

CENTERVILLE CITY PLANNING COMMISSION A

ATTN: MARSHA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON WEDNESDAY, JUNE 8, 2016, AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

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

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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 and on NovusAgenda at the following link: <http://centerville.novusagenda.com/agendapublic>

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

- | | |
|------|---|
| 7:00 | A. WELCOME AND ROLL CALL
B. PLEDGE OF ALLEGIANCE
C. PRAYER OR THOUGHT – Vice Chair Logan Johnson
D. MINUTES REVIEW AND ACCEPTANCE – May 11, 2016 PC Work Session, May 25, 2016 PC Meeting
E. COMMISSION BUSINESS |
| 7:10 | 1. PUBLIC HEARING MAVERIK CONVENIENCE STORE 1265 W PARRISH LN
Consider the proposed Conditional Use Permit for a “Gasoline Service Station” for Maverik, Inc., for property located at the corner of Parrish Lane & 1250 West, in the Legacy Trail Apartments Development (original approval expired)
Todd Meyers, Maverik, Inc., Applicant |
| 7:25 | 2. PUBLIC HEARING CODE TEXT AMENDMENTS FOR TITLE 12-ZONING
Consider the proposed Zoning Code Amendment and re-adoption of entire Title 12-Zoning for online conversion; which includes minor edits and corrections for consistency
Centerville City, Applicant |
| 7:50 | 3. PUBLIC HEARING CODE TEXT AMENDMENTS FOR SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY ORDINANCE, CHAPTER 12-48
[Postponed from May 25, 2016 meeting]
Consider the Code Text Amendments for the South Main Street Corridor (SMSC) Overlay Ordinance, which includes the City Council directives and changes to the South Main Street Corridor (SMSC) Public Space Plan
Centerville City, Applicant |
| 8:15 | 4. DISCUSSION ON WORK SESSION WITH CITY COUNCIL FOR THE SMSC PUBLIC SPACE PLAN RECOMMENDATION |

8:30

5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

- PC Meeting on June 22, 2016
*The Cove at Deuel Creek Estates, Sensitive Lands Restriction,
Bike Lane Changes to GP with new Trails Map*

8:20

F. ADJOURNMENT

Posted June 2, 2016 by Community Development



1 Minutes of the Planning Commission work session meeting held Wednesday, May 11,
2 2016 at 5:30 p.m. at Centerville City Hall, 250 North Main Street, Centerville, Utah.

3
4 **MEMBERS PRESENT**

5 Kevin Daly
6 Becki Wright
7 David Hirschi, Chair
8 Gina Hirst
9 Logan Johnson
10 Cheylynn Hayman
11 Scott Kjar

12
13 **STAFF PRESENT**

14 Corvin Snyder, Community Development Director
15 Brandon Toponce, Assistant Planner
16 Kathy Streadbeck, Recording Secretary

17
18 **VISITORS**

19 Jennifer Turnblom
20 Darin Fistrup, UDOT
21 Scott Hess, Wasatch Front Regional Council

22 **WORK SESSION – SOUTH MAIN STREET CORRIDOR PLAN (SMSC) WITH**
23 **REPRESENTATIVES FROM UDOT AND WFRC**

24 Chair Hirschi welcomed Darin Fistrup from UDOT and Scott Hess from Wasatch Front
25 Regional Council (WFRC). He explained the Commission requested this work session in order to
26 discuss the do's and don'ts and the pros and cons of Centerville's South Main Street Corridor
27 (SMSC) Public Space Plan.

28
29 Cory Snyder, Community Development Director, provided background on the SMSC
30 plan and how it has evolved. He explained Centerville has worked closely with the WFRC
31 Complete Street Policy during this process. He said Main Street is owned and maintained by
32 UDOT and some of the elements desired for the SMSC may conflict with UDOT's standards for
33 Main Street. He said recently the City Council requested a few changes to the Public Space Plan,
34 i.e., the removal of all benches and planter boxes and the relocation of light poles. These items
35 are now being considered by the Planning Commission. He explained all information regarding
36 these issues have been provided to both UDOT and the WFRC for their consideration and
37 comment.

