centerville Finance Director, 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. This agenda is also posted on the City's website: www.centervilleut.net.

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

- | | |
|-------------|---|
| 7:00 | A. Welcome and Roll Call |
| | B. Opening Comment / Legislative Prayer |
| | C. Minutes Review and Acceptance – May 8, 2013 |
| | D. Commission Business |
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| 7:05 | 1. PUBLIC HEARING CHICK-FIL-A RESTAURANT 540 NORTH FRONTAGE ROAD
(Postponed from May 8, 2013 Meeting)
Consideration of a conditional use permit for operating a "fast-food restaurant" in the C-VH (commercial-very high) Zone and final site plan, for Chick-Fil-A Restaurant, Lot 202, Centerville Corporate Park Amended, 540 North Frontage Road. Robert Lombardi, 4G Development & Consulting, Inc., Applicant |
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| 7:25 | 2. PUBLIC HEARING CODE TEXT AMENDMENT SIGNS IN PARRISH GATEWAY AREA
(Postponed from May 8, 2013 Meeting)
Consideration of amending the Zoning Ordinance, Section 12-54-120(b)(4), Signs in Parrish Lane Gateway Commercial District; to alter or change boundary allowances and restrictions for the use of freeway-oriented signs. Robert Lombardi, 4G Development & Consulting, Inc., Applicant |
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| 7:45 | 3. PUBLIC HEARING ICE BREAKERS SHAVED ICE CO 200 WEST PARRISH LANE
Consideration of a conditional use permit for a temporary use; consisting of a seasonal shaved ice stand, to be located in front of the Smoot Building, 200 West Parrish Lane, in the C-H Zone. Matt Weaver, Applicant |
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| 8:05 | 4. PUBLIC HEARING DESERET INDUSTRIES PARKING 94 EAST PAGES LANE
Consideration of a conditional use permit for Deseret Industries parking expansion; which consists of demolition of the old bank building at 92 East Pages Lane, and converting the space to a stand-alone parking lot. Craig L. Ames, P.G.A.W. Inc., Applicant |
|
 | |
| 8:25 | 5. PUBLIC HEARING WOODS PARK SUBDIVISION 690 WEST 2400 NORTH (LUND LN)
Consideration of a preliminary subdivision plan for the Woods Park Subdivision, 29 building lots, located at approximately 690 West 2400 North, in the R-L(PD) Zone. Alan Prince, Prince Development, Applicant |

- 8:45 6. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**
- a. Upcoming Meetings
 - PC Meeting June 12, 2013: *Chase Lane Culinary Pump House Conceptual Site Plan & Small Sub Waiver/Lot Split; King Development (next to Subway) Conceptual Site Plan & Subdivision; Code Text Amend., Civil Enforcement; Training on Legislative Update, Discussion on ADU's (Accessory Dwelling Units)*
- 8:50 E. **Adjournment**

Posted May 17, 2013 by Community Development



PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, May 8, 2013

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

Tamilyn Fillmore
David Hirschi
Scott Kjar
Steven Markham
Kevin Merrill, Chair
Debra Randall

MEMBERS ABSENT

Brian Holman

STAFF PRESENT

Corvin Snyder, Community Development Director
Kathy Streadbeck, Recording Secretary

VISITORS

Interested Citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER

Commissioner Fillmore

MINUTES REVIEW AND APPROVAL

Minutes of the Planning Commission meeting held April 24, 2013 were reviewed and amended. Chair Merrill made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Fillmore and passed by unanimous vote (5-0). Commissioner Hirschi abstained from voting as he was not present at this meeting.

PUBLIC HEARING | GAS STATION EXPANSION | 1011 SOUTH MAIN

Consideration of a conceptual site plan for the expansion of the existing gas station; which includes: convenience store, fuel and food service uses, located on the corner of Pages Lane and Main Street, in the C-H Zone. Dell S.Nichols, Commerce Real Estate Solutions, Applicant.

1 Commissioner Randall disclosed the applicant, Dell Nichols, has been a close family
2 friend for many years, but she sees no conflict of interest. Commissioner Hirschi disclosed that
3 he sat on the Board of Adjustment when this matter was reviewed and approvals granted, but he
4 too does not see a conflict of interest.

5
6 Cory Snyder, Community Development Director, reported the applicant desires to
7 enlarge and expand a legally existing, but non-conforming structure for the purposes of
8 demolishing an existing car wash building and adding a fast-food restaurant use to their approved
9 gas station/convenience store. Mr. Snyder explained the long complex history of this site
10 including bankruptcy, vacancy, abandonment, and non-conformities. After several actions and in
11 accordance with City ordinances, this site has recently come out of bankruptcy, overturned the
12 presumption of abandonment, been granted a legally non-conforming status, and been authorized
13 an expansion per the Board of Adjustment. The applicant is now seeking conceptual site plan
14 approval for this expansion including parking, landscaping, car wash demolition, and the
15 addition of a fast-food restaurant use. Mr. Snyder reviewed the standards of approval as listed in
16 the staff report dated May 8, 2013. The proposed alterations and additions are in compliance
17 with City ordinances. Staff recommends approval with directives as recommended. The
18 applicant will be required to apply for a conditional use permit as required in conjunction with
19 the final site plan approval process.

20
21 Dell Nichols, applicant, explained the unique complications that have been associated
22 with this property. He reviewed the history including the many entities involved, conflicts faced,
23 and recent resolutions. He commended the City for their help and involvement in the many
24 recent approval processes. He explained the property is now under contract for redevelopment
25 and use and they are ready to move forward in making this site functional and a benefit to the
26 city once again. This site used to be lively and well attended and they look forward to its
27 revitalization.

28
29 Commissioner Hirschi said there are often conditions or approvals tied to contract closing
30 and he questioned if there are any unforeseen conditions, or if any approvals are not granted,
31 could this hinder the contract for redevelopment/use. Mr. Nichols said he does not foresee any
32 complications and explained there are authorizations already in place that will not stop this
33 progress.

34
35 Chair Merrill opened the public hearing. There was no comment; he closed the public
36 hearing.

37
38 Commissioner Kjar said it will be nice to see this eye sore redeveloped. Chair Merrill
39 agreed. He said the intent of the South Main Street Plan is to revitalize this area. Hopefully this
40 plan will help push redevelopment along the entire corridor.

Commissioner Hirschi made a **motion** to amend staff's recommended motion and findings to include the car wash demolition. The motion was seconded by Commissioner Randall and passed by unanimous vote (6-0).

Commissioner Randall made a **motion** for the Planning Commission to accept the conceptual site plan for the proposed changes to the existing gas station, including the carwash demolition, 1011 South Main Street, with the following directives:

Conditions:

1. The applicant shall submit a final site plan application meeting the standards found in Section 12-21-110(e) of the Zoning Ordinance.
2. The applicant shall receive a conditional use permit approval for allowing the fast-food use subject to the standards found in Section 12-21-100 of the Zoning Ordinance, prior to or as part of any final site plan submittal.
3. The final site plan submittal shall also address the following:
 - a. Provide a landscaping plan that addresses the following:
 - i. Site and street tree requirements
 - ii. Parking lot landscaping requirements
 - iii. 50% building foundation landscaping
 - b. An updated site plan that addresses the following:
 - i. The screening of the service and loading area from public view
 - ii. The dumpster area design including the use of materials, color and height of the walls and gate
 - iii. The screening of any site, wall, or roof-mounted utility service equipment
 - c. An updated sign plan that addresses the following:
 - i. Indicate the location of any monument, wall, or free-standing signs that are being maintained or changed

Reasons for Action (Findings):

- a) The Planning Commission finds that on January 16, 2013, the presumption of abandonment of the site was deemed "Rebutted" by the Board of Adjustment.
- b) The Planning Commission finds that on April 9, 2013, the Board granted authorization to the owner's request to expand and enlarge the non-conforming building of this site including the demolition of the existing car wash.
- c) The Planning Commission finds that the conceptual site plan submittal has adequately shown how the property may be developed [Section 12-21-110(d)(2)].
- d) The Planning Commission finds that the proposal remains consistent with the overall expectations of the General Plan, which had and does envision a neighborhood base of commercial uses for this area [Section 12-480-2].

- 1 e) The Planning Commission's directives provide feedback regarding the applicable
2 standards for developing within the C-H Zone and/or the SCP Zone standards of the
3 City's Zoning Ordinance.
- 4 f) The Planning Commission finds that the proposed fast-food use requires a conditional
5 use permit, as depicted in the Table of Uses, Chapter 12-36.
- 6 g) The Planning Commission finds that all existing sites with non-conformities with
7 regards to site landscaping, screening, or other issues, shall be brought into
8 conformance upon the occurrence of any increase more than 30% of the building
9 floor area, as described in Section 12-22-080.

10
11 The motion was seconded by Chair Merrill.

12
13 Commissioner Fillmore emphasized a statement in the staff report dated May 8, 2013
14 (page 3) reading, "Thus, the proposal does not fully capitalize on the future development
15 opportunities and design expectations that are also desired by the General Plan." She said she
16 was involved in the creation of the South Main Street Corridor (SCP) Zone and she has some
17 disappointments and hesitations about the continuation of this proposed use because it does not
18 fulfill the intent of the SCP. However, this was a unique situation and she has respect for the
19 process and City ordinances the applicant has followed. She said this is an administrative
20 decision and she will base her decision on that and not on her future planning desires for this
21 area.

22
23 Commissioner Hirschi said this site is an entrance to the city and he would hope the
24 developer will incorporate designs, landscaping, and planning that are pleasing for such a
25 gateway to the city.

26
27 Chair Merrill called for a vote on the motion. The motion passed by unanimous roll-call
28 vote (6-0).

29
30 Commissioner Fillmore said this has been an interesting issue. She said she has a deep
31 respect for Centerville's ordinances and how they are written. However, this process has proven
32 there are possible holes within the ordinances that could be addressed. The use matter was
33 resolved by the Board of Adjustment per City ordinances. Although she was not happy with the
34 end result, because the SCP is a pedestrian oriented plan and the gas station/fast-food uses are
35 car oriented, City ordinances were followed. The issue of abandonment was also handled by the
36 Board of Adjustment appropriately. However, she is concerned with the process for determining
37 what increases the degree of non-conformity. This decision lies solely with the Zoning
38 Administrator and is a unilateral, single person decision without any written criteria. She agrees
39 the Zoning Administrator made the correct determination in this case (deeming it an expansion
40 of a non-conformity) which sent the decision to the Board of Adjustment. She said with no

1 written criteria in the ordinance it is difficult for the Board of Adjustment to make an informed
2 decision. In addition, the decision to expand a non-conformity is a planning issue not an
3 arbitration issue and she questioned if the Board of Adjustment is the appropriate body for this
4 type of decision. She said this is a hole in the ordinance she suggests the City review. She
5 recommends, at a minimum, written planning criteria be created regarding the determination for
6 increasing the degree of non-conformity and that this determination should possibly be made by
7 the Planning Commission rather than Zoning Administrator and the Board of Adjustment.

8
9 Mr. Snyder said there are findings the Board of Adjustment is required to review and in
10 this case they determined the findings were met thus allowing the expansion. He also explained
11 the underlying Commercial Zone on Main Street allows a gas station and fast food as conditional
12 uses. He agreed the intent of the SCP vs. the underlying allowed uses are conflicting. However,
13 the end nodes (north and south gateway points) to Main Street are intended for more intense
14 uses. The main pedestrian oriented focus is intended for the core of Main Street and not
15 necessarily for the nodes. Mr. Snyder said the major factor in this application process was the
16 overcoming of the presumption of abandonment. If the abandonment had not been overturned
17 then the SCP would have played a greater role in the planning for this redevelopment. He also
18 said he is not opposed to reviewing the ordinances regarding expansion of non-conformity and
19 possibly creating written criteria.

20
21 Commissioner Fillmore said she understands the balance between property rights,
22 existing uses, existing needs, and future vision/needs. She said when a remodel is approved it
23 pushes future visions and plans out an additional 20-40 years. She is concerned with the holes
24 that have appeared within the ordinances as part of this application process. It may also be
25 beneficial to further discuss the expectations for the nodes or gateways to Main Street.

26
27 Commissioner Fillmore made a **motion** to direct staff to bring the Planning Commission
28 more information regarding possible holes in the ordinances concerning the determination of
29 what increases the degree of non-conformity and suggest possible solutions including written
30 criteria and possibly changing the decision making body. The motion was seconded by
31 Commissioner Kjar and passed by unanimous roll-call vote (5-1). Commissioner Markham
32 opposed.

33
34 **PUBLIC HEARING | CHICK-FIL-A RESTAURANT | 540 NORTH FRONTAGE**

35
36 Applicant requested this item be postponed until the May 22, 2013 Planning Commission
37 meeting.
38

PUBLIC HEARING | CODE TEXT AMENDMENT | SIGNAGE

Applicant requested this item be postponed until the May 22, 2013 Planning Commission meeting.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be held on May 22, 2013.
2. Upcoming Agenda Items
 - Chick-Fil-A Restaurant, Final Site Plan & CUP
 - Code Text Amendment, Signs in Parrish Gateway Area
 - Deseret Industries Parking Lot Expansion Final Site Plan & CUP
 - Woods Park, Preliminary Subdivision & PDO
 - Ice Breakers Shaved Ice, CUP

The meeting was adjourned at 8:10 p.m.

Kevin Merrill, Chair

Date Approved

Kathleen Streadbeck, Recording Secretary

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

**STAFF REPORT
AGENDA: ITEM 1**

PROPERTY OWNER: DAYTON WEST, LLC
500 NORTH MARKET PLACE DRIVE
CENTERVILLE CITY, UT 84014

APPLICANT: ROBERT LOMBARDI
4G DEVELOPMENT & CONSULTING, INC.
P.O. BOX 270571
SAN DEIGO, CA 92198-2571

EMAIL/PHONE: RLOMBARDI@4GDEV.COM 866-311-3658

PROPERTY: 540 NORTH 800 WEST

ACREAGE: .87 ACRES

ZONING: COMMERCIAL – VERY HIGH (C-VH)

APPLICATION: FINAL SITE PLAN AND CONDITIONAL USE PERMIT
APPROVAL FOR CHICK-FIL-A RESTAURANT

BACKGROUND

On February 13, 2013, the Planning Commission accepted the conceptual site plan for the new Chick-Fil-A Restaurant, to be located at 540 North 800 West, within the Centerville Corporate Park Subdivision. In addition, Chick-Fil-A went before the City Council for conceptual review and final review to ensure compliance with the governing documents that affect the business park, as required per the Development Agreement. Chick-Fil-A has also met with MTC to address parking, circulation and any shared landscaping. The applicant is now ready for a final review and approval by the Planning Commission and the approval of a conditional use permit. After they receive an approval, they will need to apply for a building permit, prior to any construction occurring on site. Chick-Fil-A has chosen to use a new building proto-type, instead of the older style that was shown to the Planning Commission at conceptual review. This style takes on a more modern appeal, with straight horizontal lines and the use of rectangular design.

PREVIOUS CONDITIONS OF APPROVAL, FEBRUARY 13, 2013

1. The applicant shall submit a final site plan application meeting the standards found in Section 12-21-110(e) of the Ordinance.

2. The applicant shall receive a conditional use permit approval for allowing the fast-food use subject to the standards found in Section 12-21-100 of the Ordinance, prior to or as part of any final site plan submittal.
 - **Staff Response:** Both applications were submitted on April 3, 2013.
3. The final site plan submittal shall address the following:
 - a. The dumpster area to be relocated to a more suitable area of the site
 - b. The dumpster area design including the use of materials, color and height of the walls and gate
 - **Staff Response:** The dumpster enclosure has been moved to a new location north of the building and along the back parking row adjacent to the trail. Staff believes this location is acceptable and will not be in the way of general traffic flow in the area. The dumpster enclosure will consist of a CMU wall covered with a stucco to match the building. However, staff believes the stucco will not hold up well and may be damaged by the adjacent sprinklers and the winter elements. Staff is requesting that a different type of material be used that will still match the building, yet hold up to its surroundings. This information will need to be submitted as part of the building permit application.
 - c. The screening of any wall or roof-mounted utility service equipment
 - **Staff Response:** This condition will still remain in effect and will be reviewed at the time of the building permit application when the roof and wall-mounted equipment location is determined.
 - d. Indicate the location of any monument or free-standing signs that are being proposed
 - **Staff Response:** The applicant has provided a detailed description and location of all proposed signage on site. The monument sign will be located in the landscaped area between the drive-through and the sidewalk. The sign will be 3 feet from the property line, a total of 6 feet including the base and 6.66 feet in length. The plans also appear to have a proposed pole sign on the property that is not an approved sign at this time. The applicant desires a text change to the Zoning Ordinance to allow for a freeway-oriented sign to be constructed on site. No construction of the sign may take place until a decision has been made by the Planning Commission and City Council. If the petition is denied, a new site plan must be submitted showing the removal of the pole sign.
 - e. The pedestrian pathway's design and use of materials to create a visual difference between the space for pedestrians and vehicles
 - **Staff Response:** The pathway has been shown as being a 4-foot stamped concrete walkway from the sidewalk to the front of the building. The pathway clearly differentiates the space between pedestrians and vehicles. In addition, they have added a striped pedestrian pathway from the urban trail to the east side of the building. These pathways are an excellent addition to pedestrian circulation for the entire site.
 - f. The use of outside decorative lighting fixtures for building, pathway, and patio areas to enhance these public spaces
 - **Staff Response:** Although the lighting location was shown on the plans, staff was unclear what the lighting is to be. Staff is requesting that this information be

submitted with the building permit. All decorative street lighting location and type will need to be reviewed by the Public Works Director to ensure they meet the City Standard. Parking lot lighting must match with existing lighting already found within the subdivision.

- g. The building design's use of an additional lower level wainscot of the rock veneer
 - **Staff Response:** Since Chick-Fil-A had to reduce the size of the building in order to reconfigure the drive-through lane, they have also chosen to redesign the style of the building. They have selected a new proto-type that has a more modern design, while using a more rectangular appearance. The material on the building is stone veneer, reinforced fiberboard, stucco, glass, canvas awnings and a steel trellis. The colors appear to be earth tones in shades of ivory, tan and brown, with black being used as accents. Staff was hesitant with the initial review of the changes and believed it did not meet the Parrish Lane Guidelines, yet after Chick-Fil-A reworked some of the design, staff believed the architectural design was more in harmony with the required code design standards and that it will blend in well with the rest of the environment.
 - h. The use of a wall feature to be incorporated into the landscaping design along the Market Place street frontage
 - **Staff Response:** A 3-foot decorative rock wall will be installed in front of the building, wrapping its way around the west section of the drive-through lane. The rock is called Southtown Nephi Rock & Gravel and appears to be a tan natural type stone that matches the proposed rock on the building.
 - i. Provide the required percentage of parking lot landscaping and the required types of vegetation that is to be planted
 - **Staff Response:** The landscaping plan indicates 20.9% of the parking lot is found in landscaping and the required number of trees and shrubs will be planted. It appears they will have 8 trees and 30 shrubs in the parking lot.
 - j. The use of differing styles of light fixtures along Market Place Drive and the internal Corporate Park Development Area
 - k. The required Parrish Lane Gateway Design Standards for landscape berming, streetlights, and sidewalk system relationships along Market Place Drive
 - **Staff Response:** As stated previously, the lighting location has been indicated, but the actual style of lighting has not. The applicant will need to address this detail at the time of the building permit application. The applicant has also met the standards for the Parrish Lane Streetscape. All pedestrian lighting along the Chick-Fil-A frontage will need to be reviewed by the Public Works Director in regard to exact style and location.
4. The final site plan submittal shall coordinate the joint use of the access and parking patterns or be revised to function independently from one another
- **Staff Response:** The conceptual design indicated the drive-through area going to the edge of the Chick-Fil-A property and utilizing the MTC property for traffic. However, the applicant has now modified the plans to ensure that they will function independently on the site.

