

1 **PLANNING COMMISSION MINUTES OF MEETING**

2 **Wednesday, May 22, 2013**

3 **7:00 p.m.**

4
5 A quorum being present at Centerville City Hall, 250 North Main Street, Centerville,
6 Utah. The meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

7
8 **MEMBERS PRESENT**

9 Tamilyn Fillmore, arrived 7:31 p.m.

10 David Hirschi

11 Brian Holman, arrived 7:54 p.m.

12 Scott Kjar

13 Steven Markham

14 Kevin Merrill, Chair

15 Debra Randall

16
17 **STAFF PRESENT**

18 Corvin Snyder, Community Development Director

19 Brandon Toponce, Assistant Planner

20 Lisa Romney, City Attorney

21 Kathy Streadbeck, Recording Secretary

22
23 **VISITORS**

24 Interested Citizens (see attached sign-in sheet)

25
26 **PLEDGE OF ALLEGIANCE**

27
28 **OPENING COMMENT/LEGISLATIVE PRAYER**

Commissioner Kjar

29
30 **MINUTES REVIEW AND APPROVAL**

31
32 Minutes of the Planning Commission meeting held May 8, 2013 were reviewed and
33 amended. Chair Merrill made a **motion** to approve the minutes as amended. The motion was
34 seconded by Commissioner Hirschi and passed by unanimous vote (5-0).

35
36 **PUBLIC HEARING | CHICK-FIL-A RESTAURANT | 540 N. FRONTAGE ROAD**

37 **Consideration of a conditional use permit for operating a "fast-food restaurant" in the C-**
38 **VH (commercial-very high) Zone and final site plan, for Chick-Fil-A Restaurant, Lot 202,**
39 **Centerville Corporate Park Amended, 540 North Frontage Road. Robert Lombardi, 4G**
40 **Development & Consulting, Inc., Applicant.**

1 Brandon Toponce, Assistant Planner, reported the applicant has received conceptual site
2 plan approval from both the Planning Commission and the City Council and is now ready for
3 final site plan approval. In addition, the applicant is also seeking a conditional use permit for a
4 proposed Chick-Fil-A fast-food restaurant. The building design has been changed since the
5 conceptual approval. Mr. Toponce reviewed the building elevations including materials, colors,
6 features, and landscaping. Staff believes the new design complies with the Parrish Lane Gateway
7 Design Standards. The dumpster has been moved to an acceptable location. Staff requests the
8 dumpster enclosure be completed with a material that will match the main building and hold up
9 to its surroundings, i.e., rock, stone or other material that will hold up against the elements. The
10 applicant still needs to submit details regarding the type and style of lighting to be installed. This
11 will have to be approved by the Public Works Director. The applicant has reconfigured the site
12 so that all drive-thru traffic is now accommodated on site. Mr. Toponce reviewed the standards
13 for a conditional use permit approval. The proposed use will be located near other fast-food uses
14 and it does not appear this use will be harmful to its surroundings. The applicant will be required
15 to create a traffic plan and coordinate with police for peak times. Compliance with all other
16 outstanding conditions will be required at the time of building permit application.

17
18 Commissioner Randall expressed concern with traffic circulation. With only one access
19 point she is concerned traffic will congest Marketplace Drive. Staff reviewed the circulation
20 pattern for the site. The proposed plan also meets City requirements for car stacking. In addition,
21 there is a cross access agreement between the applicant and the MTC. Patrons will be allowed to
22 use the MTC parking lot, access point, and drive isles.

23
24 Robert Lombardi, applicant, said there is no Chick-Fil-A restaurant within a ten-mile
25 radius of this proposed location. This is a good location for the next Chick-Fil-A and they
26 anticipate great success. He said they believe they have resolved all major issues and are
27 accepting of all conditions of approval. They have worked closely with the MTC and have come
28 to mutual agreements on all issues. He said they agree to apply stone/rock to the dumpster
29 enclosure, will submit the needed lighting details, and are prepared to work with the police
30 during peak hours of operation. He explained the first couple months will be the busiest but that
31 will taper off. Chick-Fil-A also provides free food when a restaurant opens and it is likely people
32 will start lining up prior to opening. There is a plan in place for this and for ordering procedures
33 during peak times. All details will be coordinated with the Police Department.