38
39 Scott Hess, WFRC Active Transportation Planner, discussed and reviewed the Complete
40 Streets policy. He discussed the major corridors of Centerville and commended the Commission
41 for actively planning for the future. He said the WFRC does not require any standards but rather

1 provides tools and resources to support planning efforts. He said, when planning, Centerville
2 should carefully consider the needs of all of Main Street's users. He said active transportation
3 should consider the needs of all users, including ADA, bike, and pedestrian users. He said it is
4 important to provide master plans and maps for all corridors and maintain those resources. Mr.
5 Hess said that Main Street is currently designated as a priority bike route on the Davis County
6 plan, the WFRRC plan, UDOT's plan, and on Centerville City's Trails Master Plan. He cautioned
7 the Commission to keep all public space elements out of the private sector and keep them in the
8 public right-of-way. He said placing public space elements in the private sector can cause
9 inconsistencies, ongoing cost, installation, maintenance, and property rights issues. He
10 encouraged the Commission to review other cities' public corridors that are similar to
11 Centerville's Main Street. Mr. Hess explained the Federal Highway Administration (FHWA)
12 recently studied the idea of narrowing travel lanes in order to reduce traffic speeds and increase
13 usable public space and has recently changed the controlling criteria governing travel lanes. This
14 may be a possibility for Centerville's Main Street. He said if the travel lanes were narrowed to
15 eleven (11) feet then a five and a half foot (5.5') bike lane could easily be striped. He explained a
16 bike lane would help create a safety buffer or separation between traffic and the pedestrian
17 corridor. He said trees can also be used as buffers. He said narrowed travel lanes would create a
18 bit more congestion and greater cuing at signal lights, but in turn would lower speeds. Mr. Hess
19 reviewed map statistics regarding bus route stops on Main Street. He said Centerville's Main
20 Street has one of the highest boarding rates in the area. This means that pedestrians are walking
21 Main Street on a regular basis. He said with regard to walkability, Centerville's Main Street ranks
22 low for the region because it does not have imagineability, human scale elements and
23 complexity. However, he believes Main Street has great potential for walkability because of its
24 many parks, paths, and points of interest. He said increasing sidewalk width, pushing buildings
25 forward to frame the streets, and installing public elements all contribute to walkability and
26 reduced traffic speeds. Mr. Hess said he would forward links to all these studies, maps, and
27 information for the Commission's review. He explained there is currently no comprehensive data
28 with regard to bike usage. The WFRRC is currently working on a plan for collecting this type of
29 data. He did mention that Centerville is allowed to borrow a tube counter from the WFRRC for
30 several weeks and track their own bike counts if they so choose.

31
32 Darin Fistrup, UDOT, said speed limits are set by an 85th Percentile Law. The means that
33 traffic speed data is collected for a particular road and then the average speed of 85% of those
34 vehicles is calculated. The speed limit for that road is then set within 5 mph of that 85%
35 calculation. He said there is a common misconception that if a speed limit is lowered then all
36 vehicles will obey. However, it has been found that about 15% of traffic will obey and that the
37 same 85% will continue to travel the road at the higher speed. Mr. Fistrup said changing speed
38 limit signs may not necessarily slow vehicles, but public elements do. He said as cities
39 incorporate some of these public space elements into their corridors traffic tends to slow
40 automatically. Once the 85% has slowed then a speed limit sign can be changed. He said
41 elements must be built first and then speed limit sign changes will follow.