FINAL SITE PLAN REVIEW - SECTION 12-21-110(e)

The final site plan conforms to the conceptual site plan with a few exceptions. These modifications include redesigning the drive-through as to allow all on site circulation to stay on site. In addition, the building size has been reduced slightly as to make room for the drive-through area and the on site landscaping. The plans show the site in great detail and clearly indicates how the entire property will be developed. At the time this report was written, the applicant had not yet submitted a storyboard, which must be submitted in time for the Planning Commission meeting. Upon review, staff has found that all applicable standards found within the Zoning Ordinance have been satisfied. Again, the applicant will still be responsible in posting any bonding and paying any professional service fees.

CONDITIONAL USE PERMIT REVIEW – SECTION 12-21-100**Evidence [12-21-100(e)(3)(A-D)]**

The proposed use for the Chick-Fil-A is a fast-food restaurant with a drive-through window. They will be located within the Centerville Corporate Park Subdivision adjacent to Market Place Drive. In addition, it will be located just east of In-N-Out Burger, McDonalds and Iggy's, which are all considered of the restaurant type. Chick-Fil-A desires this location since it has good freeway access, and is in close proximity to the Davis Cultural Arts Center and other shopping destinations. Chick-Fil-A can be well known for large amounts of traffic especially when they first open and then on weekends and during the lunch hours. The area will see a surge of traffic during the first few months of its opening and then will resume a normal rate of traffic after the newness has worn off. The location of Chick-Fil-A is ideal from a City standpoint, since it is located near other restaurants and in close proximity to the Davis Cultural Arts Center. Finally, the General Plan states: "...Centerville City should provide for the establishment and viability of commercial and industrial services in designated areas of the community" [Section 12-430-1].

Factors to be Reviewed [12-21-100(e)(5)(A-K)]**Suitability and Harmony with the Proposed Site and Adjacent Property (A-C, F)**

As stated in the previous paragraph, this location for Chick-Fil-A is ideal for both the City and the applicant with freeway access and close to entertainment, office and shopping. It is also located near other restaurants and is in walking distance from the Davis Cultural Arts Center. Since it is away from the main traffic flow of Parrish Lane and Market Place Drive, adequate space for car travel has been identified off of Market Place Drive. It does not appear the new restaurant will harm the surrounding development. Within the immediate area, In-N-Out, McDonalds, the MTC, Davis Cultural Arts Center, Dairy Queen and Zion's Bank have conditional use permits. It appears the new Chick-Fil-A will be suitable at this location and will be in harmony with the surrounding community.

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

The economic impact on the surrounding community may be difficult to judge. It appears that with more restaurant choices in one location, it tends to help all restaurants to be successful. Chick-Fil-A is well known for bringing in a large amount of traffic into an area. This traffic may be beneficial to other local area businesses, yet may congest the MTC parking lot, during high volume peak times. The applicant has provided adequate space, according to Ordinance, for the

drive-through with 11 stacked cars. Yet this amount may not be enough during the grand opening events. Staff is requesting Chick-Fil-A create a traffic plan with the Centerville Police Department and inform the MTC of this plan. A traffic plan will help mitigate any traffic congestion that may occur for the first few days when they open.

Pedestrian traffic has also been accounted for with on site stamped-colored concrete from the main sidewalk to the front of the building and the striped pedestrian pathway from the urban trail to the front of the building.

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

The site plan indicates adequate fire protection, with a fire hydrant being placed directly in front of the building. All necessary utilities have been indicated and staff has received all applicable utility provider sheets. Again, it is recommended the applicant verify with the Public Works Director the exact spacing and connection for all pedestrian lighting along the Frontage Road. According to the site plan, it appears that adequate lighting has been designed for the parking and drive-isles. The site has adequate circulation and parking with 47 stalls being provided.

The physical impact on the community will be minimal. Chick-Fil-A will not produce noxious smells, noises or pollutants, or be harmful to the health, safety and welfare of the citizens within the community. The applicant has shown how the site will appear aesthetically pleasing and not be detrimental to the surrounding businesses. Special attention has been given to the street frontage with additional landscaping, a decorative wall, street trees and lawn.

CONCLUSION

Staff believes the layout of the site has been well thought out and planned. The applicant has met the City Standards and the requirements for development within the Parrish Lane Gateway. It appears Chick-Fil-A will be a beneficial asset to the community. Any and all development on the Chick-Fil-A site must still comply with and be subject to all Governing Documents for the Centerville Corporate Park Subdivision, as amended, and all conditions of lot split approval for the subdivision. The applicant will be required to submit for a building permit and sign permit application, prior to any construction taking place.

PLANNING STAFF RECOMMENDATIONS

FINAL SITE PLAN

PROPOSED ACTION: I hereby make a motion for the Planning Commission to approve the final site plan for the Chick-Fil-A Restaurant located at 540 North 800 West, with the following conditions:

1. A bond shall be posted for all on-site and off-site improvements prior to receiving a building permit.
2. A building permit shall be submitted prior to any construction taking place.
3. Indicate a differing material for the dumpster enclosure at the time of building permit submittal.
4. Applicant shall seek a text change to the Zoning Ordinance for the purpose of a freeway-oriented sign, prior to the construction of a pole sign. If the request is not approved, the

- applicant shall resubmit a final amended site plan to City Staff with the notation of the pole sign being removed.
5. A lighting plan shall be submitted with the building permit, indicating the style of lighting on the building and within the parking lot and landscaped area.
 6. The applicant shall review the exact location and style for all Parrish Lane pedestrian lighting with the Public Works Director.
 7. Any and all development on Lot 202 shall comply with and be subject to all Governing Documents for the Centerville Corporate Park Subdivision, as amended, and all conditions of lot split approval for the subdivision, including, but not limited to, the Parrish Lane Gateway Neighborhood Development Plan, the Grant of Easements and Restrictions for the Centerville Corporate Park Subdivision, the Development Agreement, the Agreement and Option Agreement for Private Development, the Conditional Use Permit for Planned Center, as such documents have been or may be amended from time to time ("Governing Documents").
 8. Any and all development on Lot 202 shall comply with applicable City Ordinances, including, but not limited to the Parrish Lane Gateway Design Standards.
 9. The Assignment and Assumption Agreement for the Centerville Corporate Park Subdivision Governing Documents dated February 13, 2013, by and between Centerville City, the Redevelopment Agency of Centerville City, Dayton West, LLC, and Chick-Fil-A, Inc. shall be recorded against the property prior to the issuance of any building permits for Lot 202. Applicant shall provide evidence of such recording to the City Recorder.
 10. Applicant shall obtain acceptance of the final development plan for development of the Chick-Fil-A on Lot 202 by the RDA and City Council under the Governing Documents prior to the issuance of any building permits for Lot 202.

SUGGESTED REASONS FOR THE ACTION:

1. The applicant has submitted a complete final site plan application [Section 12-21-110(e)].
2. The final site plan conforms to the accepted conceptual plan.
3. All the standards of approval have been reviewed and were found to be acceptable [Section 12-21-110(f)].
4. Freeway-oriented signs are not allowed within this area and would require a petition for a zone text amendment prior to any freeway-oriented sign type to be constructed [Section 12-54-120(b)(4)].

CONDITIONAL USE PERMIT

PROPOSED ACTION: I hereby make a motion for the Planning Commission to approve the conditional use permit for the Chick-Fil-A Restaurant located at 540 North 800 West, with the following conditions:

1. The site located at 540 North 800 West shall be approved for Chick-Fil-A, a fast-food restaurant with a drive-through.
2. A traffic plan shall be created and reviewed by the Centerville Police Department and the MTC to coordinate the grand opening and high volume peak times. This shall be accomplished prior to receiving final occupancy.
3. The applicant shall follow the approved final site plan dated April 3, 2013.

4. All necessary bonding must be posted prior to construction.
5. The applicant shall receive a building permit prior to construction.
6. All sign approvals and permits shall be issued prior to the construction of any on-site construction.
7. Any and all development on the Chick-fil-A site shall comply with and be subject to all Governing Documents for the Centerville Corporate Park Subdivision, as amended, and all conditions of lot split approval for the subdivision.

SUGGESTED REASONS FOR THE ACTION:

1. A complete conditional use permit has been submitted [Section 12-21-100(d)(1)].
2. The use of a fast-food restaurant with a conditional use permit is allowed with the approval of a conditional use permit within in the Commercial-Very High (C-VH) Zone [Chapter 12-36].
3. Traffic during the grand opening and during peak operating times has been determined to create an impact on the surrounding businesses and must be mitigated [Section 12-21-100(e)(5)(G)].

47 PARKING SPACES TOTAL
LOT AREA: APPROX. 37,904 S.F. AS SHOWN







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

**STAFF REPORT
AGENDA: ITEM 2**

APPLICANT: **CHICK-FIL-A
ROBERT LOMBARDI
P.O. BOX 270571
SAN DIEGO, CA 92198-2571
rlombardi@4gdev.com**

APPLICATION: **ZONE CODE TEXT AMENDMENT;
SECTION 12-54-120(b), FREE-STANDING,
FREEWAY-ORIENTED SIGNS**

RECOMMENDATION: **PLANNING STAFF RECOMMENDS DENIAL**

BACKGROUND

Recently, the Chick-Fil-A representatives approached staff about a desire to locate a freeway-oriented sign for their proposed restaurant located on a lot within the Centerville Corporate Park Subdivision. In order for a site to be eligible for a freeway-oriented sign, it must meet two parameters; first, it must be within 600 feet of the centerline of Parrish Lane; and second, it must have direct frontage along the interstate corridor (*see Section 12-54-120.4*).

The petitioners believe that they meet one of the two parameters with the site being within a 500-foot mark from the centerline of Parrish Lane (*see the schematic attached with the petition*). However, their lot has frontage on Market Place Drive and not along the freeway corridor. Thus, the petitioner desires the City to consider creating a second tier area allowance for freeway-oriented signs that keeps the 600-foot from Parrish Lane stipulation, but adds Frontage Road area with a 50-foot sign (rather than 60 feet) height allowance. The suggested text amendment language would be as follows:

(4) Free-Standing Freeway-Oriented Sign. One (1) free-standing freeway-oriented sign shall be allowed on commercially developed properties immediately abutting the I-15 right of way, or the Frontage Road, that are and within six hundred (600) feet north and south of the Centerline of Parrish Lane, subject to the following requirements:

(A) Such signs abutting the I-15 right of way shall not exceed sixty (60) feet in height.

(B) The maximum aggregate area for such signs (counting one [1] side of a double-faced sign) shall be two hundred (200) square feet.

(C) Such signs abutting Frontage Road shall not exceed fifty (50) feet in height.

(D) The maximum aggregate area for such signs (counting on [1] side of a double-faced sign) shall be one hundred and sixty-five (165) square feet, and shall not include any digital elements.

(C) Free standing freeway oriented signs shall not be located on the side of the property abutting Frontage Road or Parrish Lane.

The petitioner's believe that in having to meet the same Parrish Lane Gateway Design Standards as the other restaurants that are near or adjacent to their site, but not allow them the same marketing benefits as the others in having a free-oriented signs, creates an inequitable competitive marketplace (see petitioner's submitted narrative).

TEXT AMENDMENT REVIEW AND ANALYSIS 12-32-040(b)(3)(e)

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

- **General Plan Policy:** Section 12-430-2(3), third paragraph specifically addresses the use of signs in the Parrish Lane Area. The language is as follows:

"Specifically, elements of strip commercial development should be avoided along Parrish Lane, such as frequent curb cuts, lack of landscaping, large unattractive signs, expansive parking areas and pavement, and generally unappealing streetscapes. A thirty-foot (30') wide bermed and landscaped buffer strip should be required along properties fronting the commercial area of Parrish Lane. *While freestanding signs may be allowed in this area, monument signs are encouraged. Where allowed, freestanding signs should be limited to size, well designed and become gradually smaller in height and size the further away the sign is located from Interstate-15. All signs in this area should be tightly controlled and arranged to avoid clutter.* Monument signs should be encouraged in bermed landscaped areas. Development of a few commercial centers is preferable to the subdividing of the Parrish Lane frontage into numerous individual commercial pads, each with its own sign and curb cuts. City monument signs and landscaped islands in Parrish Lane should be placed near the Interstate-15 interchange and any other future major traffic corridor interchange west of Interstate-15 to further create the gateway impression."

- **Staff Response:** The Sign Ordinance was developed independent and prior to the regulations of the Parrish Lane Gateway Design Area. It is staff's opinion that the Sign Ordinance is very specific to the character and spatial layout of the City. The main principle used by the Sign Ordinance is the concept of incrementally decreasing freestanding pole sign heights (30', 25', 20') from the interstate to Main Street, with the eventual entire elimination of free-standing pole signs along Main Street and Pages Lanes. There is a very limited alteration of this principle with the few properties that have direct frontage along the interstate, where such properties were allowed to have a freeway-oriented sign with a height of 60 feet.

Although the main or primary desire of the General Plan for monument-based signs, any allowed free-standing pole signs, were to gradually decrease in size as distance from the interstate increases. It is staff's opinion that expanding the freeway-oriented sign area, as proposed with a second tier area and restrictions, could be considered consistent with the provisions of the General Plan.

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

- **Staff Response:** The petition argues that there is an inequitable competitive market restriction for them having to comply with the Parrish Lane Gateway Design Standards, while other similar uses are afforded an opportunity for a freeway-oriented sign. This seems plausible when looking directly across the street from their site to the properties fronting the interstate. However, the Parrish Lane Gateway Area is a much, much, larger area beginning to the west of the Legacy Parkway and ending to the east at Main Street. All development within this area is subject to the design guidelines (see Section 12-63-020.b). Additionally, there are many similar uses (e.g. Dairy Queen, Wendy's, IHOP, Subway) that are also subject to the Parrish Lane Design Guidelines and do not qualify for the freeway-oriented sign allowance.

Thus, amending the zoning parameters to allow a second tier area for freeway-oriented sign that addresses specific lot types (i.e. Frontage Road) also needs to be fair to other properties in similar situations. Given that proposed language to create a second tier area does address this fairness issue, it is staff's opinion that the decision to amend is now a matter of preference for the City.

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

- **Staff Response:** [See comments for Criterion 2] Additionally, staff supports the proposed elimination of the electronic messaging. There is a transition from commercial to residential at the northern end of the Frontage Road. The impact of changeable copy next to residential is a significant compatibility issue. The prohibition of electronic copy on a tall pole sign negates this concern.

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

- **Staff Response:** This criterion is focused primarily with needed infrastructure and utilities and is usually applicable to a zone map amendment. Staff perceives that this specific concern has no direct relation with considering the petition that is being proposed.

STAFF RECOMMENDATION

As indicated above, the request could be considered consistent with the General Plan and it is staff's opinion that the decision to amend is now a matter of preference for the City. Thus, the Planning Commission should discuss whether to recommend approval of the proposed amendment. If the petition were to be approved, there is one modification that staff would suggest, and that would be to keep the restriction about not allowing such signs to be located on the property sides that have direct frontage on Parrish Lane.

Whatever the decision is of the Commission, staff will be prepared to assist the Commission with suggested language and findings. As a reminder, the decision to amend the Zoning Ordinance is a "legislative proceeding" and thus it is subject to the "reasonably debatable" standard. Therefore, the findings or conclusions must be rational in expression and not necessarily evidentiary.



CENTERVILLE CITY

ZONE TEXT AMENDMENT APPLICATION

655 North 1250 West • Centerville, Utah 84014

Phone 801-292-8232 Fax 801-292-8251

DESCRIPTION OF PROPOSED**CHANGE(S)** Replace "Immediately abutting" with "within two hundred and eighty (280) feet of".**CHAPTER** 12-54 **SECTION** 120(b)(4)**APPLICANT INFORMATION****NAME** Robert Lombardi **COMPANY NAME** Chick-Fil-A**MAILING ADDRESS** P.O. Box 270571 **CITY / ST / ZIP** San Diego, CA 92198-2571**PHONE** (858) 231-0071 **FAX** (866) 311-3658 **EMAIL** rlombardi@4gdev.com
robinson@4gdev.com**SIGNATURE OF APPLICANT** RM Lombardi **SEE NOTE 1** **DATE** 4-8-13**AGENT INFORMATION****NAME** _____ **COMPANY NAME** _____**MAILING ADDRESS** _____ **CITY / ST / ZIP** _____**PHONE** _____ **FAX** _____ **EMAIL** _____**SIGNATURE OF AGENT** _____ **SEE NOTE 1** **DATE** APR - 9 2013**PAID**

CENTERVILLE CITY CORP

DEPOSIT MUST ACCOMPANY THIS APPLICATION – SEE ATTACHED FEE SCHEDULE

Date Rec'd	<u>4-9-13</u>	Rec'd / Initials	<u>DW</u>	Assigned Project Name	<u>Chick-Fil-A Rest.</u>
Fee/Deposit Attached	<u>(Y) or N</u>	Amount Fee Paid	<u>\$ 0.00</u>	Amount of Deposit Paid	<u>\$ 250.00</u> Check #: <u>1478</u>

Note 1: Deposits will be applied toward the cost of required engineering and/or legal services invoiced to the City. Developer/Applicant will be refunded or billed any difference without markup. Hourly rates for these services will be provided upon request. Also any errors or corrections needed for submitted plans are the responsibility of the developer/applicant. **Initial here for acknowledgement of deposits**



Zoning Amendment Statement
Chick-fil-A
500 N. Marketplace Dr.
Centerville, UT 84014

Chick-fil-A, Inc. ("CFA") hereby proposes a Zoning Amendment to Sign Code 12-54-120, in connection with CFA's planned construction of a restaurant at 500 N. Marketplace Drive in the City of Centerville, Utah (the "CFA Site"). Sign Code 12-54-120 relates to signage rights within the Parrish Lane Gateway Commercial District (the "Parrish Lane District"), providing that one free-standing free-way oriented sign is allowed on commercially developed properties abutting I-15 and located within 600 feet north and south of the centerline of Parrish Lane. Further, the code establishes that properties not abutting the I-15 corridor step down from 60ft to 25ft in height. CFA proposes amending this language to more equally provide such signage rights to properties located adjacent to the freeway as allowed by the General Plan in a stepped down fashion that is not so severe. It is our position that stepping down from 60ft to 25ft is too great a variance, or stepping down effect, for adjacent properties that can still benefit from Freeway visibility within the Parrish Lane District. The proposal includes altering the language of the existing ordinance to include properties adjacent to the I-15 corridor that are along the Frontage Road to allow for signs that are stepped down in height *and* size. We believe this is consistent with the intent as described and allowed in the General Plan.

The intent of this request is to participate with the design and texture of the General Plan of the City of Centerville. Chick-fil-A (CFA) believes that the request for a stepped down pole sign abides with the guidelines established by gradually becoming smaller in height and size as the distance from the I-15 right of way increases. As described in the current code, a 60' pole sign is permitted immediately abutting the I-15 right of way with a sign face equal to 200sf. We recommend the next 'block' of pole signs not immediately abutting the I-15 right of way but abutting Frontage Road be granted 50' pole signs, with a total sign area per sign face of 165 square feet. This equates to an equal percentage reduction in sign height and size. We also recommend that this second stepped down area *not* be allowed a digital sign option. This would follow the design and layout of the General Plan and

provide a gradual decrease, or stepping down, of sign height and size as the distance from the I-15 right of way increases.

CFA believes that business competition is an imperative value. In support of this, and for the City of Centerville to create a competitive marketplace for CFA and other restaurants located within the City of Centerville, the zoning requirements for the Parrish Lane District should be amended to more equitably grant signage rights to restaurants located within this District. We understand that all properties located within the Parrish Lane District are equally subject to certain requirements and conditions, but not all properties have equal rights to signage. This proposal seeks to establish a more aligned competitive fairness policy by still complying with the context and direction of the General Plan.

Current Zoning Description with proposed revision:

Title 12-Zoning Article 5 – Regulations of General Applicability

Chapter 12-54 – Signs, 12-54-120.

Signs in Parrish Lane Gateway Commercial District.

(4) Free-standing Freeway-Oriented Sign. One (1) free-standing freeway-oriented sign shall be allowed on commercially developed properties immediately abutting the I-15 right of way, **or the Frontage Road, that are** and within six hundred (600) feet north and south of the Centerline of Parrish Lane, subject to the following requirements:

(A) Such signs **abutting the I-15 right of way** shall not exceed sixty (60) feet in height.