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

Final Site Plan

Commissioner Markham made 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:

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.

Reasons for 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)].

The motion was seconded by Chair Merrill and passed by unanimous roll-call vote (5-0).

Conditional Use Permit

Commissioner Kjar made 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:

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.

Reasons for 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].

1 3. Traffic during the grand opening and during peak operating times has been
2 determined to create an impact on the surrounding businesses and must be mitigated
3 [Section 12-21-100(e)(5)(G)].
4

5 The motion was seconded by Commissioner Hirschi and passed by unanimous roll-call
6 vote (5-0).
7

8 **PUBLIC HEARING | CODE TEXT AMENDMENT | SIGNS IN PARRISH**
9 **GATEWAY AREA - Consideration of amending the Zoning Ordinance, Section 12-54-**
10 **120(b)(4), Signs in Parrish Lane Gateway Commercial District; to alter or change**
11 **boundary allowances and restrictions for the use of freeway-oriented signs. Robert**
12 **Lombardi, 4G Development & Consulting, Inc., Applicant.**
13

14 Cory Snyder, Community Development Director, reported the applicant is requesting an
15 amendment to the Sign Ordinance, specifically freeway-oriented signs. He reviewed the history
16 of the Sign Ordinance which was created prior to the current zoning code. The Sign Ordinance
17 encourages monument-based signs. Pole signs are allowed on a limited basis along the I-15
18 frontage corridor with a decrease in height and size until Main Street where pole signs are
19 prohibited. Properties with direct I-15 frontage can have up to a 60-foot high freeway oriented
20 pole sign if within 600 feet of Parrish Lane. The proposed Chick-Fil-A is within 600 feet of
21 Parrish Lane, but does not have frontage on I-15. Therefore the applicant is proposing to amend
22 the Sign Ordinance to allow a second tier area which would allow pole signs up to 50 feet in
23 height. This second tier would be a limited area, including properties with frontage on the
24 Frontage Road and still within 600 feet of Parrish Lane. Staff recommends any amendment
25 prohibit electronic signs because the Chick-Fil-A site borders residential. Staff also suggests no
26 pole signs be allowed on Parrish Lane but rather only along the Frontage Road. Staff has had
27 many discussions about this issue and this is a preferential argument. This discussion can go
28 either way. Mr. Snyder said, personally, he does not like pole signs because he believes they
29 steal from the entrance to the city and would prefer, as a planner, they be prohibited all together.
30 However, elected officials have allowed poles signs in Centerville and it could be argued that a
31 second tier level of signage may be appropriate.
32

33 Commissioner Hirschi said pole signs blow down with every east wind that comes
34 through the city. He asked if this has been taken into consideration. This is also a concern
35 because if a pole sign in the second tier area were to blow down it is possible the debris would
36 hit other businesses or patrons below. This is not as big an issue along the I-15 corridor because
37 there is a buffer between the sign and the freeway. Mr. Snyder said there are building codes in
38 place that require specific wind loads when it comes to signage. He said, generally, most signage
39 is designed to have the face of the sign blow out in order to reduce the wind load on the pole.

1 Commissioner Kjar said monument signs are often more view obscuring than pole signs.
2 He questioned how other cities deal with this issue. Mr. Snyder agreed monument signs can be
3 obscuring. This is why there are site triangle regulations. He also said each city deals with
4 signage differently and signage ordinances are mixed. There are cities that allow only monument
5 signs and cities that allow very high, very large pole signs. Most cities allow pole signs along the
6 freeway, but not within the interior of their city. Signage follows a reasonably debatable
7 standard.