1
2 Mr. Fistrup said Main Street is a busy road and is called a 3-lane facility. Centerville's
3 Main Street is 42-44 feet wide. He said it may be possible to narrow the travel lanes as suggested
4 in order to stripe for a bike lane which would help create a safe separation of traffic and
5 pedestrians. He said vehicular travel lanes can range from 9-12 feet. The travel lanes on Main
6 Street could be narrowed to 11 feet and a 5.5-foot bike lane stripped. He said it is important to
7 consider what is best for the users, wider travel lanes or wider bike lanes. He said an 11-foot
8 travel lane would provide for a slightly wider bike lane. He said bike lanes are not only used by
9 "spandex wearers" but by families as well and a wider bike lane may be best. He said UDOT will
10 be performing routine maintenance and restriping on Main Street in the near future. He said it
11 may be possible to narrow the lanes and stripe for bike lanes at that time at no cost to Centerville.
12 He said UDOT is willing to work with Centerville. He did caution the Commission to consider
13 all types of vehicles that travel Main Street to ensure that an 11-foot travel is sufficient for all
14 sized vehicles. He also cautioned that a striped bike lane can look like an acceptable on-street
15 parking lane. Mr. Fistrup explained UDOT's clear zone is 20-feet and that any elements located
16 within this clear zone or in the park strip simply need to be break-away. This means these
17 elements should break free of their location if hit by a vehicle. He said furniture in the park strip
18 is not a big deal as long as it is crash-worthy. He said there is a greater risk of injury to a driver
19 who hits a fixed element then there is to a pedestrian who may be in the path of a break-away
20 element. He explained the likelihood of a pedestrian in the pathway of an element that has
21 broken free is minimal and that the majority of the energy from the collision is lost as the
22 element breaks free. He said it is an "over-worry" that breakaway objects cause a liability to the
23 pedestrian. He said UDOT is concerned with the safety of both the pedestrian and the driver. He
24 said UDOT is willing to work with Centerville and is amenable to public space elements as long
25 as they are break-away. He said both Ogden City and Logan City have benches and bike racks in
26 their park strips. He said UDOT prefers planter boxes no taller than 18-inches and UDOT is
27 flexible on planting choices as long as the site triangle is maintained. Mr. Fistrup shared Mr.
28 Hess' concerns with putting public space elements in the private sector. He encouraged
29 Centerville, as new development comes, to require the distance needed for wider sidewalks so
30 public space elements can be included in the public space, not the private space. He strongly
31 suggested all public space elements remain within the public right-of-way. He said public
32 elements can have some height variation as long as it does not hinder a driver's view of the
33 pedestrian corridor and as long as sight triangles are maintained. He said planter boxes, benches,
34 and light poles are acceptable if driver placed sporadically, maintaining visibility of the corridor
35 for a driver. He said if these elements were lined up blocking visibility then is maintained UDOT
36 would be concerned. Mr. Fistrup said UDOT requests trees remain under 3-inches in caliper if
37 placed in the clear zone. If a tree exceeds this caliper UDOT will require removal. He said this is
38 the only item that may be acceptable to place in the private sector where it can grow and mature
39 as needed providing the envisioned canopy. He said Centerville is moving in the right direction
40 with Main Street. He said walkability is a good plan and will make Main Street feel safe.
41

1 Mr. Hess agreed that placing trees behind the sidewalk within the private sector may be
2 acceptable. This would allow trees to grow and mature, providing complexity and interest to the
3 corridor, which in turn increases walkability. In this case, he suggested the City create a policy
4 stating the City will purchase, install, maintain, and replace trees as needed. He said this may
5 help with some of the concerns between public and private property.

6
7 Mr. Fistrup and Mr. Hess were asked about their experience with special improvement
8 districts. Mr. Hess said special improvement districts work best when they are timed along with
9 an extreme needed expense such as major utility placement, infrastructure needs, or roadway
10 construction. He said a special improvement district may not be the best idea for the SMSC plan,
11 but mentioned that Centerville does have access to Prop 1 money, which could be used for some
12 of these improvements. Mr. Fistrup said there are no major reconstruction plans for Centerville's
13 Main Street in the foreseeable future.

14
15 The work session was adjourned at 6:50 p.m.
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David Hirschi, Chair

Date Approved

Kathleen Streadbeck, Recording Secretary

PRELIMINARY DRAFT

PLANNING COMMISSION MINUTES OF MEETING

Wednesday, May 25, 2016

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

Kevin Daly
Becki Wright
David Hirschi, Chair
Gina Hirst
Logan Johnson
Cheylynn Hayman

MEMBERS ABSENT

Scott Kjar

STAFF PRESENT

Corvin Snyder, Community Development Director
Brandon Toponce, Assistant Planner
Kathy Streadbeck, Recording Secretary

VISITORS

Interested citizens

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER Chair Hirschi

MINUTES REVIEW AND APPROVAL

The minutes of the Planning Commission work session held May 11, 2016 were reviewed and amended. Chair Hirschi made a **motion** to table the minutes for additional editing. The motion was seconded by Commissioner Daly and passed by unanimous roll-call vote (6-0).

The minutes of the Planning Commission meeting held May 11, 2016 were reviewed and amended. Commissioner Wright made a **motion** to approve the minutes as amended. The motion was seconded by Commissioner Hirst and passed by unanimous vote (6-0).