(B) The maximum aggregate area for such signs (counting one [1] side of a double-faced sign) shall be two hundred (200) square feet.

(C) Such signs abutting Frontage Road shall not exceed fifty (50) feet in height.

(D) The maximum aggregate area for such signs (counting on [1] side of a double-faced sign) shall be one hundred and sixty-five (165) square feet, and shall not include any digital elements.

~~(E) Free-standing freeway-oriented signs shall not be located on the side of the property abutting Frontage Road or Parrish Lane.~~



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

**STAFF REPORT
AGENDA: ITEM 3**

PROPERTY OWNER: SHARM SMOOT

APPLICANT: MATT WEAVER, ICE BREAKERS SHAVED ICE

**PROPERTY: 200 WEST PARRISH LANE
 CENTERVILLE, UT 84014**

ACREAGE: .23

ZONING: COMMERCIAL – VERY HIGH (C-VH)

APPLICATION: TEMPORARY USE/CONDITIONAL USE PERMIT

BACKGROUND

For the last three years, Matt Weaver has received approval for a temporary shaved ice stand located at 1097 South Main Street. However, this year the applicant has chosen to move his location and operate the temporary stand at 200 West Parrish Lane, in front of the Smoot Development Building. The Ice Breakers Shaved Ice Stand has opened for business around Memorial Day and closed sometime around Labor Day, with this year being no different. The stand will be located along Parrish Lane, within the parking stalls facing east. The applicant will then have a sitting area under the tree to the west. Within Chapter 12-56 of the Zoning Ordinance, the selling of shaved ice from a temporary structure would be considered temporary retail sales. However, a temporary use permit for temporary sales can only run ten (10) days per event, and no more than four (4) events per year [12-56-050(e)]. Since the applicant desires to run the shaved ice stand for about four months, it does not conform to the development standards for a temporary use permit. In Section 12-56-060, it states that when a use does not conform, it may still be established within the commercial zones, if a conditional use permit is issued. Therefore, the applicant has submitted the necessary information for the review of a conditional use permit with an expiration date.

SITE INFORMATION

The new location is found within the Smoot Development parking lot, in which shaved ice stands have been located in the past. Most recently, one was approved at this location in 2012. Staff did not find any negative impacts of a shaved ice stand within the parking lot and we did not receive any complaints from citizens or neighboring businesses. Therefore, staff

believes this location would be a desirable location once again for a temporary shaved ice trailer.

CONDITIONAL USE PERMIT

Location and Use

The applicant has provided a site plan clearly showing the location of the Ice Breakers Shaved Ice Stand, and a table for customers to sit at. The stand appears to be 20 feet from the inside of the sidewalk and 20 feet from the north drive-isle. The applicant has stated that the shaved ice stand would be open daily from 12:00 p.m. until 10:00 p.m. A total of five (5) people will be employed, with one to two persons working from 12:00 p.m. to 6:00 p.m., and two employees working from 6:00 p.m. to 10:00 p.m.

Factors of Approval

12-21-100(e)(3)(A-D)

- The proposed shaved ice stand does not appear to be detrimental to the health and safety of the adjacent properties. There is also ample parking for the customers of the Ice Breakers Shaved Ice Stand and the tenants of the Smoot Building.
- The applicant has stated that this is a more desirable location for the shaved ice structure, since Parrish Lane gets a large amount of traffic. In addition, this location had sufficient space for parking.
- Mr. Weaver will be required to obtain the proper business license through the City in order to meet the requirements of Title 6-4-450 of the Municipal Code. By obtaining a conditional use permit for a temporary use, he will be satisfying Section 12-56-060 of the Zoning Ordinance.
- The General Plan does not specifically address accessory uses within the commercial districts. It does, however, encourage commercial development that provide services for the citizens of Centerville [12-430-1] Staff believes the selling of flavored shaved ice is an economically feasible service to the residents and visitors of Centerville.

Factors to be Reviewed [12-21-100(e)(5)(A-K)]

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

The shaved ice stand appears to be in harmony with the surrounding businesses, since it is temporary in nature and does not require an abundance of space, or parking. It appears to be suitable to the surrounding business with minimal impact to those within the Smoot Development building and the other businesses to the east and west. There are no other temporary conditional use permits within this area.

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

As mentioned previously, the impact of a shaved ice stand is minimal on the community. Ice Breakers Shaved Ice is a temporary structure, serving shaved ice treats for a limited time only, making minimal economic impact. The applicant will need to ensure that the area around the shaved ice stand is kept clean from any trash or debris that may be created by the shaved ice stand. Therefore, a garbage can will need to be provided and emptied on a regular basis. Staff has also received a signed notice giving permission for all employees of the Ice Breakers

Shaved Ice Stand to use the Dick's restroom. The applicant will not be in need of water connections, since the trailer on site will have a water tank. However, they will be utilizing electricity with an extension cord that will be plugged into an outlet at the bottom of the pole sign. The shaved ice stand will not produce offensive noise, smells, glare, dust or other pollutants, and appears to not be harmful in relation to the health and safety of the surrounding community in any way.

Last year we did not receive any complaints in regard to Ice Breakers from citizens or business owners within the area. Although in a new location, staff is confident that once again they will be an asset to the community. Staff asks the applicant to ensure that the site is kept clean and free from unnecessary items such as flags, pennants (which are not allowed under Chapter 12-54 of the Zoning Ordinance), or other decorative items that may blow off or away from the structure.

Adequate Access, Parking, Lighting and Circulation (H)

Access to the shaved ice stand is found from the north drive entrance of the Smoot Development parking lot. Lighting will come from overhead parking lot light poles, which appear to be sufficient. If the applicant desires to have any signage, they will need to be sure to meet the criteria found in Chapter 12-54 of the Zoning Ordinance. Finally, when the time limit for the temporary shaved ice stand expires, the applicant will have seven (7) days to restore the area back to its original state. This would entail the removal of the temporary structure and signage.

CONCLUSION

In years past, the applicant has used a painted trailer for the temporary stand, and according to the application, they will be using it again. The Centerville Zoning Ordinance does not regulate the construction, color or design of temporary stands and therefore staff or the Planning Commission may not regulate the design, if found to be in harmony of the conditional use permit criteria. The applicant has also provided adequate proof of insurance for the structure and use. After staff has reviewed the proposal for the shaved ice stand, it appears it will not bring a negative impact to the community. If the Planning Commission approves the shaved ice stand, the applicant will need to obtain a business license through the Business License Coordinator. The conditional use permit will expire on Labor Day, Monday, September 2, 2013.

PLANNING STAFF RECOMMENDATION

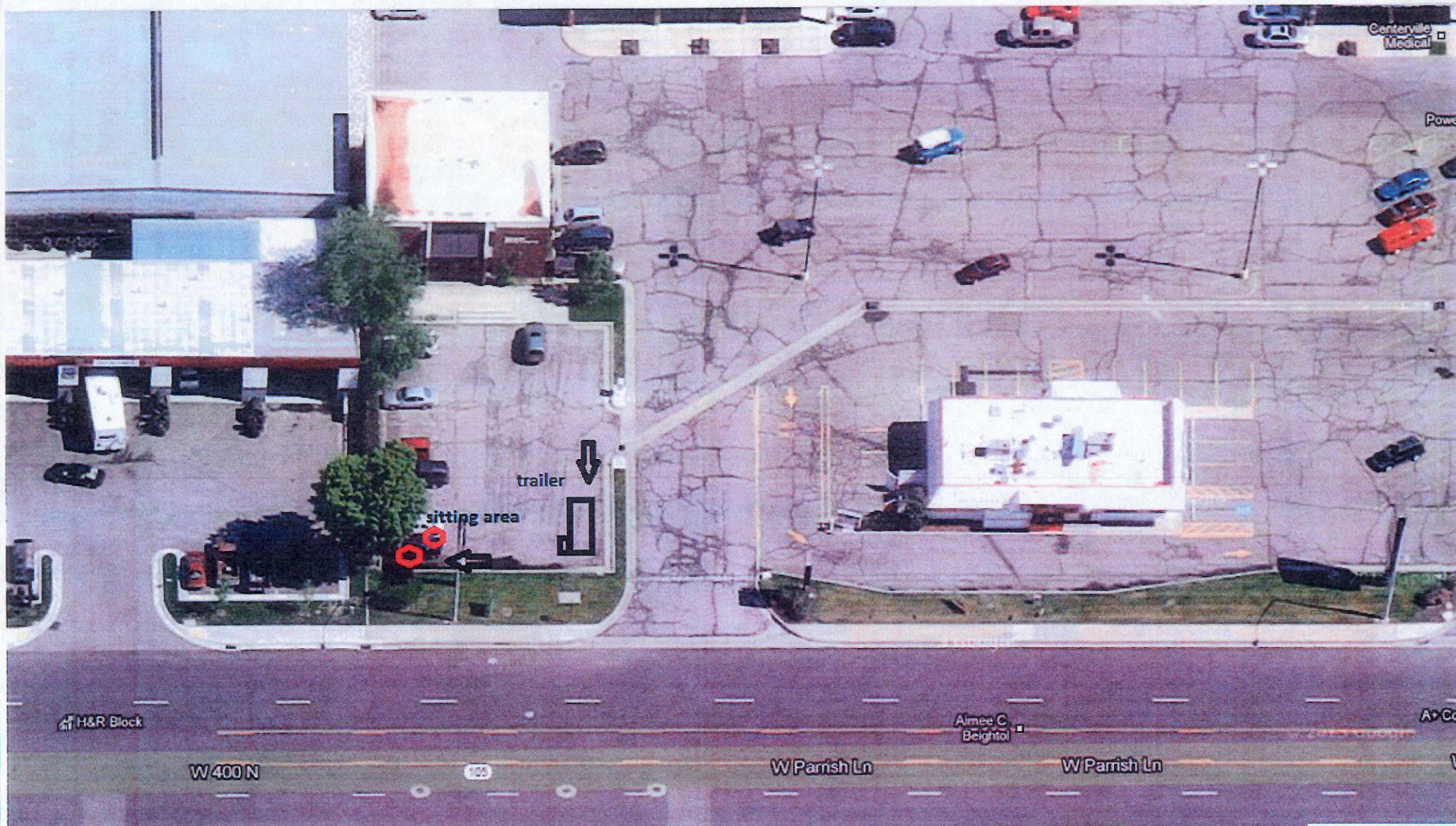
Suggested motion for the conditional use permit for the Ice Breakers Shaved Ice to locate a temporary shaved ice stand at 200 West Parrish Lane – I hereby make a motion for the Planning Commission to approve a conditional use permit for the shaved ice stand, located at 200 West Parrish Lane, with the following conditions.

1. The conditional use permit shall be in effect from the approval date and shall expire on September 2, 2013.
2. A conditional use permit shall be issued for the Ice Breakers Shaved Ice for temporary retail sales to be located at 200 West Parrish Lane.

3. The placement of the shaved ice stand shall follow the site plan that was submitted to City staff on May 1, 2013.
4. The structure and site shall be free from unnecessary decorative items such as flags, pennants, artificial plants and grass or any other items that may blow away from the structure or site.
5. Any temporary signage shall follow the sign criteria of Chapter 12-54 of the Zoning Ordinance.
6. A garbage can shall be available adjacent to the Ice Breakers Shaved Ice Stand, for customer use, and shall be emptied regularly by the Ice Breaker employees.
7. The Ice Breakers employees shall be responsible in keeping the grounds around the shaved ice stand clean from garbage. City staff shall randomly inspect the property for compliance.
8. Following the expiration date of Monday, September 2, 2012, the applicant shall have seven (7) days to remove all items from the property and restore the site to its prior condition.
9. Hours of operation shall be daily from 12:00 p.m. to 10:00 p.m.

Suggested Reasons for the Action (Findings):

1. A full application was submitted for a conditional use permit [Section 12-21-100(d)(1)].
2. A temporary use not meeting the development standards of Section 12-56-050 is required to receive a conditional use permit [Section 12-56-060].
3. With the above conditions, all applicable standards for the conditional use permit have been satisfied [Section 12-21-100(e)(3)(A-D), Section 12-21-100(e)(5)(A-K)].
4. Restoration of the property after the temporary use has expired is required by Section 12-56-050(h) of the Zoning Ordinance.
5. The City did not receive any complaints from citizens in regard to the use or appearance of the structure or site at the Main Street location or concerning the shaved ice stand (unaffiliated with the current applicant), located in the Smoot parking lot in 2012.



Lease Proposal

Ice Breakers Shaved Ice Inc.
7340 s. Chris Lane.
Cottonwood Heights, Ut 84121
Phone (801) 558-8532
matt.weaver@extendhealth.com

Dear Smoot Investments

The purpose of this letter is to lease a portion of the parking lot to sell shaved ice, located approximately on 200 w. Parrish Lane I will be using 2 parking stalls for customer sitting area and 3 stalls for my trailer as illustrated in the picture. I am insured with Farmers Insurance, a copy of my policy is attached. I will dispose of my own trash, unless there is dumpster provided for me to use. It is very important for me to keep a clean area to attract customers, So I will keep up on any trash. I have owned and operated my shaved ice business for 3 years. I have been an asset to the surrounding businesses, and have brought them additional customers. I appreciate once we do business this year, we can continue to do business in the future. Furthermore, I shall be liable and responsible for any costs, liabilities, damages and causes of action arising from my contemplated use and invites.

Rent: 325/month

Term: 3 months-June, July, August. Prorated rent for part of May and Sept. My season is approximately from Memorial Day-Labor Day. I will pay the 3 months up front, which is 975.

Business hours: 11 AM-9:30 PM

Accepted by:

Smoot Investments X Shawn D. Smith, manager
Smoot Investments, LLC

Ice Breakers Shaved Ice, Inc.

By: _____

Matt Weaver, an individual

Its: _____

Date: _____

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH

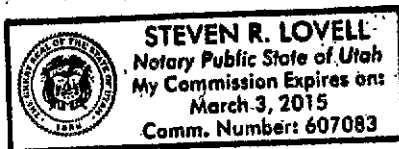
COUNTY OF DAVIS

I (We), Shane D. Smoot, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my knowledge. I also acknowledge that I have received written instructions regarding the process for which I am applying and the Centerville City Planning Staff have indicated they are available to assist me in making this application.

Shane D. Smoot, manager
(Property Owner)
Smoot Investments, LLC

(Property Owner)

Subscribed and sworn to me this 26 day of April, 2013.



[Signature]
(Notary Public)

Residing in Davis County, Utah

My Commission Expires 3/3/15

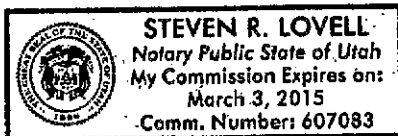
AGENT AUTHORIZATION

I (we), Shane D. Smoot, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Math Weaver to represent me (us) regarding the attached application to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

So far as it relates to locating ~~a~~ a
Shawnee Ice retail outlet on the
property in front of the Smoot Office Bldg.

Shane D. Smoot, manager
(Property Owner)
Smoot Investments, LLC
(Property Owner)

Dated this 26 day of April, 2013, personally appeared before me _____, the signer(s) of the above agent authorization who duly acknowledged to me that they executed the same.



[Signature]
(Notary Public)

Residing in Davis County, Utah

My Commission Expires 3/7/15

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

**STAFF REPORT
AGENDA: ITEM 4**

PROPERTY OWNER/ APPLICANT:	CORPORATION OF THE PRESIDING BISHOP CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS 1765 SOUTH 4250 WEST SALT LAKE CITY, UTAH 84104
EMAIL/PHONE:	CRAIG L. AMES craig@pgaw.net 801-266-4669
PROPERTY:	92 EAST PAGES LANE
ACREAGE:	.275
ZONING:	COMMERCIAL-HIGH (C-H)
APPLICATION:	CONCEPTUAL SITE PLAN ACCEPTANCE FOR PARKING LOT EXPANSION AT THE DESERET INDUSTRIES

BACKGROUND

On April 24, 2013, the applicant appeared before the City seeking to demolish the building at 92 East Pages Lane and create a stand-alone parking lot. According to the Table of Uses, found within Chapter 12-36 of the Zoning Ordinance, a parking lot within the C-M Zone is allowed with a conditional use permit. However, after staff reviewed the project, it was clear that the applicant had two choices, the conditional use permit process or combining the property and approving the modification with the Deseret Industries parking approvals of 2005. After reviewing these options with the Planning Commission and the applicant, Mr. Ames stated the LDS Church desired Option 1. The applicant is now ready for a final site plan approval along with approval of a conditional use permit by the Planning Commission.

PREVIOUS CONDITIONS OF APPROVAL, FEBRUARY 13, 2013

1. The applicant shall submit a final site plan application meeting the standards found in Section 12-21-110(e) of the Ordinance.
 - **Staff Response:** An application was submitted on April 26, 2013.
2. The applicant shall receive a conditional use permit approval for allowing a stand-alone parking lot subject to the standards found in Section 12-21-100 of the Ordinance.

- **Staff Response:** The application was submitted on April 26, 2013 and will be reviewed by the Planning Commission on May 22, 2013.
3. The site plan shall be modified to include the 15-foot parking stall setback along Pages Lane.
- **Staff Response:** The final site plan indicates the setback for the parking stalls at 15 feet, measured from the back of curb. The conceptual plans indicated 46 new parking stalls on site, yet with the 15-foot required setback this number has been reduced to 32. All parking stalls meet the required 9' x 18' standard and the drive-isle width of 25 feet.
4. Three (3) trees shall be planted along Pages Lane.
- **Staff Response:** Since the applicant has chosen to keep 3 of the existing trees on site, they only needed to plant 1 tree along Pages Lane. In addition, after staff reviewed the site it was determined the park-strip was only 2 feet, which is not sufficient to plant a tree. Therefore, all trees will be found on the south side of the sidewalk. The applicant has also indicated that they will be planting 6 additional trees and 15 shrubs within the parking lot.

FINAL SITE PLAN REVIEW - SECTION 12-21-110(e)

The final site plan conforms to the conceptual site plan with the completed modifications requested by the Planning Commission. The final site plans also indicate the existing driveway will be removed and replaced with a new curb, gutter and sod. The plans show the 15-foot parking lot setback will have sod and that all new landscaping will be properly irrigated. Upon review, staff has found that all applicable standards found within the Zoning Ordinance have been satisfied. Prior to a building permit being issued, a bond must be posted with the City for all onsite improvements

CONDITIONAL USE PERMIT REVIEW – SECTION 12-21-100

Evidence [12-21-100(e)(3)(A-D)]

The proposed use of a stand-alone parking lot is allowed with a conditional use permit (Table 12-36). This parking lot will be located north of the existing Deseret Industries building. The applicant has indicated that the Deseret Industries is doing very well and parking has become needed to accommodate the increased number of customers. The most logical area for this is the old bank/computer building to the north. Staff believes with the building gone and new parking provided, it will alleviate traffic congestion within the existing parking lot. Finally, the General Plan does not indicate any evidence for or against stand-alone parking lots that are allowed within the Zoning Ordinance.

Factors to be Reviewed [12-21-100(e)(5)(A-K)]

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

As stated in the previous paragraph, this location for additional parking is idle for the Deseret Industries. Also by adding an additional 32 stalls it will help alleviate the congestion that is currently found on site. By keeping 3 existing trees and adding additional vegetation, the site appears to be an improvement to the abandoned bank/computer building. It appears the new

parking lot will be suitable at this location and will be in harmony with the surrounding community.

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

There is no economic impact on the surrounding community in relation to the additional parking stalls. Three existing trees will remain and additional trees will be planted, softening the appearance of the parking lot.

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

Access to the new parking lot will be from the north drive-isle; which will not be part of the construction area. The total number of new parking stalls will be 32, with 20 stalls being modified on the existing Deseret Industries property as to be consistent with drive-isles and parking stall locations. No alterations will occur to the existing fire protection or parking lot lighting.