8
9 Robert Lombardi, applicant, said the discussions with staff have been helpful. He said he
10 has read both the Sign Ordinance and the General Plan and he understands both. The General
11 Plan includes the following four (4) points:

- 12
13 1. To assist in the provision of revenues for high quality local services and to provide
14 needed personal and business service, Centerville City should provide for the
15 establishment and viability of commercial and industrial services in designated areas
16 of the community.
- 17 2. Where allowed, freestanding signs should be limited to size, well designed and
18 become gradually smaller in height and size the further away the sign is located from
19 I-15.
- 20 3. Specifically, elements of strip commercial development should be avoided along
21 Parrish Lane, such as curb cuts, lack of landscaping, large unattractive signs,
22 expansive parking areas and pavement, and generally unappealing streetscapes.
- 23 4. All signs should be tightly controlled and arranged to avoid clutter.

24
25 Mr. Lombardi said he believes the proposed text amendments are consistent with these
26 points of the General Plan. Chick-Fil-A is not a destination but rather a convenience and an
27 impulse. Signage is critical for the viability and long-term survival of a fast food restaurant. The
28 proposed amendments provide a gradual decline in sign height and size. Currently, 60-foot signs
29 are allowed along I-15; however, directly adjacent properties are only allowed a 25-foot sign.
30 This is over a 50% drop which is a severe progression, not gradual. The proposed 50-foot second
31 tier allowance is more gradual and fair to surrounding business and property owners. He said the
32 Chick-Fil-A site may not be freeway adjacent, but it is still freeway visible. He said he agrees
33 with staff's suggestion that no signage should be allowed on Parrish Lane. This is in keeping
34 with the General Plan and he does not propose a sign on Parrish Lane. Chick-Fil-A would place
35 their signage on the Frontage Road some distance from Parrish Lane. He also said the proposed
36 Chick-Fil-A sign will not create clutter as it would be placed a fair distance from other existing
37 pole signs. Mr. Lombardi said he believes the proposed amendments are consistent with the
38 General Plan and they have tried to be fair, reasonable, and rational. Signage that can be seen

1 from the freeway would allow Chick-Fil-A viability, profitability, and fairness in Centerville's
2 business market.

3
4 Commissioner Hirschi said a more even progression between 60 feet and 25 feet would
5 maybe be forty (40) or forty-two (42) feet. He questioned why the applicant is requesting 50 feet.
6 He also discussed clutter. He said one Chick-Fil-A sign may not create clutter, but this text
7 amendment will open the door for other businesses to install pole signs, which could potentially
8 create clutter.

9
10 Mr. Lombardi said 50 feet provides the needed freeway visibility. It could be argued that
11 45 feet is acceptable, but they felt a 50-foot allowance would be gradual and incremental to the
12 current 60-foot allowance. He also agreed that clutter is an issue that will always be addressed
13 when dealing with signage and the General Plan. This is just part of the process.

14
15 Chair Merrill opened the public hearing. There was no comment; he closed the public
16 hearing.

17
18 Mr. Snyder explained the proposed second tier area would include Chase Bank, Wendy's,
19 Chevron, Iggy's and the recently proposed Wasatch Running Center only. These businesses are
20 between the Frontage Road and Marketplace Drive. It could be argued that this area is a unique
21 island type group of businesses different from the rest of the Parrish Lane corridor and suitable
22 for a special second tier sign allowance. It is an argument of freeway visibility vs. freeway
23 adjacent. All businesses along the Parrish Lane corridor want to be viable and successful, but
24 there has to be a distinction in order to allow something in one place and not another. Freeway
25 frontage is that distinction. However, it could also be argued that this small second tier island is
26 also unique.

27
28 Chair Merrill said he is not too concerned with allowing the proposed text amendments.
29 He does not believe the proposed signage will pose a negative impact on an already high
30 commercial area. He is also not concerned with clutter; it seems there is plenty of room to
31 accommodate the Chick-Fil-A sign.

32
33 Commissioner Fillmore said she is not in favor of the proposed text amendments. She
34 said in the argument of fairness, it seems 40 or 42 feet would be more reasonable. However, if at
35 that height there is no freeway visibility, then the applicant is just asking for a bigger and better
36 sign than its competitors. In regard to clutter, she said the applicants view point is from the
37 freeway. It may be true that from the freeway it doesn't look cluttered but from within the city it
38 may be cluttered. She said the 60-foot signs at I-15 are removed from the city, as you are already
39 on the overpass when you get to them, but within the proposed second tier area a pole sign would

1 be intrusive. She is also concerned with the residential area which borders the Chick-Fil-A site. It
2 would seem this area should be treated with even more caution when it comes to signage.