PUBLIC HEARING | GREG PACK REZONE | 142 & 144 EAST 1200 SOUTH -
Consider the proposed Zoning Map Amendment for .24 acres of property located at 142 &
144 East 1200 South from R-M (Residential-Medium) to C-H (Commercial-High). Greg
Pack, Property Owner & Applicant

1 Brandon Toponce, Assistant Planner, reported the applicant desires to rezone his property
2 located at 142 & 144 East 1200 South, from Residential-Medium (R-M) to Commercial-High
3 (C-H). This property was used for commercial purposes in the past, however, because it has
4 remained empty for the past two years, it is now considered abandoned and must be converted to
5 the current Zoning Ordinance standards. The property owner believes the lot is more suited to
6 commercial and desires to amend the zoning designation in order to continue with commercial
7 uses on the property. The lot was previously zoned commercial and was, staff believes,
8 inadvertently rezoned Residential-Medium in 2003. Staff believes the proposed application will
9 correct an accidental error in zoning. The proposed rezone is consistent with the General Plan, is
10 compatible with surrounding development, and creates an appropriate transition from a medium
11 intensity zone to a higher intensity zone. The proposed rezone is harmonious with the overall
12 character of existing development in the vicinity and staff does not believe any negative impacts
13 would be created as a result of the rezone. The proposed rezone would allow the property owner
14 to utilize his property more efficiently.

15
16 Greg Pack, applicant, said the building has been vacant for about two (2) years. He
17 reviewed the exterior improvements being made to the building. The current building has three
18 (3) units which he plans to reduce to two (2) units. He believes this is a better use of the property
19 and space. He said he has already contracted with one tenant who plans to open a health and
20 wellness type facility. He responded to questions from the Commission stating this building
21 faces west toward a parking lot and is best suited to commercial uses. It is not likely this site
22 would ever be converted to a residential use.

23
24 Chair Hirschi opened the public hearing.

25
26 Craig Adams, Bountiful, said he owns property on the other end of street from this site.
27 He said the proposed commercial use is a good use for this property. He said the improvements
28 being made to this site look nice and will benefit the neighborhood as a whole.

29
30 Seeing no one else wishing to speak, Chair Hirschi closed the public hearing.

31
32 Commissioner Johnson made a **motion** for the Planning Commission to accept the Zone
33 Map Amendment for the property located at 142 & 144 East 1200 South from Residential-
34 Medium (R-M) to Commercial-High (C-H), and to recommend approval to the City Council,
35 with the following findings:

36
37 ***Reasons for the Action (Findings):***

- 38 1. The proposed amendment meets the requirements found in Section 12-21-080(4)(e).
39 2. The proposed Zone Map Amendment meets the goals and objectives of the General
40 Plan concerning Neighborhood 1 [Section 12-480-2(1)(d)].

3. Historic Zoning Maps indicate this property to have been zoned commercial as far back as 1961 until 2003. In addition, the use found on the property has also been commercial since the property was developed.

The motion as seconded by Commissioner Hirst and passed by unanimous roll-call vote (6-0).

PUBLIC HEARING | CODE TEXT AMENDMENTS FOR SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY ORDINANCE, CHAPTER 12-48, [Postponed from May 11, 2016 meeting] - Consider the Code Text Amendments for the South Main Street Corridor (SMSC) Overlay Ordinance, which includes the City Council directives and changes to the South Main Street Corridor (SMSC) Public Space Plan. Centerville City, Applicant

Cory Snyder, Community Development Director, reported the Planning Commission began their review of the City Council's request for amendments to the South Main Street Corridor Plan public space elements on February 24, 2016. At that meeting, the Commission received the Council's directive, a written report from the Planning Staff, held a "public hearing" and concluded that additional information was warranted and directed staff to provide the requested information. On April 13, 2016, the Commission received and reviewed the requested additional information. On May 11, 2016, the Commission held a work session with a representative from UDOT and a representative from the Wasatch Front Regional Council (WFRC) to better understand their roles, standards, and opinions with regard to Main Street. Finally, the Commission briefly discussed the work session and their thoughts regarding the City Council's request regarding the South Main Street Corridor Public Space Plan at their last meeting (May 11, 2016). Staff has prepared a possible motion with findings for the Commission to discuss and consider this evening.

Chair Hirschi opened the public hearing.

Chair Hirschi made a **motion** to formally adopt all written comments received into the official record. The motion was seconded by Commissioner Hayman and passed by unanimous vote (6-0).

Seeing no one else wishing to speak, Chair Hirschi closed the public hearing.

Commissioner Johnson said he likes walkability and he likes the public space plan; however, he is not supportive of the proposed motion. He said, from his understanding of planning, walkability requires density and transit. He said if the City cannot stomach density and transit at this point then he cannot get behind the Main Street plan as a "Hail Mary" for

1 walkability. He said he respects the time and dedicated work that has been done on this issue and
2 looks forward to seeing where this goes.

3
4 Chair Hirschi said too much time has been spent allowing the market to dictate how
5 Centerville should be planned. He said a designed public space plan for Main Street will
6 encourage the type of development Centerville wants.