The City Engineer has stated the inlet box is not located within the low spot of the parking lot area and that most of the surface water sheet flows on to the neighboring properties to the west. He has requested an inlet box be located on the west side of the parking lot in order to pick up this runoff. In addition, an oil separator must be installed wherever they will be discharging in to the City system.

The physical impact on the community will be minimal. The parking lot expansion itself will not produce noxious smells, noises, pollutants, or be harmful to the health, safety and welfare of the citizens within the community. The applicant has shown how the site will appear aesthetically pleasing and not be detrimental to the surrounding businesses. Special attention has been given to the street frontage with additional landscaping, street trees and lawn.

CONCLUSION

Staff believes the layout of the parking lot has been well thought out and planned. The applicant has met the City Standards and the requirements for development within the Commercial-High (C-H) Zone. It appears the parking lot will benefit the Deseret Industries and their customers. The applicant will be required to obtain a building permit prior to any demolition or construction taking place.

PLANNING STAFF RECOMMENDATIONS

FINAL SITE PLAN

PROPOSED ACTION: I hereby make a motion for the Planning Commission to approve the final site plan for the stand-alone parking lot for the Deseret Industries, 92 East Pages Lane, with the following conditions:

1. A bond shall be posted for the new curb, gutter, landscaping, and the inlet box and oil separator.
2. A building permit shall be obtained for the demolition of the existing old bank/computer building and for the construction of the new parking lot.

SUGGESTED REASONS FOR THE ACTION:

1. The applicant has submitted a complete final site plan application [Section 12-21-110(e).
2. The final site plan conforms to the accepted conceptual plan.
3. All the standards of approval have been reviewed and were found to be acceptable [Section 12-21-110(f)].

CONDITIONAL USE PERMIT

PROPOSED ACTION: I hereby make a motion for the Planning Commission to approve the conditional use permit for a stand-alone parking lot for the Deseret Industries, located at 92 East Pages Lane, with the following conditions:

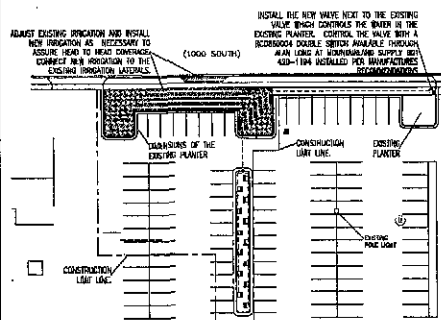
1. This conditional use permit shall be for the use of a stand-alone parking lot at 92 East Pages Lane only and shall follow the site plans dated March 26, 2013.
2. The applicant shall add an inlet box with an oil separator at the lowest point of the west parking lot.

SUGGESTED REASONS FOR THE ACTION:

1. A complete conditional use permit has been submitted [Section 12-21-100(d)(1)].
2. The use of a stand-alone parking lot within the Commercial-High (C-H) Zone, as allowed with a conditional use permit [Chapter 12-36].
3. Proper drainage is required in order to mitigate current and future drainage impacts on properties found to the west [Section 12-21-100(e)(3)(H)].

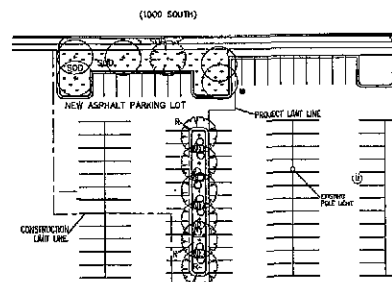
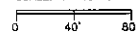
SPRINKLER SYSTEM NOTES

- [illegible]



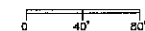
IRRIGATION PLAN

SCALE: 1"=40'-0"



LANDSCAPE PLAN

SCALE: 1"=40'-0"



PLANT SCHEDULE

	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
	CROSTING TREE	PROTECT AND BURGATE IN PLACE		Per Plant
	GLEDITSIA T. TERMSIS	THORNLESS HONEYLOCUST	2" CAL	Per Plant
	ROSA MEDLAND SCARLET	MEDLAND SHRUB ROSE	5 Gallon	Per Plant
SOD	TURF SOD	KENTUCKY BLUE GRASS		
R	RUCK MULCH 2-4" @ 5" DEPTH, EDGE 1" BELOW CURB, TAN COLOR			

PLANTING NOTES:

- PLANTING NOTES:**
1. LANDSCAPE CONTRACTOR (L.C.) SHALL INSTALL 6" OF TOPSOIL IN ALL SOD AREAS AND IN ALL AREAS LABELED WITH AN "X" (ROCK MULCH). L.C. SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PLANTS. L.C. SHALL BE REQUIRED BY L.C. AT HIS OWN EXPENSE WITH NO COST TO THE OWNER.
 2. L.C. SHALL MAKE CERTAIN THAT ALL SOD AND PLANTS ARE PROPERLY WATERED WITH AUTOMATIC IRRIGATION.
 3. L.C. SHALL MONITOR PLANTS ON THE PROJECT MANAGER AND HIM ALL OTHER CONTRACTORS WORKING ON THE SITE.
 4. THE FINISH GRADE OF ALL PLANTING AREAS SHALL BE SMOOTH, EVEN, CONSISTENT, FREE OF ANY HUMPS, DEPRESSIONS OR ANY OTHER GRADING IRREGULARITIES. THE FINISHED LANDSCAPE (6" SOD, ROCK MULCH, 6" SOD) SHALL BE CONSTANTLY MOIST.
 5. L.C. SHALL KEEP THE STORAGE AREA, PAYMENT AND PREMISES CLEAN AND NEAT AT ALL TIMES.
 6. THE LANDSCAPE CONTRACTOR OR OWNER SHALL INSPECT ALL PLANT MATERIALS ON SITE BEFORE INSTALLATION TO INSURE COMPLIANCE WITH SIZES AND TYPES. L.C. SHALL CALL FOR INSPECTION ONE WEEK PRIOR TO PLANTING. INSPECTION, PROTECTION AND CARING OF PLANTS DURING THAT PERIOD SHALL BE THE RESPONSIBILITY OF THE L.C.
 7. L.C. SHALL MAINTAIN ALL LAWN PLANTS, ETC. FOR 30 DAYS FOLLOWING COMPLETION OF LANDSCAPE.
 8. L.C. SHALL FURNISH ONE YEAR WRITTEN GUARANTEE FOR ALL PLANTS AND TREES.
 9. ALL PLANT WHEN 1 YR PERIOD DEEMED UNHEALTHY OR UNSUITABLE BY THE LAND ARD SHALL BE REPLACED WITHIN TO WORKING DAYS AS PART OF WARRANTY AND FEE.
 10. ALL PLANTER AREAS SHALL RECEIVE DEEPT WEED BARRIER FABRIC
 11. ALL TREES IN SOD SHALL HAVE A CONCRETE TRICE RING WITH 4" DARK

PASKER GOULD AMES & WEAVER
ARCHITECTS/PLANNERS
5263 SOUTH 300 WEST MURRAY, UTAH 84107
PHONE: 801.262.4869, FAX: 801.262.6122



CENTERVILLE D.I.
Deseret Industries

Project for:
COMPANY
LOGO

Project Number:
Plan Section:
Property Number:

Planting and Irrigation Plan

Shrimp

L.1

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

**STAFF REPORT
AGENDA: ITEM 5**

PROPERTY OWNER: VAL WOODS TRUST
103 EAST 500 SOUTH
FARMINGTON, UT 84025

APPLICANT: ALAN PRINCE
4255 SUGAR PINE COURT
LEHI, UT 84043

PROPERTY: WOODS PARK DEVELOPMENT
690 WEST 2400 NORTH

ACREAGE: 6.10 ACRES (*GROSS AREA*)

ZONING: R-L/PD (*RESIDENTIAL-LOW/PLANNED DEVELOPMENT*)

APPLICATION: PRELIMINARY SUBDIVISION PLAT

RECOMMENDATION: APPROVE PRELIMINARY PLAN SUBMITTAL

BACKGROUND

The proposed 29-lot development is to be located at approximately 690 West 2400 North, which is on the north end of the City limit line adjacent to the Frontage Road. The applicant previously received a "planned development overlay" approval with an R-L Zoning and now desires to proceed to preliminary subdivision approval.

PRELIMINARY SUBDIVISION REVIEW 15-3

According to the Subdivision Ordinance, "The purpose of the preliminary plat is to require formal preliminary approval of a subdivision... in order to minimize changes and revisions which might otherwise be necessary on the final plat [Section 15-3-101]." It is the responsibility of the Planning Commission to review the proposal and determine compliance with the standards and criteria set forth in the Centerville City Ordinances [Section 15-3-104]. Approval by the Planning Commission for a preliminary plat does not constitute a final approval. The applicant must still apply for final approval and is responsible to comply with any conditions and ordinances pertaining to final plat approval.

Terms and Conditions of Previous R-L Rezone and PDO Conceptual Approval and Acceptance the Woods Park Project

The following information repeats the original terms and conditions of the conceptual plan acceptance for the Woods Park Development. Items with a “checkmark” bullet are either completed or an ongoing task, while items with a “hollow circle” bullet indicate an incomplete or partially completed task.

1. This PDO Concept Plan acceptance is subject to approval of the R-L/PD by the City Council.
✓ City Council Approved Rezone to R-L/PD on April 2, 2013
2. Upon R-L/PD approval by the City, all future development must substantially comply with the concept plan booklet, the landscaping plan, and color/materials scheme submitted by the developer to the Planning Commission & City Council, except as amended by the City.
✓ Remains in place for developing the subdivision and future homes.
3. Alterations to the City's Zoning or Subdivision Ordinances are acceptable as follows:
 - a) May receive up to a 20% density bonus consisting of no more than 29 single-family homes.
✓ Preliminary Plans depict 29 subdivision lots.
 - b) May reduce the right-of-way down to 44 feet, or as determined appropriate by the City Engineer.
✓ Preliminary plans depict 44-foot right-of-way. City Engineer requests two (2) sidewalks easements outside the r-o-w to provide internal connections to Lund Lane (eastside entrance and to a future road north side of east street stub.
 - c) May eliminate the public sidewalk along one side of the street.
✓ Preliminary plans depict inside perimeter eliminated and outside perimeter provided, as planned.
 - d) May reduce front yards to 20 feet.
✓ Preliminary plans depict front yards setbacks at 20 feet.
 - e) May reduce side yards to 5' or 10' between units.
✓ Preliminary plans depict correct side yard setbacks. Additionally, to facilitate access to the 7-foot required side yard easements that will be located between the homes, the City Engineer requests that fencing in the side yard areas be eliminated and just allow fencing in the rear yards of the homes. The applicant has agreed to limit all fencing to rear yard locations (no fencing in front and side yard areas). A note on the final plat is needed to call out this restriction.
 - f) May reduce rear yards to 15'.
✓ Preliminary plans depict 15 feet.
4. This PDO Concept Plan acceptance is amended to include the following:
 - a) Provide a connecting pathway from the interior development pathway system to the landscape detention area and the Frontage Road sidewalks.
○ Preliminary plans depict connections to Lund Lane, on both sides of the subdivision entrance, which connects the internal system to the outside sidewalk system. This creates an indirect connection to the Frontage Road detention area via Lund Lane.
 - b) Switch the interior sidewalk around the island to the outside loop and re-connect the pathways.
✓ Preliminary plan depicts this expected switch.
 - c) Reduce congested driveway (i.e. amount of impervious surface) areas for Lots 1-3 and Lots 19-21 to improve front yard green space and appearance for these units.
○ Preliminary plans depict the original pairing of individual driveways. The question here is whether the approach areas for these specific lots should be shared to reduce hard surfaces to create greater contiguous yard area (green space). This still should

- be explored, but it does pose expectation problems for maintenance (e.g. which owner shovels the snow).
- d) Provide secondary landscaped feature areas at Lots 2/3 and Lot 19 (e.g. angling rear yard fence lines), along the Lund Lane frontage.
✓ Preliminary plans depict these features.
 - e) The building architecture for rear elevations are to be enhanced with additional architectural and material design elements.
 - The Preliminary plans address only the front elevations of the proposed homes and still need to address the rear elevation expectations. Additionally, this expectation needs to be indirectly by reference noted on the plan indicating the development is subject to a PDO approval and all homes are to comply with such architectural requirements.
 - f) All primary buildings and attached accessory building elements are to comply with the approved setbacks.
 - Preliminary plans list the required setbacks. However, the side yard setback is listed at 15 feet; where it is really 5 feet per lot, for a total of 10 feet. This needs to be corrected on the final plans.
 - g) The use of detached accessory buildings is to be addressed with any preliminary subdivision plan submittal.
✓ The applicant provides a narrative that is to be included in the project's CC&Rs (see e-mail attachment). However, a summary note needs to be included in the plat notes.
 - h) Stamped-colored concrete crosswalks are to be added to all designated pedestrian crossing areas within the public right-of-way and must meet City Standards.
 - Preliminary plans (i.e. improvement drawings) depicts the use of required crossing design. The City Engineer requests some straightening of the alignments to improve the future maintenance of the roadways (i.e. City's Overlay Program).
 - i) Provide increased architectural interest and detail on the perimeter fencing facing the roads.
 - The submitted Landscaping Plan has been modified to depict alternating planting bed depths allowing an additional foot for trees on the inside of the sidewalk, adjacent to the fence. Then, at regular intervals opposite to the insets, a park-strip tree will be planted. Thus, an alternating tree pattern is proposed. There are no other changes to the fencing depicted on the landscape plan.
 - j) Trees for privacy added in the landscaping plan along the backs of Lots 9-14.
✓ The submitted Landscaping Plan depicts the expected additional trees.
 - k) A plat note added and a seller disclosure provided that this development is next to existing agricultural zoning.
✓ A plat note has been provided as expected.
5. As part of any preliminary subdivision submittal, the applicant shall provide a development schedule indicating when the project will begin construction and estimated timeline for build out.
 - The requested schedule has not been provided.
 6. This PDO Concept Plan acceptance is subject to all other applicable City Ordinances and other related development applications and approvals.
✓ This is an ongoing requirement to satisfy the PDO approval.
 7. The PDO Concept Plan acceptance is subject to the review and approval of the City Engineer and City Attorney, and subject to applicable City Ordinances.
✓ This is an ongoing requirement to satisfy the PDO approval.

General Requirements for all Subdivisions [15-15]

From staff's review, subject to the terms and conditions of the PDO approval, the subdivision meets the general requirements for lots, streets, and public improvements, as found in Section 15-5-101 of the Centerville Municipal Code. However, the construction plans are currently under review of the City Engineer and all should anticipate changes as the proposal proceeds to final subdivision plan and plat review.

PLANNING STAFF SUGGESTED ITEMS FOR DISCUSSION

Staff suggests that the Commission's primary focus for discussion should be on the following issues. Hopefully, the applicant, after receiving this report, will come prepared to address these issues. If not, the Commission may consider tabling the item to receive additional information before granting a preliminary plan approval.

- a) *The preliminary plan's adequacy of providing pathway connections from the interior of the development to the landscape detention area and the Frontage Road sidewalks.*
- b) *The preliminary plan's adequacy of reducing congested driveway (i.e. amount of impervious surface) areas for Lots 1-3 and Lots 19-21 to improve front yard green space and appearance for these units.*
- c) *The preliminary plan's adequacy of addressing only the building rear elevation design expectations.*
- d) *The preliminary plan's adequacy of providing increased architectural interest and detail on the perimeter fencing facing the roads.*
- e) *The expectations regarding development schedule indicating when the project will begin construction and estimated timeline for build out.*

PLANNING STAFF RECOMMENDATION

Suggested Motion for the preliminary subdivision plan approval for the Woods Park Development: I hereby make a motion for the Planning Commission to approve the preliminary subdivision plans for the proposed Woods Park Subdivision, subject to the following:

1. A final subdivision application and plans shall be submitted, within one (1) year, in accordance with the requirements of Title 15, Subdivisions and of Title 12-Zoning Ordinance.
2. The final plat and plans shall reflect the design, layout and all related items, as presented with the preliminary plan submittal, except as modified with the conditions of preliminary subdivision approval.
3. Such final plat and plan submittal shall also be subject to all terms and conditions of the conceptual plan and the applicable Development Agreement associated with the Wood Park Development.
4. The final plat and plans shall also address the following:
 - a. The City Engineer's request for two (2) sidewalks easements outside the r-o-w to provide internal connections to Lund Lane (east side entrance and to a future road north side of east street stub.
 - b. The City Engineer's requests that fencing in the side yard areas be eliminated and just allow fencing in the rear yards of the homes. A note on the final plat shall be provided to call out this restriction.
 - c. The City Engineer's request to straighten and align pedestrian crossings to facilitate future road maintenance.

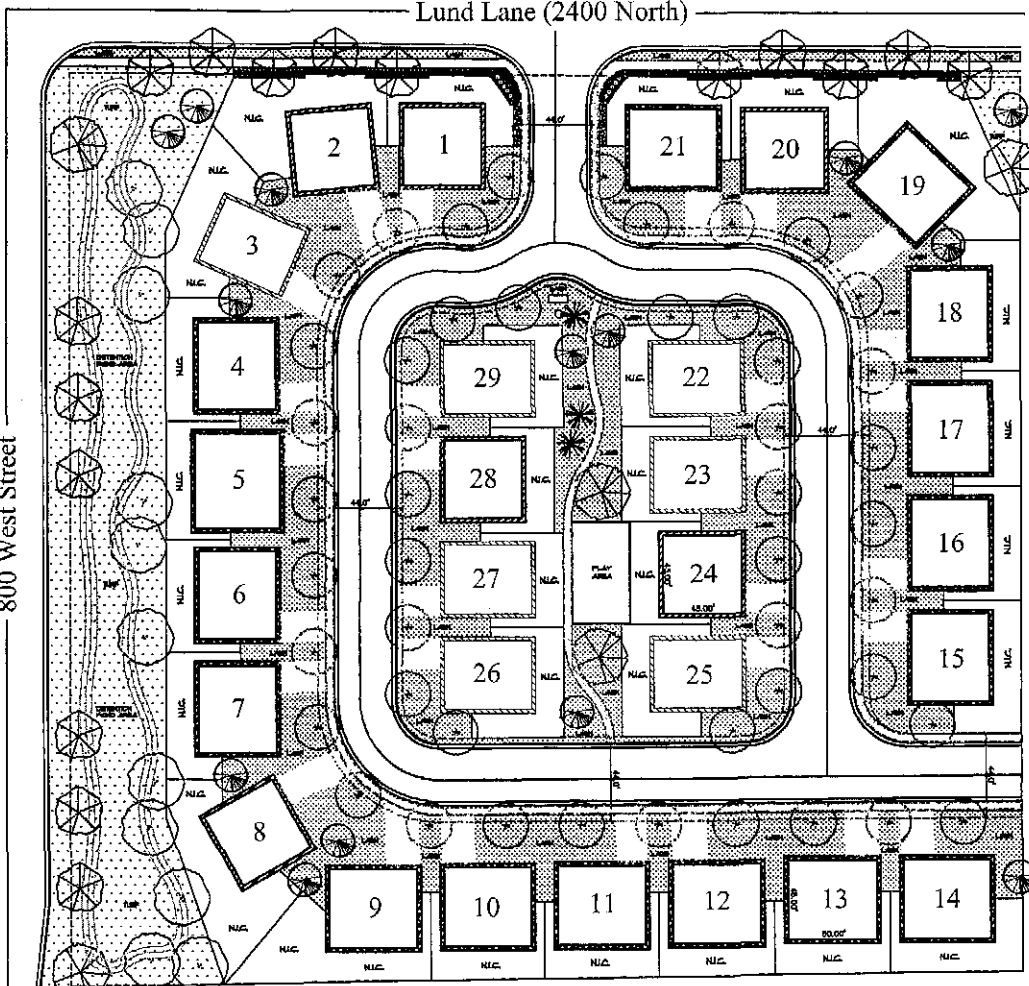
- d. Provide a reference note on the final plat indicating the development is subject to a PDO approval and all homes are to comply with such architectural requirements.
 - e. The side yard setback corrected to 5 feet for each lot, for a combined total of 10 feet between homes.
 - f. Provide a plat note addressing the use of detached accessory buildings.
 - g. *[Add any other terms or conditions as determined by the Planning Commission regarding suggested discussion items]*
5. The developer shall remain responsible for payment of all outstanding professional service fees related to the review of the preliminary subdivision plans.