3
4 Commissioner Kjar said Parrish Lane is a Commercial-Very High Zone and people have
5 an expectation that commercial signs will be present in such an area. He does not believe signs in
6 the proposed second tier area will be overly invasive or negative because such signs are expected
7 and already exist in the area. He said commercial businesses help Centerville's economy and
8 signage helps businesses. He is in favor of promoting business sales in Centerville. He said there
9 is a different expectation on Main Street and he agrees that signage there should be treated
10 differently also. He does not see a difference between the west side and the east side of the
11 Frontage Road. It is reasonable to allow signage within the second tier area if placed along the
12 Frontage Road. If Centerville is going to invite businesses to locate in their commercial districts,
13 then they should be allowed a fair competitive field. He said he does not believe the proposed
14 second tier will introduce clutter. He agrees with prohibiting electronic signs, but is in favor of
15 the proposed 50-foot height allowance. He also pointed out there is a freeway sound wall that
16 obscures Chick-Fil-A from freeway visibility.

17
18 Commissioner Fillmore agreed that commercial businesses are a benefit to the city, but it
19 is also the Planning Commissions responsibility to keep the public's general welfare in mind.
20 This includes the residents to the north. It is also the Planning Commissions responsibility to
21 keep the city beautiful; a place where businesses want to locate.

22
23 Commissioner Hirschi said freeway frontage is distinct. If you move from that line then
24 you are moving from objective to subjective. This opens a door for others to come in and apply
25 for their "gradual" allowance. Next, it could be argued that a third tier or fourth tier is acceptable
26 at 40 feet and 30 feet, respectively. At that point signs start to encroach into the interior of the
27 city. He agreed that new business is a positive thing, but allowing greater signage is not
28 necessary.

29
30 The Commission discussed the lack of attendance at tonight's meeting. It was suggested
31 that surrounding property owners may not be opposed to this change. It was suggested that no
32 business owners would be opposed because all businesses want a bigger sign. It was also
33 suggested that most property owners may not be aware of the proposed change even though it
34 was posted on site.

35
36 Commissioner Holman said he is not worried about clutter. He also said there are several
37 businesses within the Parrish Lane corridor that have only been allowed a 25-foot sign and they
38 are successful. He questioned if it is really necessary to have a 50-foot sign.

39

1 Commissioner Randall said the businesses on Parrish Lane with their 25-foot signs are
2 more visible from the freeway overpass than the Chick-Fil-A property. She said it seems a pole
3 sign on the east side of the Frontage Road is reasonable, but she does not agree with pole signs
4 on Marketplace Drive. She also agreed it is important to protect the aesthetics of the community.

5
6 Mr. Lombardi agreed that most owners did not get the message that this was on the
7 agenda this evening. He said most postings don't generally get the attention of property owners.
8 He said Chick-Fil-A would be willing to contact surrounding property/business owners and ask
9 their opinion. He would guess most would be in favor of more signage. He said Chick-Fil-A just
10 wants to be treated the same as other nearby fast food restaurants. He believes the proposed
11 amendments are consistent with the General Plan. He said if the Commission feels 45 feet is
12 more acceptable they are willing to comply, they would just like a fair competitive fighting
13 chance. The only difference between Chick-Fil-A and neighboring fast food is that the neighbors
14 have freeway frontage. Chick-Fil-A is still in the same trade area and it is rational to allow equal
15 type signage.

16
17 Commissioner Fillmore made a **motion** for the Planning Commission to **deny** the
18 proposed amendment to the Sign Ordinance. The motion **died** for lack of a second.

19
20 Commissioner Kjar made a **motion** for the Planning Commission to recommend approval
21 of the proposed text amendment to Chapter 12-54-120, Signs as follows:

22
23 (4) Free-Standing Freeway-Oriented Sign. One (1) free-standing freeway-oriented sign
24 shall be allowed on commercially developed properties immediately abutting the I-
25 15 right of way, or the Frontage Road, that are within six hundred (600) feet north
26 and south of the Centerline of Parrish Lane, subject to the following requirements:

27
28 (A) Such signs abutting the I-15 right of way shall not exceed sixty (60) feet in
29 height.