7
8 Commissioner Daly said he is concerned the proposed motion sends a message to the
9 City Council that the Planning Commission does not care what they think and disregards their
10 direction to change or eliminate some public space elements. He believes a middle ground can be
11 found or a more collaborative approach taken. He said he likes the idea of walkability but said
12 the only walking users on Main Street are school kids. He said even Bountiful's Main Street,
13 which was designed to be walkable, is not regularly walked. He said patrons drive their car and
14 park at the front or back of the buildings and then drive home. He questioned if a walkable Main
15 Street in Centerville is reasonable. He said encouraging walkability by narrowing the travel lanes
16 will only cause frustration for drivers and push more vehicles to 400 East and 400 West
17 increasing congestion on those roadways as well. He does not believe slowing traffic on Main
18 Street is a good idea.

19
20 Commissioner Hayman said she does not believe the Commission is being uncooperative
21 with or disrespectful to the City Council. She said the Planning Commission has taken a
22 considerable amount of time to study the Council's concerns with the public space plan. She said
23 the City Council raised concerns that had not been thoroughly vetted. She said the Commission
24 has looked closely at those concerns and has dug into the meat of the issues. She said the
25 research that has been done shows that the Council's concerns are not supported and she hopes
26 the Council does not view this work as a disregard to their concerns. She said the Commission
27 has been careful and methodical to review all aspects of these issues and she feels the plan and
28 proposed motion are appropriate and supported by evidence. She said walkability is important
29 and desired by the citizens of Centerville. This is clear in the many public comments that have
30 been made and/or submitted. She agreed the future should be planned and not dictated by
31 development. She said she runs Main Street every morning and chooses to run south toward
32 Bountiful's main street because it is prettier and more pedestrian friendly. She believes if
33 Centerville's Main Street were more appealing then more users would come out.

34
35 Chair Hirschi said he believes that some of the concerns with the public space plan came
36 from the idea that UDOT was uncooperative. The Commission has learned this is not the case
37 and that many of the public space elements are possible and even encouraged. In addition, by
38 creating a bike lane buffer there is a greater possibility for public space amenities. Chair Hirschi
39 also suggested presenting this motion in person to the City Council at a work session. He
40 speculated that this may help the Council to understand the Commission's decision and findings.

1 Commissioner Hirst questioned if an 11-foot travel lane would slow traffic too much. She
2 believes an 11-foot travel lane will be adequate to maintain traffic flow. Mr. Snyder said UDOT
3 allows travel lanes between 9-12 feet. He said an 11-foot travel lane will not likely produce
4 significant slowing. He said it will come down to what drivers are comfortable with, some may
5 slow, and some may not.

6
7 Commissioner Hayman agreed it would be helpful to present the motion in person to the
8 City Council. She said she would like to adjust some of the proposed findings of the proposed
9 motion to include a desire for imageability on Main Street and to discuss the relatively low
10 liability risk of street furniture based on research and UDOT's feedback. She also mentioned that
11 she would like to see additional crosswalks on Main Street. She believes additional crosswalks
12 and the proposed bike lanes will promote walkability and provide complexity and imageability
13 on Main Street.

14
15 Commissioner Wright agreed that some of the findings need to be edited or embellished.
16 She would like to see some stronger words such as cooperative or collaborative with respect to
17 UDOT. She agreed that the low liability of street furniture should be mentioned. She agreed it
18 would be beneficial to meet with the City Council in a work session to present this motion. She
19 said it is important to address the City Council's concerns specifically and help them clearly
20 understand the Commission's reasoning. She said it is a misconception that nobody walks Main
21 Street. She said it is important to plan Main Street in a way that will provide a safe space for both
22 pedestrians and drivers. Main Street is intended to be an active transportation corridor for all
23 users. In order to bring awareness to Main Street and its potential for walkability, she plans to
24 walk to all Planning Commission meetings for the next three months and encouraged anyone to
25 join her.

26
27 Chair Hirschi read an email from Darin Fistrup from UDOT who suggests a preliminary
28 shoulder stripe for the proposed bike lane. In the future, if the simple shoulder striped bike lane
29 is considered successful, then a formal bike lane with signage and decals can be funded and
30 created. Chair Hirschi said the issue has been raised that a simple shoulder stripe without decals
31 or signage will look more like an on-street parking lane. The Commission discussed ideas for
32 funding in order to designate the bike lane with decals and discourage parking. Ideas included
33 Prop 1 money, Eagle Scout projects, bike club involvement, rotary club involvement, and grant
34 options.