Suggested Reasons for the Action (Findings):

- a) The Commission finds that the preliminary subdivision plan is to comply with the terms and conditions of Wood Park PDO Zone Map Amendment and associated Concept Plan acceptance that was approved in April of 2013.
- b) The Commission finds that the terms and conditions of the preliminary approval are consistent with this related PDO approval.
- c) The Commission finds that the conditions of the preliminary plan approval, subject to terms and conditions of the PDO, are consistent with the requirements for preliminary subdivision review [Section 15-3-103].

800 West Street

Lund Lane (2400 North)



Plant List (TREES)

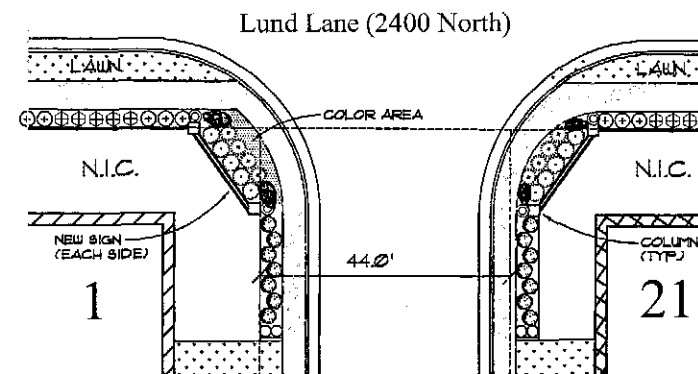
Symbol	Botanical Name	Common Name	Size
	Acer platanoides 'Columnare'	Columnar Norway Maple	2 1/2" Caliper 8'-10' Height
	Acer plat. 'Grisson Sentry'	Grisson Sentry Maple	2 1/2" Caliper 8'-10' Height
	Pinus orientalis 'Green Knight'	Green Knight Spruce	1 1/2" Caliper 5'-5 1/2' Height
	Populus alba 'Robusta'	Robusta Poplar	1 1/2" Caliper 8'-10' Height
	Prunus virginiana 'Candied Red'	Canadian Red Cherry	1 1/2" Caliper 8'-10' Height
	Pyrus calleryana 'Chanticleer'	Chanticleer Flowering Pear	2 1/2" Caliper 8'-10' Height
	Tilia tomentosa 'Sterling Silver'	Sterling Silver Linden	2 1/2" Caliper 8'-10' Height

Plant List (SHRUBS)

Symbol	Botanical Name	Common Name	Size
	Buxus japonica 'Julia Jane'	Julia Jane Boxwood	1 Gallon
	Cornus alba 'Balthus'	Ivory Halo Dogwood	1 Gallon
	Buonymus alata 'Compacta'	Dwarf Burning Bush	1 Gallon
	Physocarpus opul. 'Summer Wine'	Summer Wine Ninebark	1 Gallon
	Rhus aromatica 'Glossy Leaf'	Glossy Leaf Fragrant Sumac	1 Gallon
	Rosa sp. 'Knock Out Red'	Knock Out Shrub Rose	1 Gallon
	Spiraea bushii 'Goldmund'	Goldmund Spiraea	1 Gallon
	Spiraea japonica 'Neon Flash'	Neon Flash Spiraea	1 Gallon

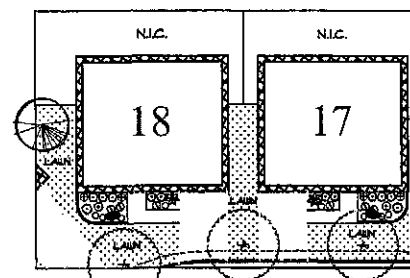
Plant List (GRASSES/PERENNIALS)

Symbol	Botanical Name	Common Name	Size
	Calamagrostis a. 'Foerster'	Foerster Feather Grass	1 Gallon
	Levenskullia spec. 'Munstead'	Munstead Lavender	1 Gallon
	Pennisetum alopec. 'Hemph'	Dwarf Fountain Grass	1 Gallon



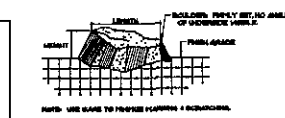
1 Main Entry/Signage Plan

SCALE: 1" = 10'-0"



2 Typical Building(s) Planting

SCALE: 1" = 20'-0"



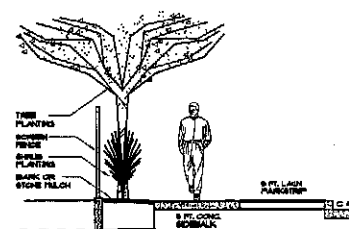
4 Landscape Boulder

SCALE: 1" = 10'-0"



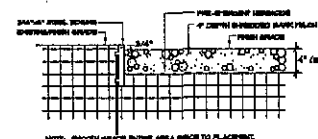
5 Shrub Planting

SCALE: 1" = 10'-0"



3 Fence / Parkstrip Cross Section

SCALE: 1" = 10'-0"

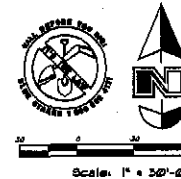


6 Steel Edging / Bark Mulch

SCALE: 1" = 10'-0"

Plant List (COLOR AREAS)

Symbol	Botanical Name	Common Name	Size
NA	Delosperma cooperi	Hardy Ice Plant	Flat/6-Pack
NA	Levenskullia a. 'Munstead'	Munstead Lavender	1 Gallon
NA	Phlox subulata	Creeping Phlox	1 Gallon



Woods Park Subdivision

Concept Plan

800 West Lund Lane (2250 North)
Centerville, Utah

rd Design Company, Inc.
800 East Yale Avenue
Salt Lake City, Utah 84103
Phone: 801-447-3134
Fax: 801-447-3134
rd@rdcompany.com

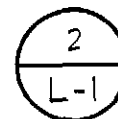
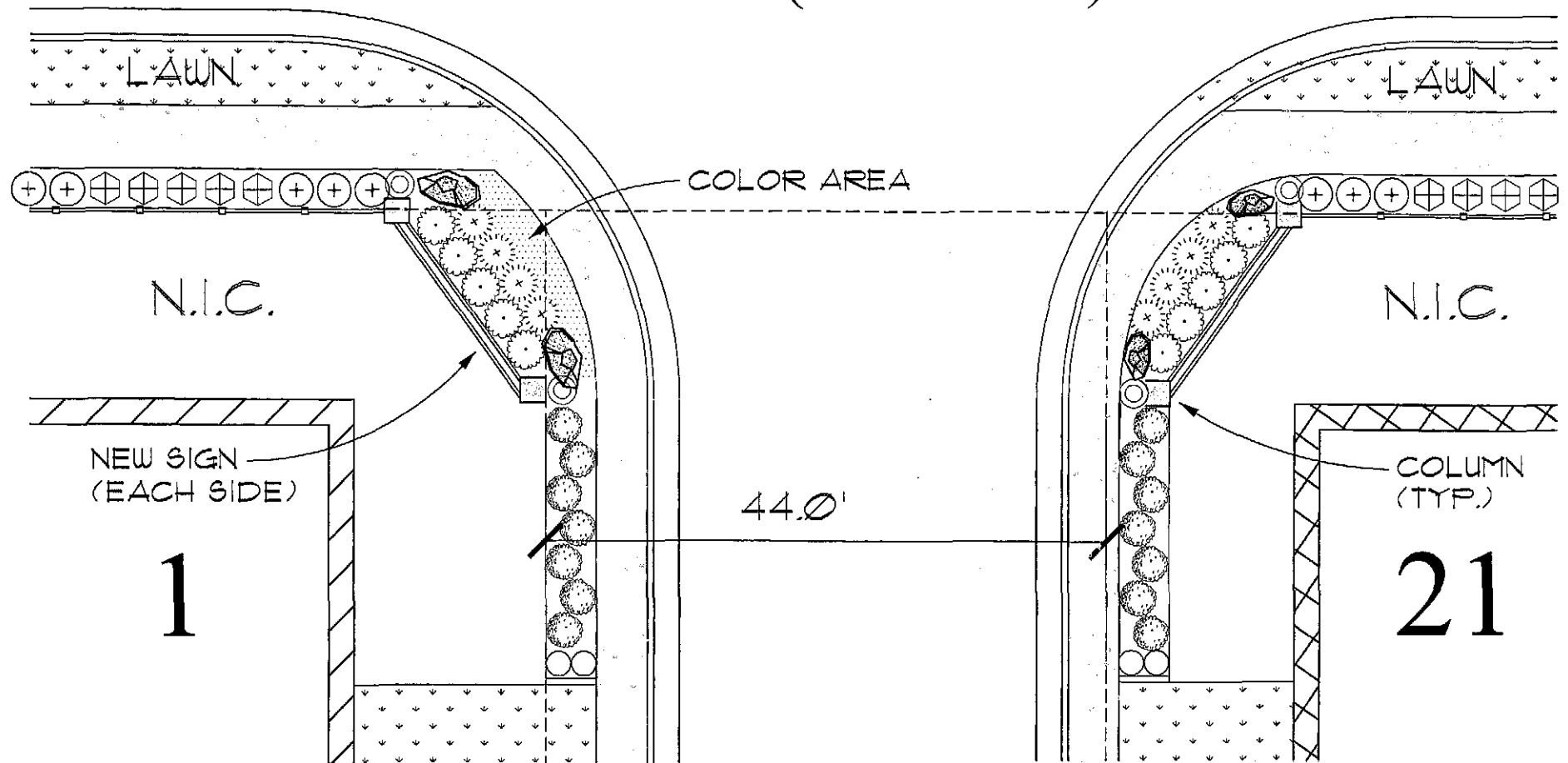


REVISION	DATE	BY	CHKD
1	07-21-10	RD	RD
2	07-21-10	RD	RD
3	07-21-10	RD	RD
4	07-21-10	RD	RD
5	07-21-10	RD	RD
6	07-21-10	RD	RD
7	07-21-10	RD	RD
8	07-21-10	RD	RD
9	07-21-10	RD	RD
10	07-21-10	RD	RD

Site Layout/
Landscape
Concept Plan

L-1

Lund Lane (2400 North)

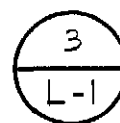
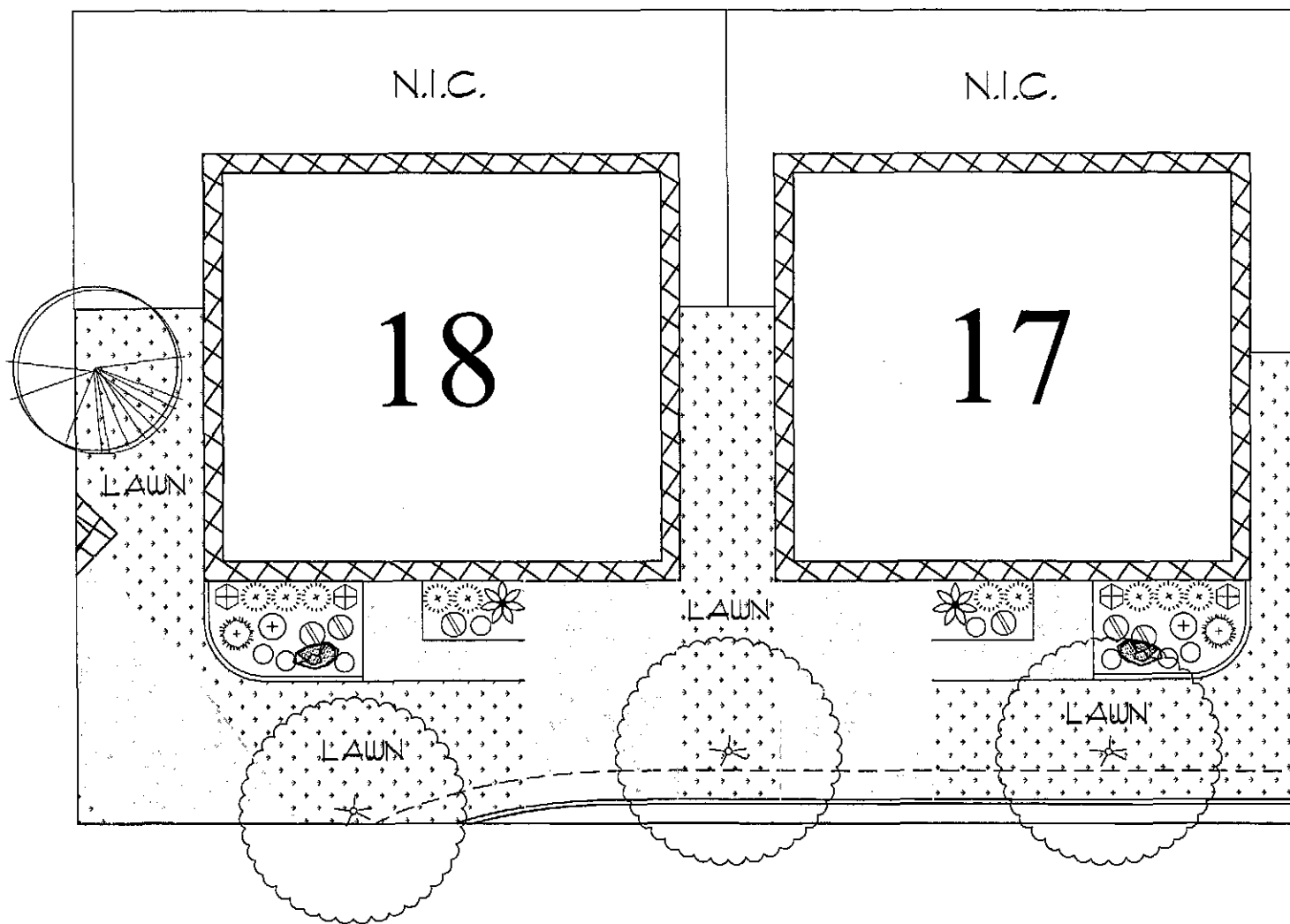


Main Entry/Signage Plan

SCALE : No Scale

Woods Park Subdivision

Centerville, Utah



Typical Building(s) Planting

SCALE : No Scale

Woods Park Subdivision

Centerville, Utah

Cory Snyder

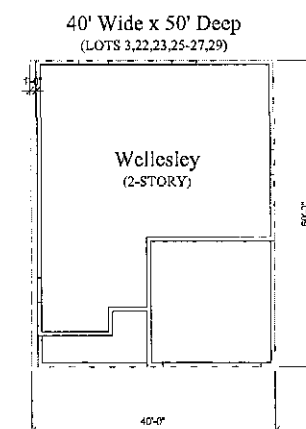
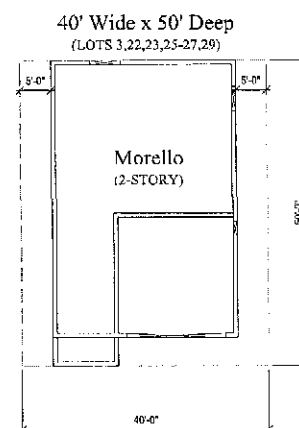
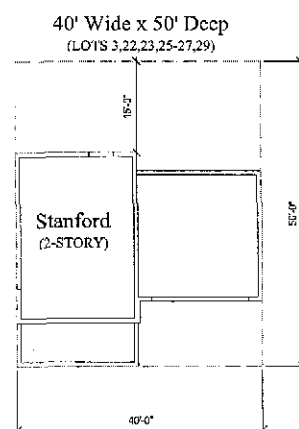
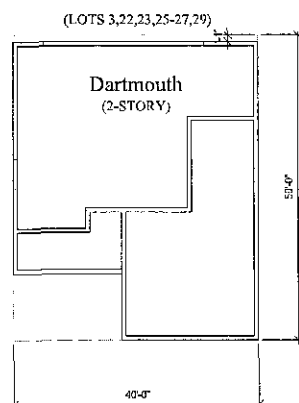
From: Alan Prince <alan@princedevelopment.com>
Sent: Wednesday, May 15, 2013 10:02 AM
To: Cory Snyder
Cc: 'Phil Holland'
Subject: Auxiliary Buildings, Sheds, Detached Garages--Woods Park

Cory, Henry-Walker Homes and I have discussed this matter and, as I recall, it was their intention to place the following restriction into the CCR's for the project. We could also add a note to the plat if you wish. To wit:

No outbuilding, tool shed, separate garage (etc) may be placed any closer to the street than the rear-yard building setback. The preferred location for any such structure will be a rear corner of the lot. The placement of the structure must conform with Centerville City Zoning Ordinances (for the RL/PDO Zone). Any such structure must comply with all Centerville City Building Codes. Said structures may not be higher than one-story. No such structure is permitted which is larger than 10ft x 10ft. Outbuilding structures are to have concreted floors built with proper footings. Outbuilding structures are to be finished in either hardy board/plank, or stucco or brick or rock. No tin or metal or plywood structures are allowed.

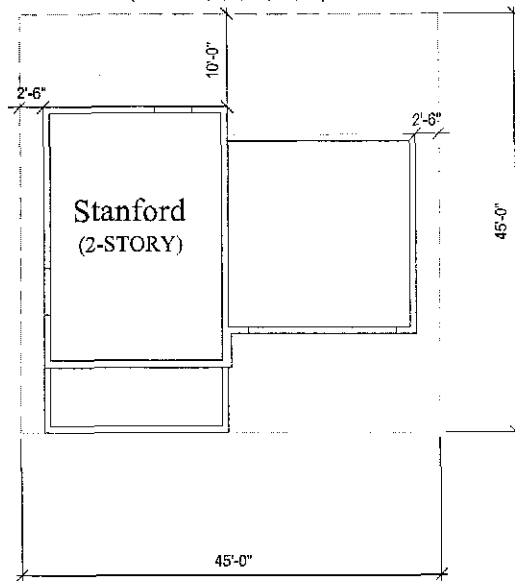
This is what we had in mind Cory. Hope that meets what you had in mind. Thanks. Alan

Woods Park 40' x 50'

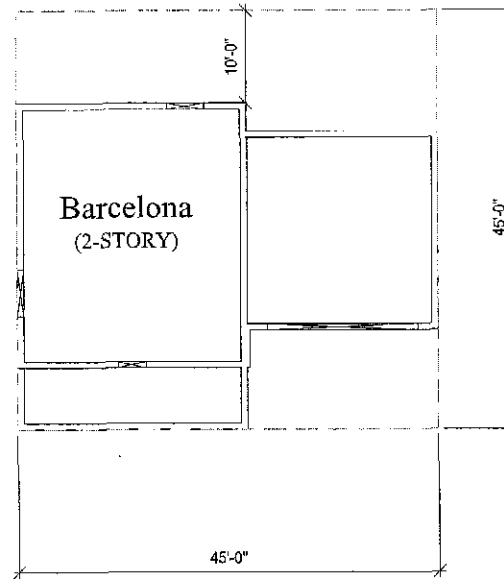


Woods Park 45' x 45'

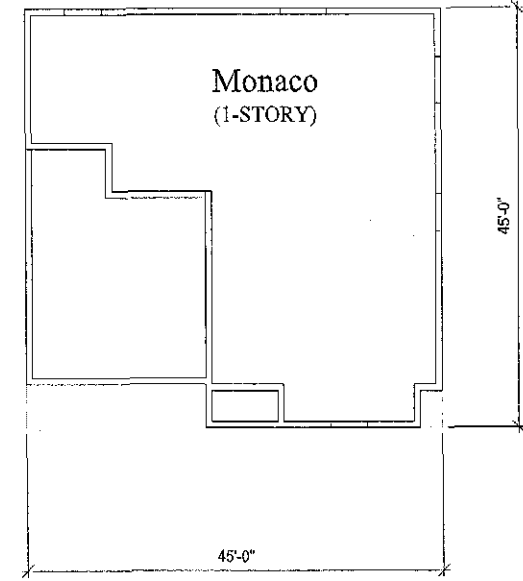
45' Wide x 45' Deep
(LOTS 1,2,8,20,24,28)