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

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

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

36
37 The motion was seconded by Commissioner Randall.
38

1 Commissioner Hirschi made a **motion to amend** to reduce the maximum sign height to
2 forty-five (45) feet and to add the following:

3
4 (E) Free-standing freeway oriented signs shall not be located on the side of the
5 property abutting Parrish Lane or Marketplace Drive.

6
7 The motion to amend **died** for lack of a second.

8
9 Commissioner Fillmore said this area is directly abutting residential with little to no
10 buffer. She said surrounding businesses may be in favor of such a change, but she would guess
11 the residents living to the north would be opposed. Allowing a 50-foot sign next to this
12 residential area is extreme. It seems more rational to allow only a 40-foot sign which is between
13 60 feet at the freeway and 25 feet at Main Street. If 40 feet is not tall enough to produce freeway
14 visibility then is a 40 foot high sign even necessary. This second tier area is inside the city, not
15 on the freeway frontage and should not be allowed greater signage.

16
17 Commissioner Kjar made a **motion to amend** to add (E) as stated above, but leaving the
18 maximum sign height at fifty (50) feet. The motion to amend was seconded by Commissioner
19 Holman. The motion to amend **passed** with a roll-call vote (5-2). Commissioner's Fillmore and
20 Hirschi opposed.

21
22 Commissioner Hirschi said the applicant has indicated that 45 feet may be acceptable and
23 he appreciates that concession on the part of the applicant. He said 45 feet seems reasonable
24 because it preserves freeway visibility while still creating a gradual decrease in signage.

25
26 Lisa Romney, City Attorney, suggested adding some language to B and D as follows:

27
28 (B) The maximum aggregate area for such signs *abutting the I-15 right-of-way*
29 (counting one [1] side of a double-faced sign) shall be two hundred (200) square
30 feet.

31
32 (D) The maximum aggregate area for such signs *abutting the Frontage Road* (counting
33 on [1] side of a double-faced sign) shall be one hundred and sixty-five (165) square
34 feet, and shall not include any digital elements.

35
36 Commissioner Fillmore made a **motion to amend** to include Ms. Romney's suggested
37 changes above and to reduce the maximum sign height to forty-five (45) feet. The motion to
38 amend was seconded by Commissioner Hirschi. The motion **failed** with a roll-call vote (3-4).
39 Commissioner's Markham, Holman, Merrill, and Kjar opposed.

1 Commissioner Markham said gradually does not mean halfway between 60 feet and 25
2 feet. Gradual means less than 60 feet while still maintaining some freeway orientation. In his
3 mind halfway would be much closer to Main Street, not just the other side of the Frontage Road.
4 He believes 50 feet is a reasonable gradual change.
5

6 Commissioner Holman made a **motion to amend** to include Ms. Romney's suggested
7 changes as listed above while keeping the maximum sign height at fifty (50) feet. The motion
8 was seconded by Commissioner Markham. The motion **passed** with a roll-call vote (4-3).
9 Commissioner's Fillmore, Randall, and Hirschi opposed.
10

11 Chair Merrill called for a **vote** on the **original motion as amended**. The motion **passed**
12 with a roll-call vote (4-3). Commissioner's Fillmore, Randall, and Hirschi opposed.
13

14 **PUBLIC HEARING | ICE BREAKERS SHAVED ICE | 200 W. PARRISH LANE**
15 **Consideration of a conditional use permit for a temporary use; consisting of a seasonal**
16 **shaved ice stand, to be located in front of the Smoot Building, 200 West Parrish Lane, in**
17 **the C-H Zone. Matt Weaver, Applicant.**
18

19 Brandon Toponce, Assistant Planner, reported this is the third year in a row the applicant
20 has applied for this temporary conditional use permit. The applicant plans to run his snow shack
21 in the same manner as past years with the exception of the location. The applicant proposes to
22 move to Parrish Lane. The applicant hopes the change in location will bring more traffic to his
23 business. The proposed site has adequate access and parking for the proposed use. Staff does not
24 anticipate the use will cause any major impacts to the site or surrounding uses. The proposed
25 hours of operation are 12:00 p.m. to 10:00 p.m. The applicant will have five (5) employees with
26 two (2) on-site at all times. The snow shack will be open until Labor Day (September) at which
27 time all equipment must be removed within seven (7) days leaving the site in its original
28 condition. The applicant has received permission from Dick's Market for his employee's to use
29 their restroom facilities. The applicant has also submitted the necessary insurance information.
30

31 Chair Merrill opened the public hearing. There was no comment; he closed the public
32 hearing.
33

34 Commissioner Hirschi made a **motion** for the Planning Commission to approve a
35 conditional use permit for the shaved ice stand, located at 200 West Parrish Lane, with the
36 following conditions.
37
38
39

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, 2013, 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.

Reasons for Action:

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.

The motion was seconded by Chair Merrill and passed by unanimous roll-call vote (7-0).

PUBLIC HEARING | DESERET INDUSTRIES PARKING | 94 E. PAGES LANE
Consideration of a conditional use permit and final site plan 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.

Commissioner Markham recused himself as he is an employee of the LDS Church.

Brandon Toponce, Assistant Planner, reported the applicant received conceptual site plan approval from the Planning Commission on April 24, 2013. The applicant is now seeking final site plan approval and a conditional use permit for a stand-alone parking lot. The applicant has met the required setbacks and parking stall dimensions. The proposed plan also meets applicable landscape requirements as the applicant will be keeping as many of the existing mature trees as possible on the site. The proposed plan also ties into the existing Deseret Industries parking lot with respect to access and circulation. The applicant will be required to install one drain in order to mitigate water sheeting onto surrounding properties. This drain will be reviewed and approved by the City Engineer.

Craig Ames, applicant, said they are prepared to install the required drainage box with oil separator. The pavement will be installed as necessary to direct water to that drainage box. He said the required parking stall setback enabled them to keep the mature trees. He also explained the circulation of the parking lot will be similar to the existing Deseret Industries parking lot.

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

Final Site Plan

Commissioner Kjar made 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:

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.

Reasons for 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 12-21-100(f)].

The motion was seconded by Commissioner Hirschi and passed by unanimous roll-call vote (7-0).

Conditional Use Permit

Chair Merrill made 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:

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.

Reasons for 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)].

The motion was seconded by Commissioner Randall and passed by unanimous roll-call vote (7-0).

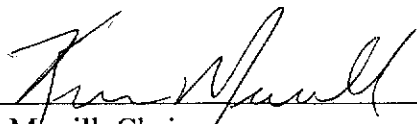
PUBLIC HEARING | WOODS PARK SUBDIVISION | 690 West 2400 North
Consideration of a preliminary subdivision plan for the Woods Park Subdivision, 29
building lots, located at approximately 690 West 2400 North, in the R-L(PD) Zone. Alan
Prince, Prince Development, Applicant.

This item was postponed.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next Planning Commission meeting will be held on June 12, 2013.
2. Upcoming Agenda Items
 - Woods Park, Preliminary Subdivision & PDO
 - Chase Lane Culinary Pump House, Concept Plan & Small Subdivision
 - King Development, Concept Plan & Subdivision
 - Code Text Amendment, Civil Enforcement
 - Training on Legislative Update
 - Discussion on Accessory Dwelling Units

The meeting was adjourned at 9:41 p.m.



Kevin Merrill, Chair

6/12/13
Date Approved



Kathleen Streadbeck, Recording Secretary



CENTERVILLE PLANNING COMMISSION MEETING

Wednesday, May 27, 2013
7:00 p.m.

NAME (PLEASE PRINT)

ADDRESS**

Ryan Robinson & Robert Lombardi (Chick-fil-A)

A. Altman

CRAIG AMES

Cindi Garlick

Heather Healey

994 Courtyard Ln.

5263 Commerce Dr. - Muncy

2164 N Frontage Rd

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** Your address will be used only in the event the City staff needs to contact you pertaining to an issue discussed in the Planning Commission meeting.