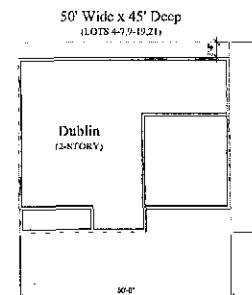
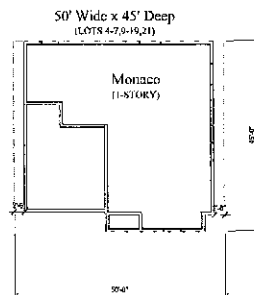
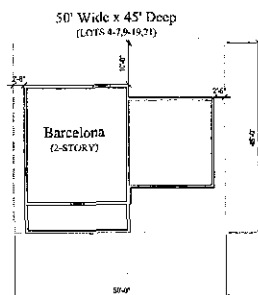
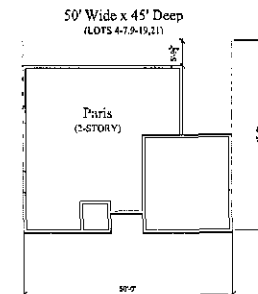
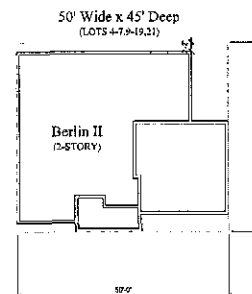
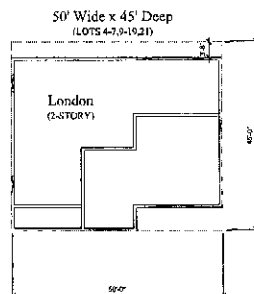
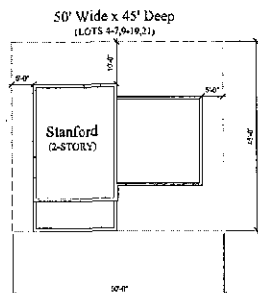
45' Wide x 45' Deep
(LOTS 1,2,8,20,24,28)



45' Wide x 45' Deep
(LOTS 1,2,8,20,24,28)



Woods Park 50' x 45'



Barcelona

2,465 tot. sq. ft. 4 Bedrooms
1,835 fin. sq. ft. 2.5 Bathrooms



B



C

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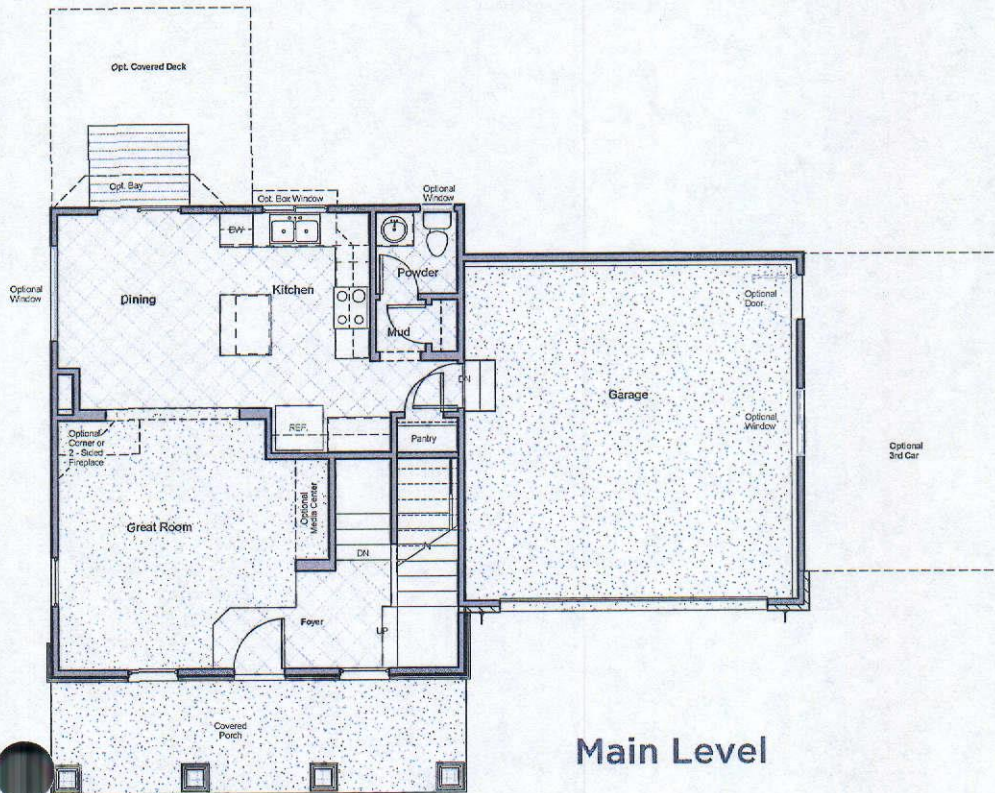
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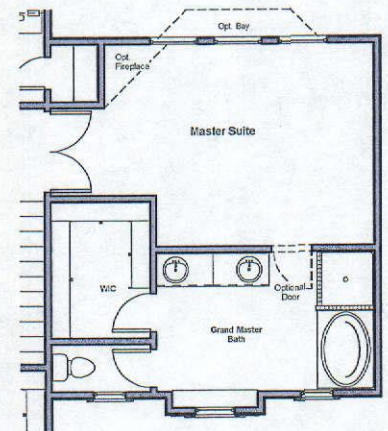
HENRY WALKER
HOMES

Barcelona

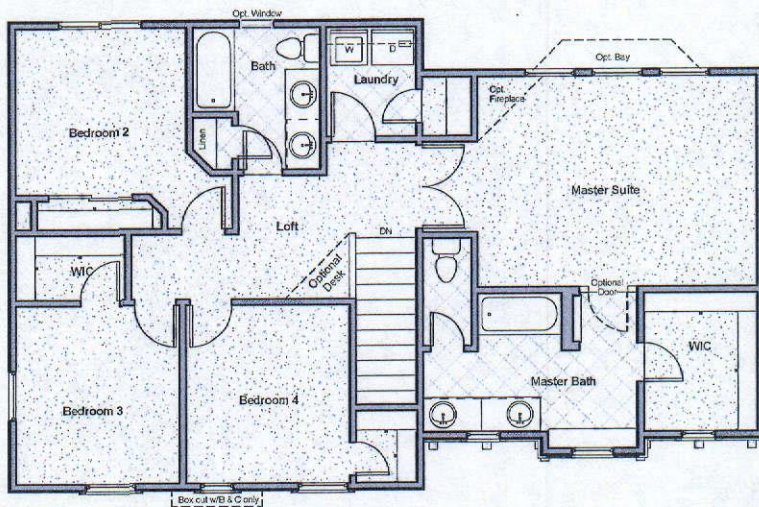
2,465 tot. sq. ft. 4 Bedrooms
1,835 fin. sq. ft. 2.5 Bathrooms



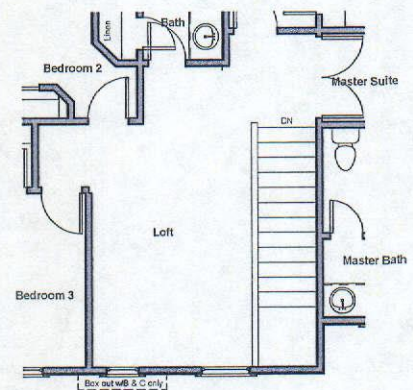
Main Level



Grand Master Bath



Upper Level



Loft

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**HENRY WALKER
HOMES**

Berlin II

3,530 tot. sq. ft. 3 Bedrooms
2,386 fin. sq. ft. 2.5 Bathrooms



B



C

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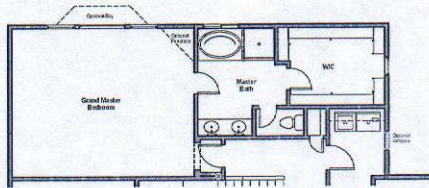
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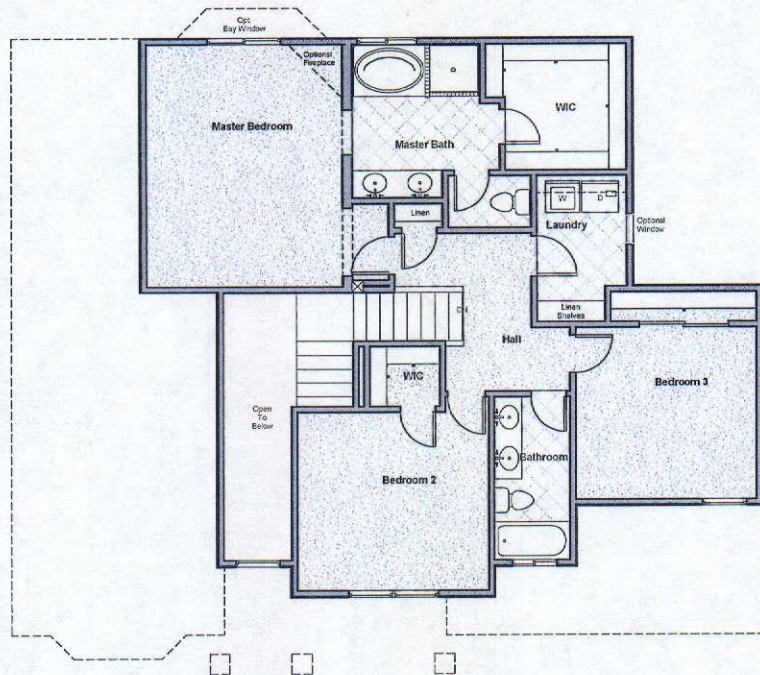
HENRY WALKER
HOMES

Berlin II

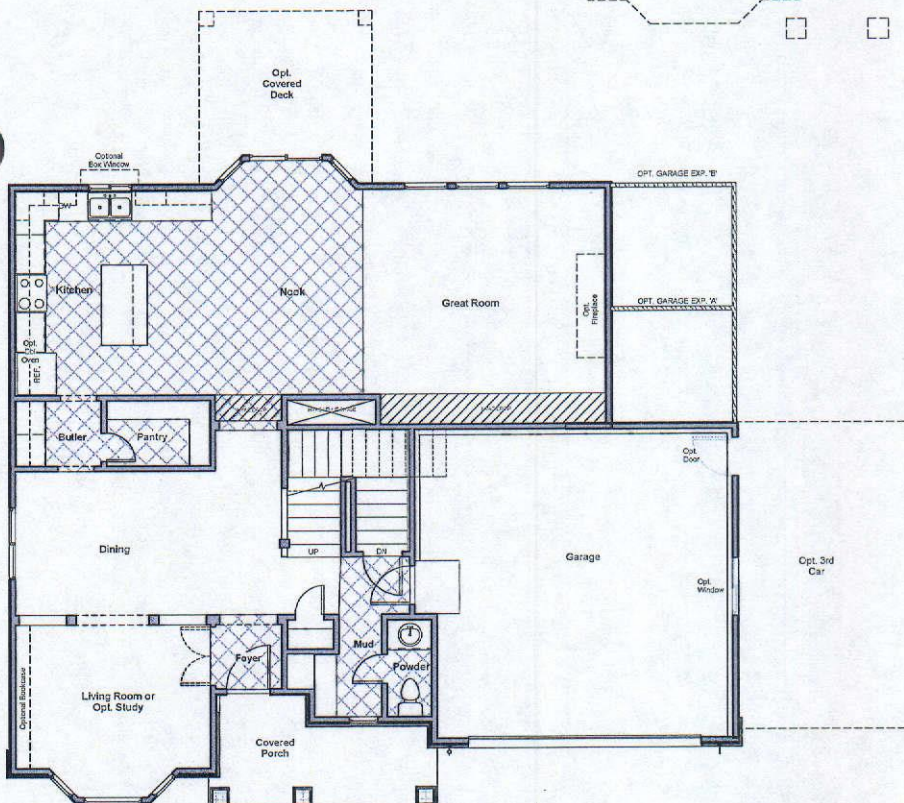
3,530 tot. sq. ft. 3 Bedrooms
2,386 fin. sq. ft. 2.5 Bathrooms



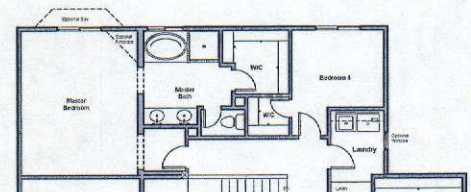
Grand Master Bedroom



Upper Level



Main Level



Bedroom 4

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**HENRY WALKER
HOMES**

Black Stone

2,596 tot. sq. ft. 3 Bedrooms
1,724 fin. sq. ft. 2 Bathrooms



B



C

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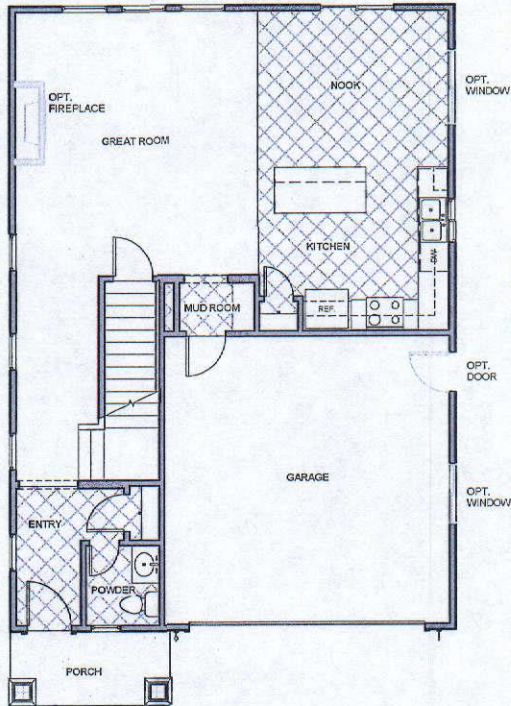
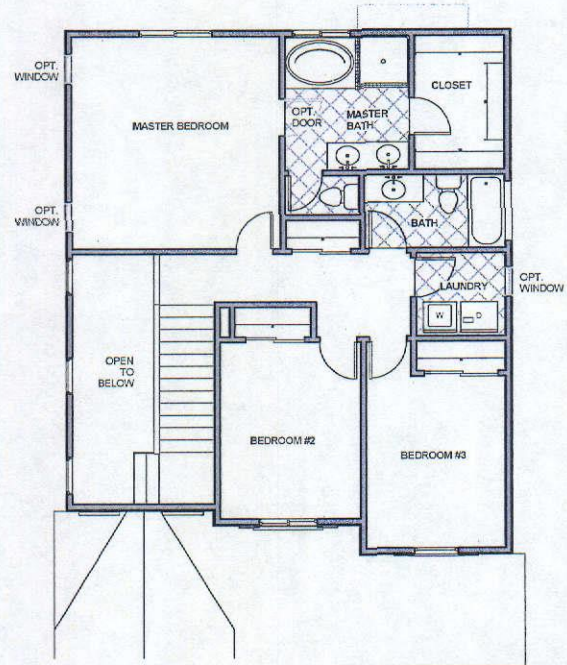


HENRY WALKER
H O M E S

Black Stone

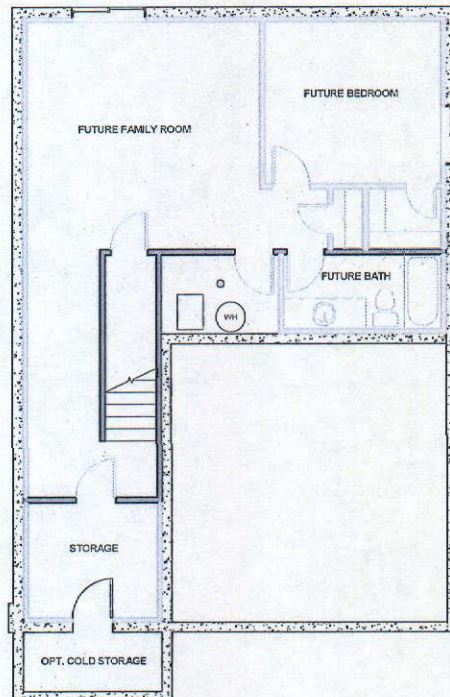
2,596 tot. sq. ft. 3 Bedrooms
1,724 fin. sq. ft. 2 Bathrooms

Upper Level



Main Level

Basement Level



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HENRY WALKER
HOMES

Dartmouth

2,671 tot. sq. ft. 3 Bedrooms
1,813 fin. sq. ft. 2.5 Bathrooms



B



C

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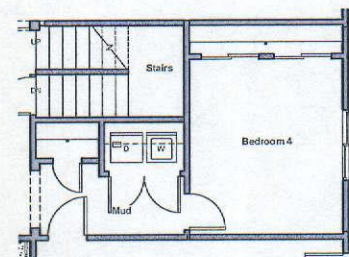
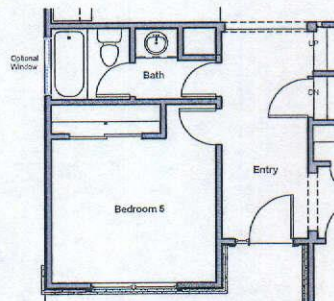
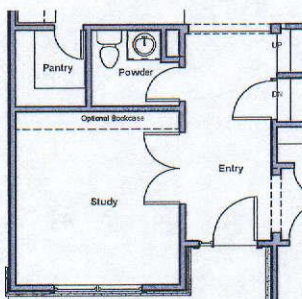
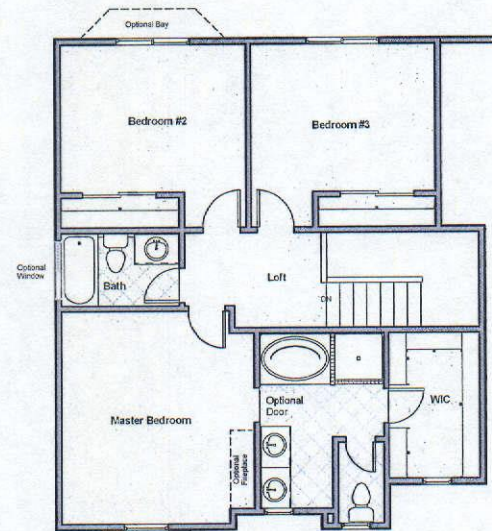
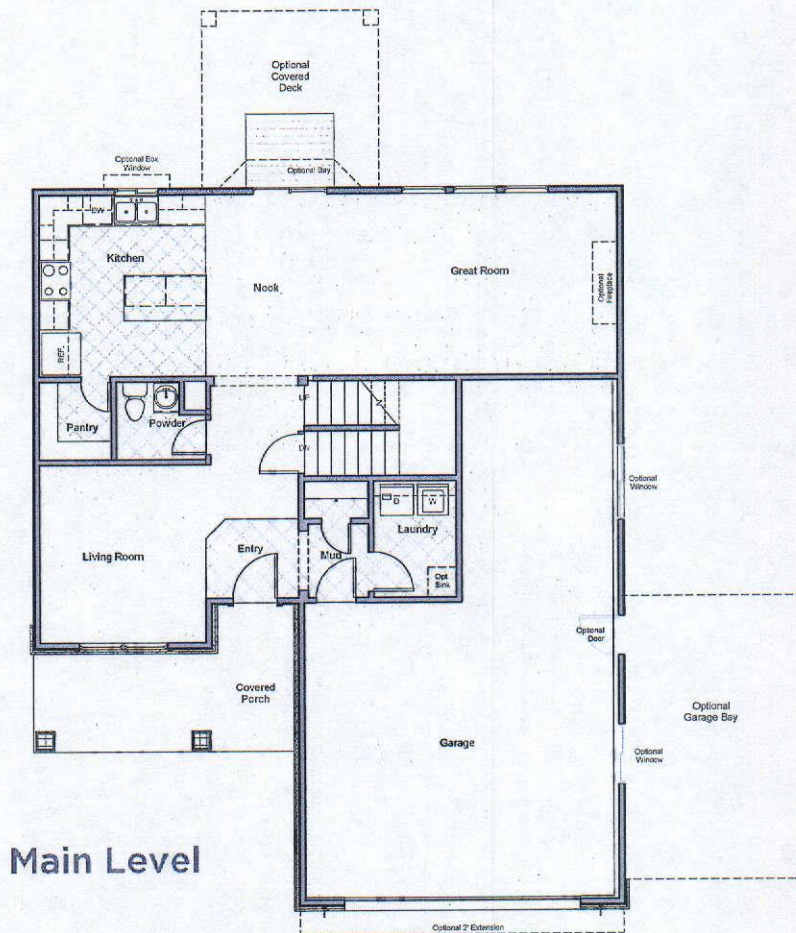
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HENRY WALKER
HOMES

Dartmouth

2,671 tot. sq. ft. 3 Bedrooms
1,813 fin. sq. ft. 2.5 Bathrooms



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HENRY WALKER
HOMES

Dublin

4,168 tot. sq. ft. 3 Bedrooms
2,864 fin. sq. ft. 2.5 Bathrooms



B



C

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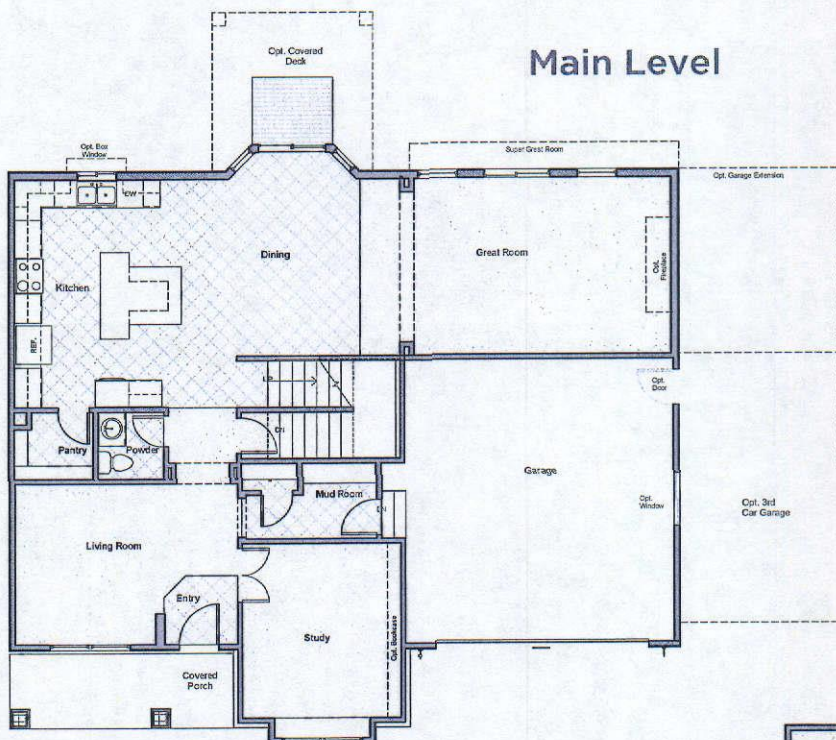


HENRY WALKER
HOMES

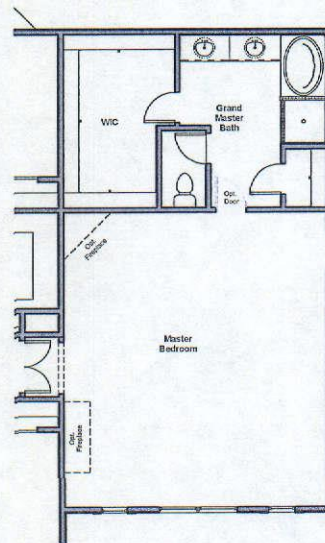
Dublin

4,168 tot. sq. ft. 3 Bedrooms
2,864 fin. sq. ft. 2.5 Bathrooms

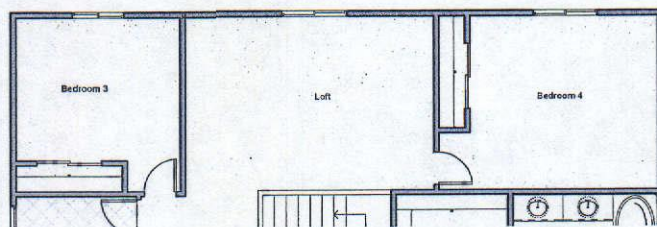
Main Level



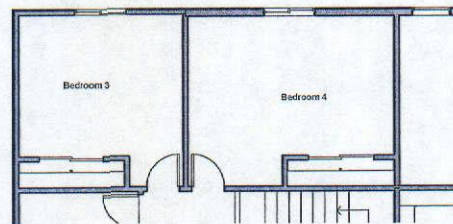
Grand Master Bedroom



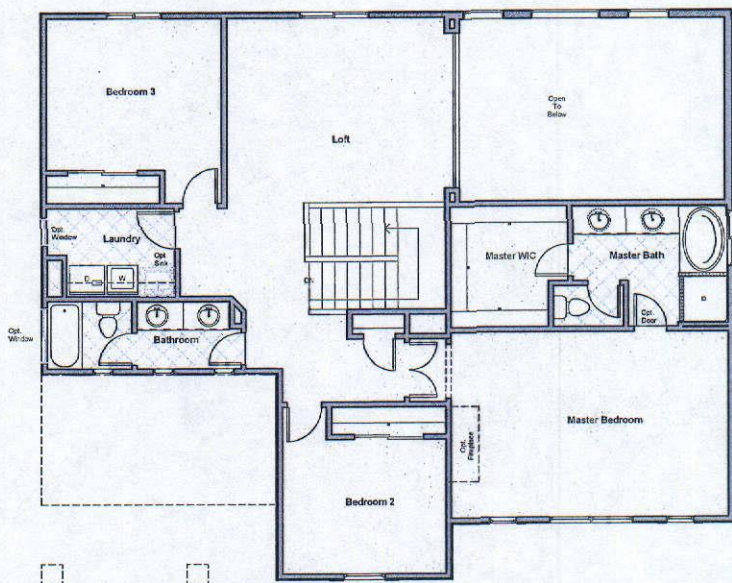
Bedroom 4 & Loft



Bedroom 4



Upper Level



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HENRY WALKER
HOMES

London

3,617 tot. sq. ft. 3 Bedrooms
2,614 fin. sq. ft. 2.5 Bathrooms



B



C

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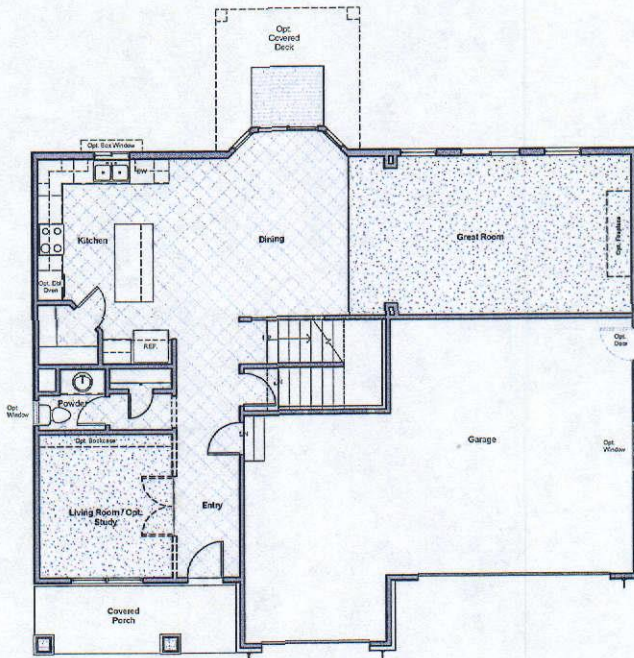
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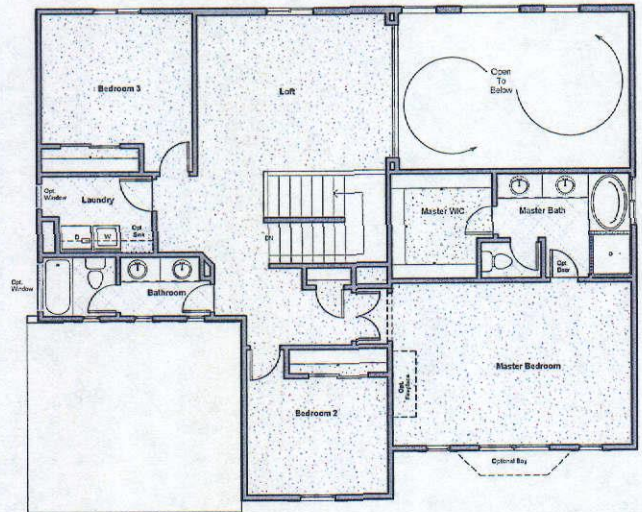
HENRY WALKER
H O M E S

London

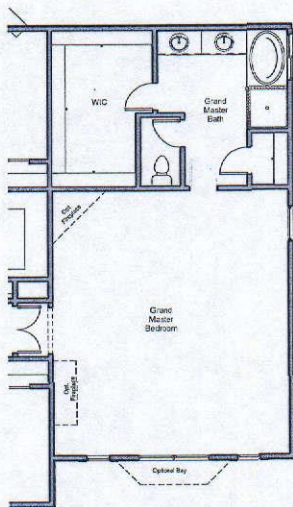
3,617 tot. sq. ft. 3 Bedrooms
2,614 fin. sq. ft. 2.5 Bathrooms



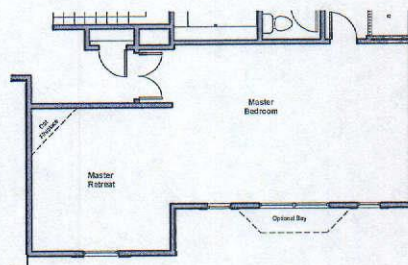
Main Level



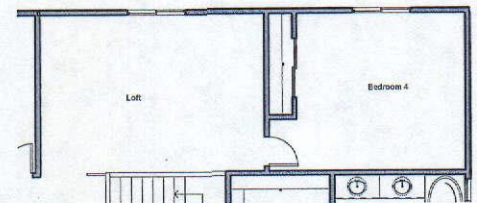
Upper Level



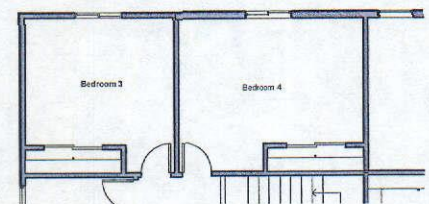
Grand Master Bedroom



Master Retreat



Bedroom 4 & Loft



Bedroom 4

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**HENRY WALKER
HOMES**

Morello

2,699 tot. sq. ft. 3 Bedrooms
1,818 fin. sq. ft. 2 Bathrooms



B



C

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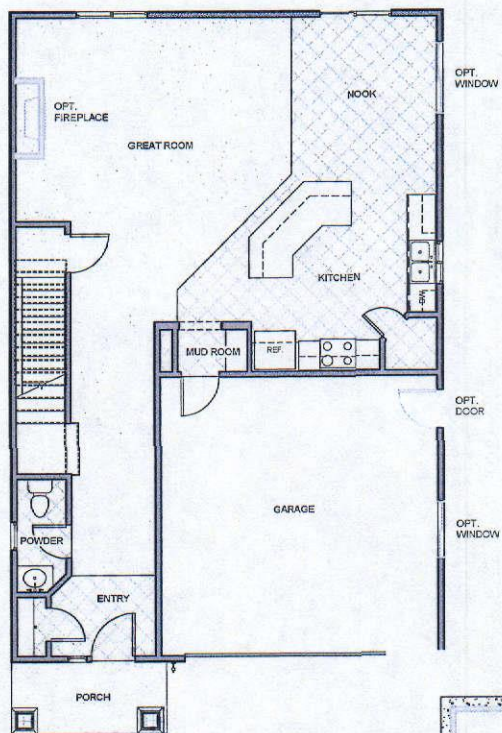
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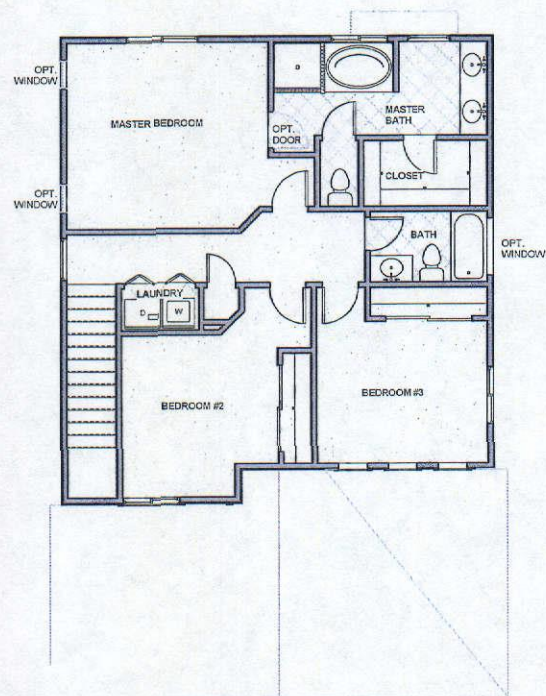
HENRY WALKER
H O M E S

Morello

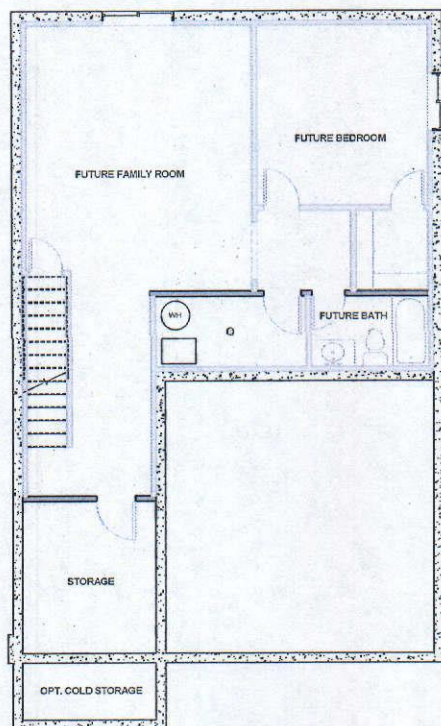
2,699 tot. sq. ft. 3 Bedrooms
1,818 fin. sq. ft. 2 Bathrooms



Main Level



Upper Level



Basement Level

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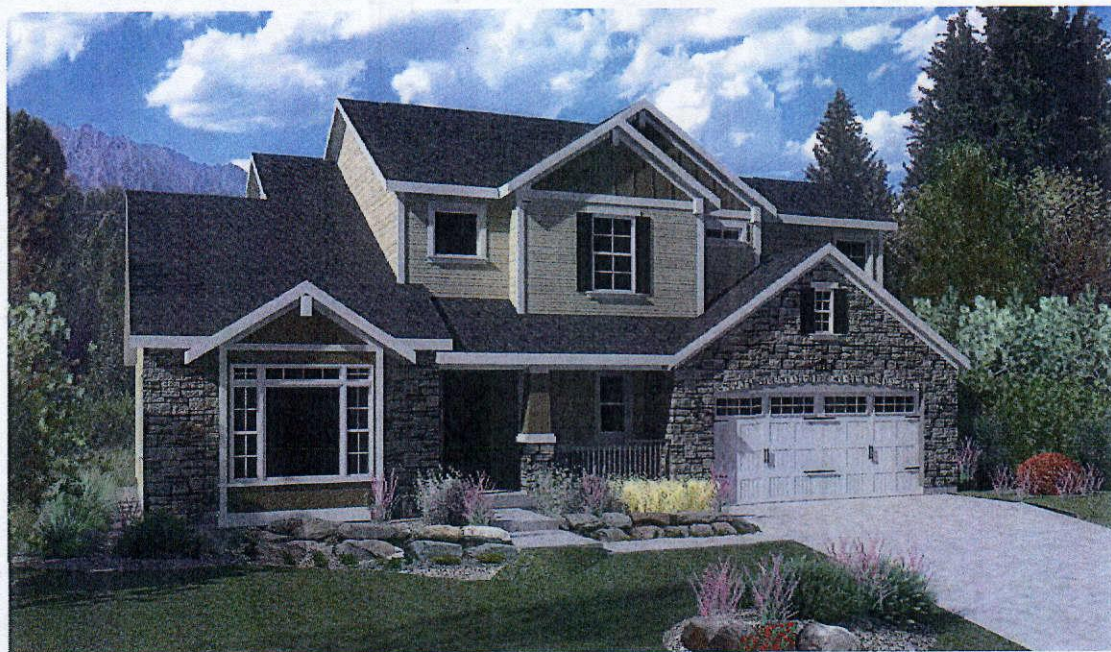
HENRY WALKER
HOMES

Paris

3,271 tot. sq. ft. 3 Bedrooms
2,222 fin. sq. ft. 2.5 Bathrooms



B



C

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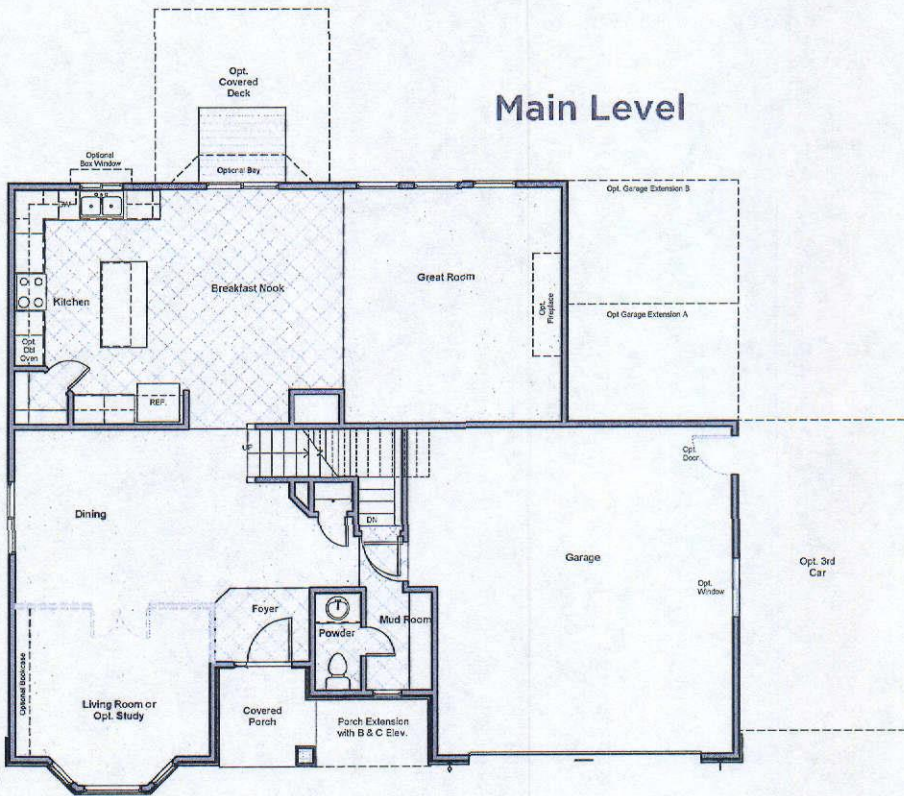


HENRY WALKER
HOMES

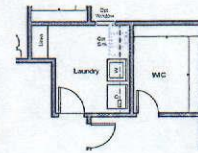
Paris

3,271 tot. sq. ft. 3 Bedrooms
2,222 fin. sq. ft. 2.5 Bathrooms

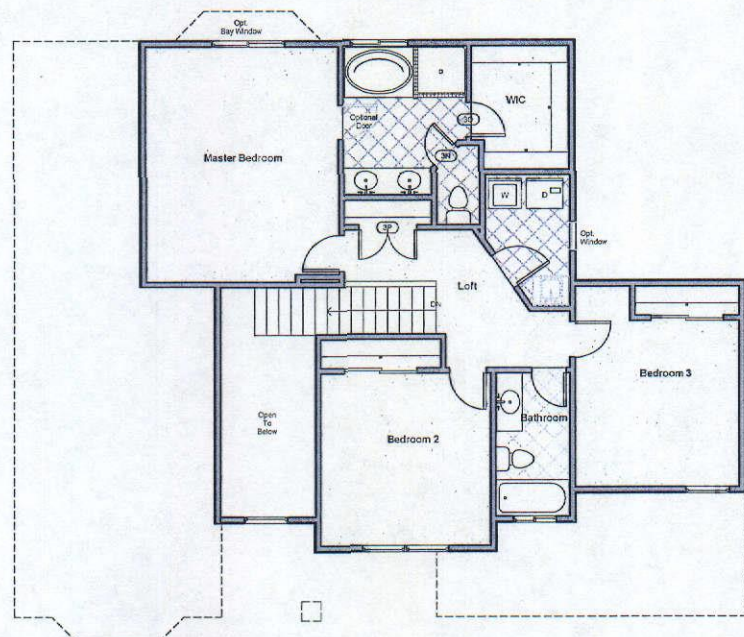
Main Level



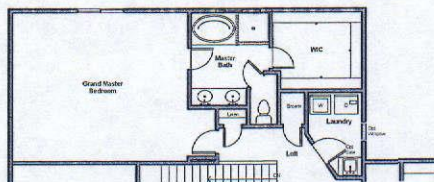
Extended Laundry



Upper Level



Grand Master Bedroom



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**HENRY WALKER
HOMES**

Stanford

2,066 tot. sq. ft. 3 Bedrooms
1,555 fin. sq. ft. 2 Bathrooms



B



C

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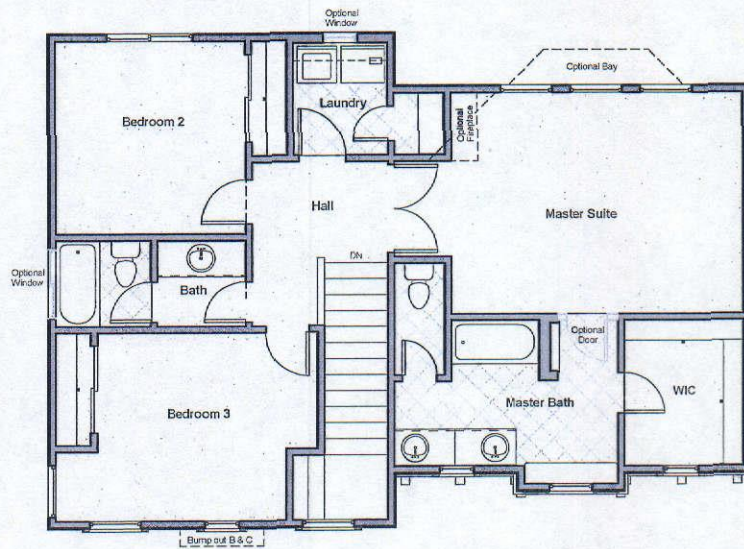
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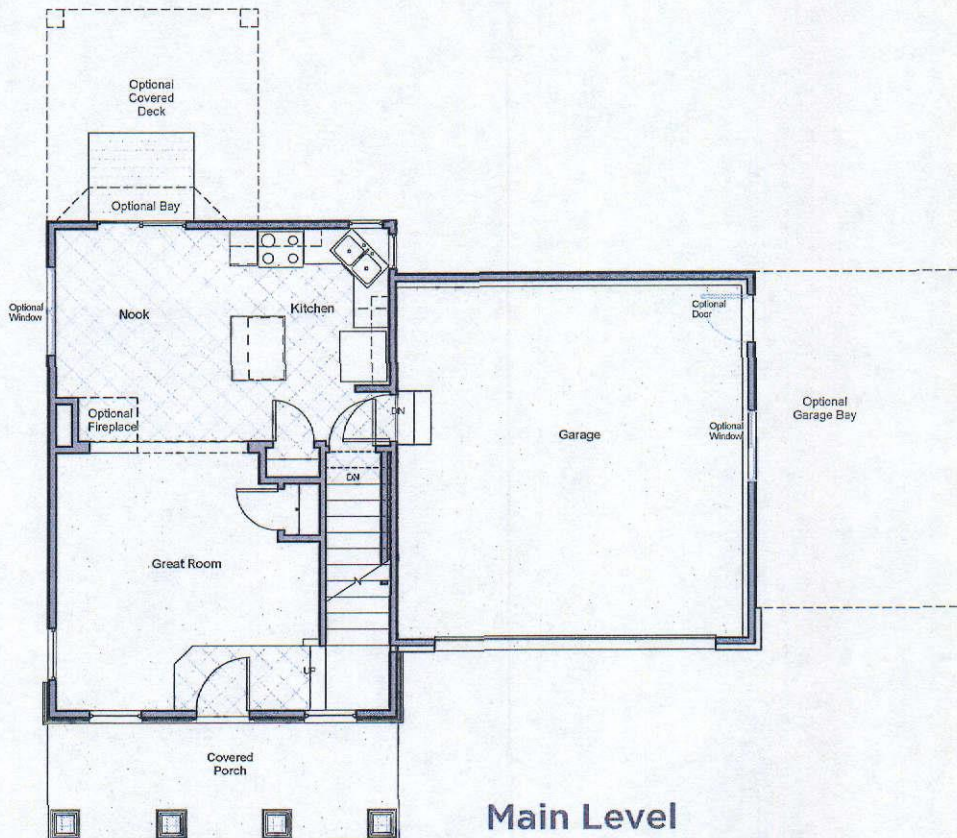
HENRY WALKER
HOMES

Stanford

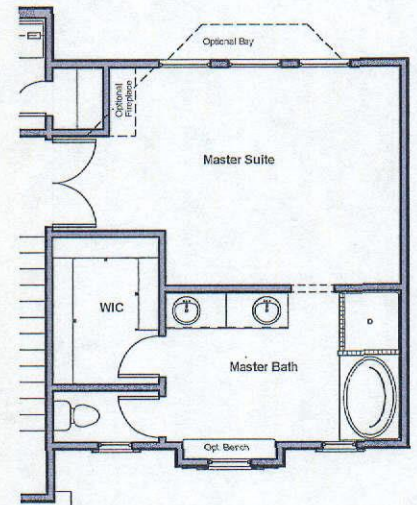
2,066 tot. sq. ft. 3 Bedrooms
1,555 fin. sq. ft. 2 Bathrooms



Upper Level



Main Level



Grand Master Bath

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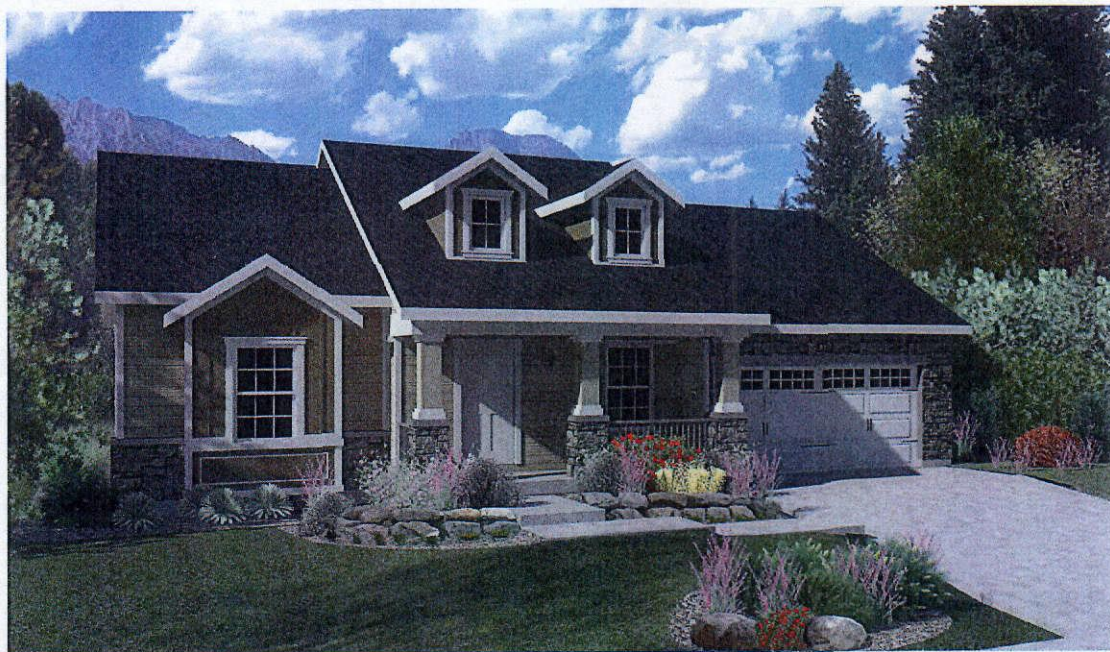
HENRY WALKER
HOMES

Vienna

2,815 tot. sq. ft. 2 Bedrooms
1,483 fin. sq. ft. 2.5 Bathrooms



B



C

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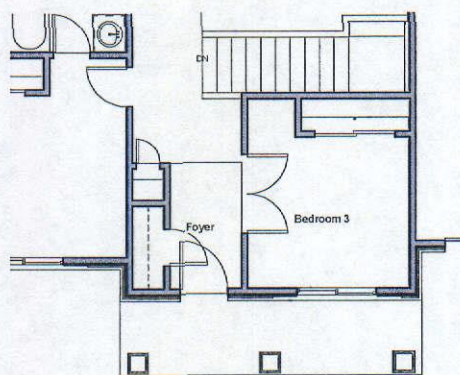
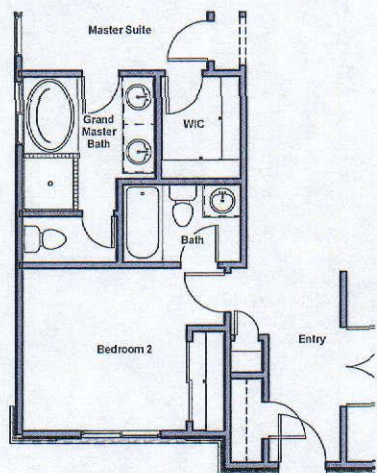
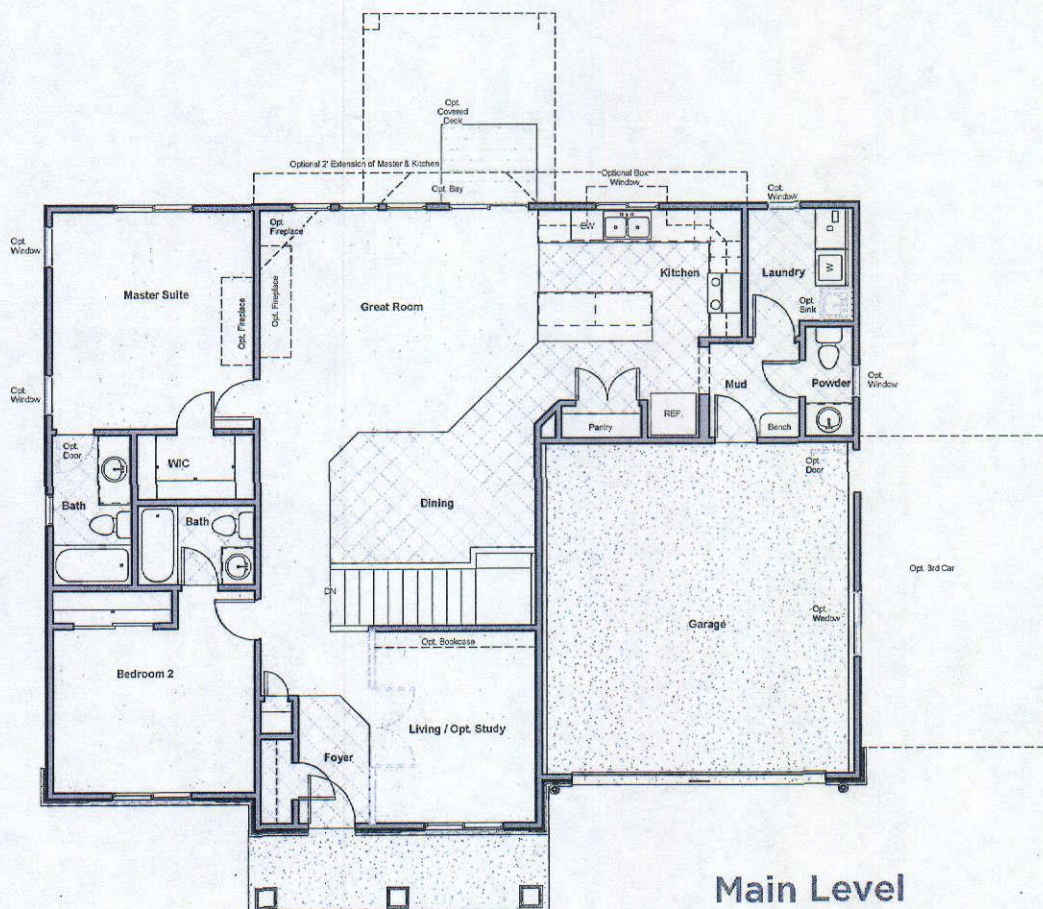
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HENRY WALKER
HOMES

Vienna

2,815 tot. sq. ft. 2 Bedrooms
1,483 fin. sq. ft. 2.5 Bathrooms



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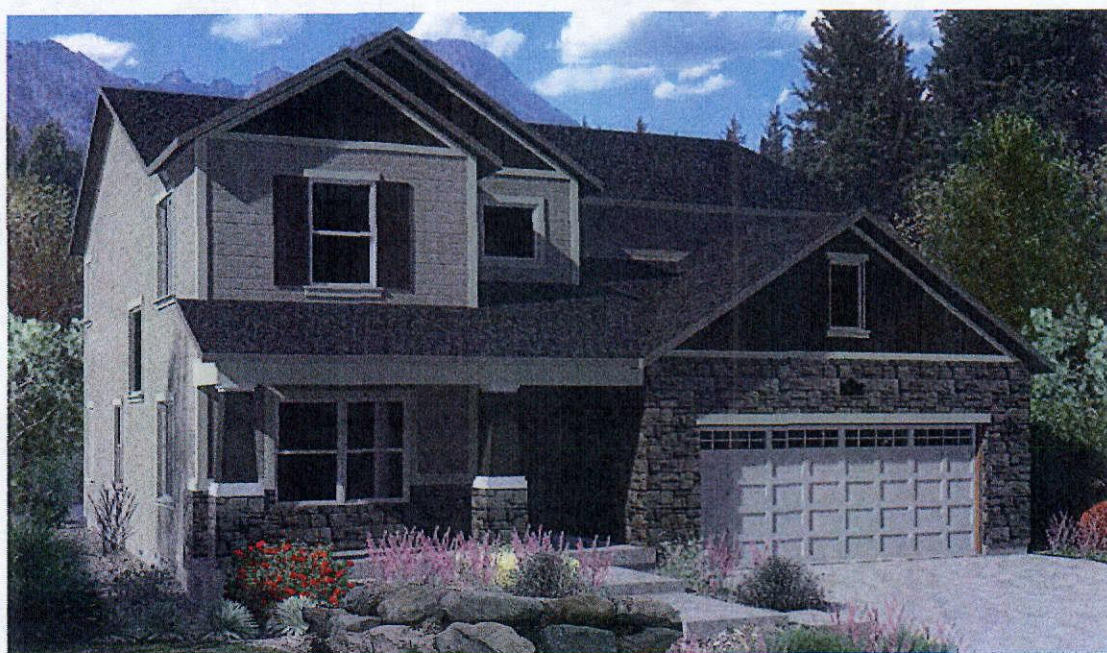
HENRY WALKER
HOMES

Wellesley

4,088 tot. sq. ft. 4 Bedrooms
2,849 fin. sq. ft. 2.5 Bathrooms



B



C

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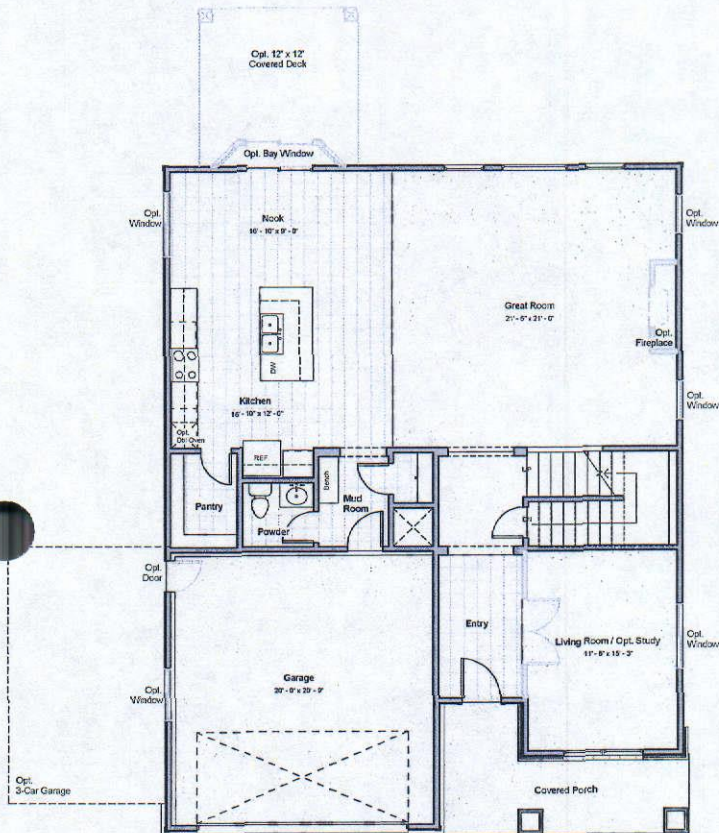
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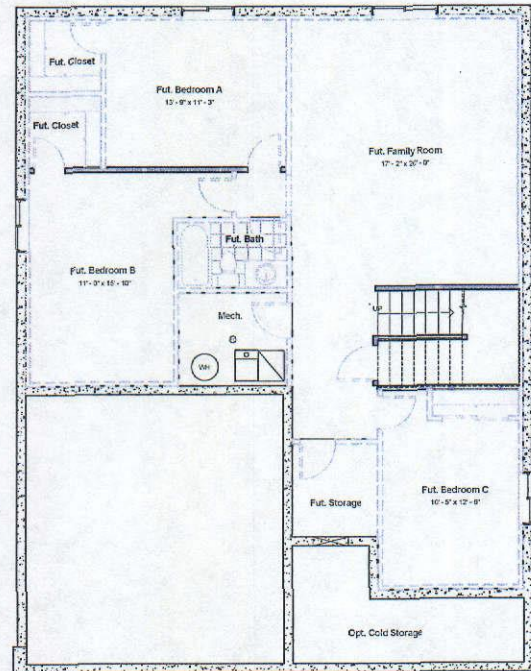
HENRY WALKER
H O M E S

Wellesley

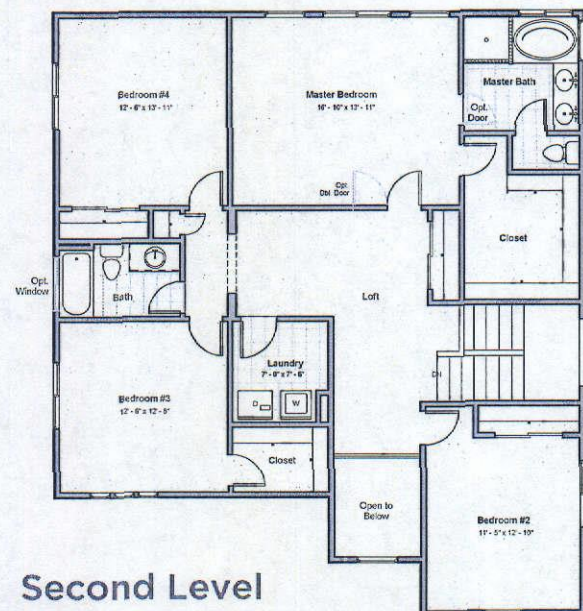
4,088 tot. sq. ft. 4 Bedrooms
2,849 fin. sq. ft. 2.5 Bathrooms



Main Level



Basement Level



Second Level

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