35
36 Chair Hirschi made a **motion to table** this item until the next Planning Commission
37 meeting so that Commission members can look more closely at the possible findings and provide
38 written recommendations on how the motion can be organized and best stated. The motion was
39 seconded by Commissioner Hayman and passed by unanimous roll-call vote (6-0).

40

DISCUSS TRANSITION OF ZONING CODE TO ONLINE VERSION - Discuss transition of Centerville Zoning Code to online version as hosted by Municipal Code Online, Inc.

Lisa Romney, City Attorney, used this time to review the new online version of Centerville's Municipal and Zoning Code. She reviewed the format, links, options, and minor numbering corrections that have taken place in order to make this online format possible. She asked the Commission to take time to review the online version closely and to review edits that have been made. The Commission will be asked to recommend approve of the new online version at a future meeting.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

1. The next regularly scheduled Planning Commission meeting will be held on Wednesday, June 8, 2016.
2. Upcoming Agenda Items:
 - Code Text Amendment, Zoning Code, New Online Version
 - Maverik, Conditional Use Permit

The meeting was adjourned at 9:05 p.m.

David Hirschi, Chair

Date Approved

Kathleen Streadbeck, Recording Secretary

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
6/8/2016**

Item No. 1

Short Title: Public Hearing - Maverik Convenience Store, 1265 West Parrish Lane

Initiated By: Todd Meyers, Maverik, Inc., Applicant

Scheduled Time: 7:10

SUBJECT

Consider the proposed Conditional Use Permit for a "Gasoline Service Station" for Maverik, Inc., for property located at the corner of Parrish Lane & 1250 West, in the Legacy Trail Apartments Development (original approval expired)

RECOMMENDATION

Refer to Staff Report

BACKGROUND

Refer to Staff Report

ATTACHMENTS:

Description

- ☐ 06-08-2016 Staff Report Maverik CUP Renewal
- ☐ Maverik Site Plan

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

**STAFF REPORT
AGENDA: ITEM 1**

**APPLICANT/
OWNERS:** **MAVERIK INC.
TODD MEYERS
185 SOUTH STATE STREET #800
SALT LAKE CITY, UT 84111**

EMAIL: **TODD.MEYERS@MAVERIK.COM**

PROPERTY: **1265 WEST PARRISH LANE**

ACREAGE: **1.29 ACRES**

ZONING: **COMMERCIAL-VERY HIGH/PLANNED DEVELOPMENT
(C-VH/PD)**

APPLICATION: **CONDITIONAL USE PERMIT RENEWAL FOR THE USE
OF A GASOLINE SERVICE STATION**

RECOMMENDATION: **APPROVE THE CONDITIONAL USE PERMIT**

BACKGROUND

On October 28, 2015, the Planning Commission approved the Final Site Plan, a Landscaping Waiver and a Conditional Use Permit for the Maverik Convenience Store located at Parrish Lane and 1250 West. Soon after the approvals, it became evident the plat needed to be amended in order to be consistent with the final approved Maverik site plan. With the timing of this process and other overall site concerns being addressed by City Staff and the property owners, the conditional use permit expired. The building permit for Maverik is ready to issue and construction will soon be underway, therefore, they desire to renew the conditional use permit at this time.

CONDITIONAL USE PERMIT RENEWAL

Expiration

According to Section 12-21-100(j) of the Zoning Ordinance, a conditional use permit shall expire and have no further force or effect if the building, activity, construction or occupancy authorized by the permit is not commenced within one hundred eighty (180) days after approval, is not substantially completed within two (2) years, or as abandoned. Since construction did not

commence within the 180 days from the approval date, the conditional use permit expired on April 28, 2016. Maverik is now required to have the conditional use permit reviewed and approved once again by the Planning commission.

Proposed Use of Maverik

The Table of Uses, found in Chapter 12-36 of the Zoning Ordinance, states a gasoline service station is an allowable use, with a conditional use permit within the Commercial-Very High (C-VH) Zone. However, the convenience store portion of Maverik is allowable within this zone and would not require a conditional use permit to be reviewed and approved.

No alterations from the original approval have occurred with the use or site in relation to the gasoline service station. Recently, staff reviewed the construction of the canopy over the gasoline pumps and found it met the final site plan approval. The pillar materials of the canopy design are to match the main building and require brick or rock base elements. The plans indicated a rock element design on the bottom portion of the pillars, which meet the design requirements. They will still be obligated to fulfill their responsibility concerning the installation of the Parrish Lane access and traffic mitigation measures following the requirements of UDOT and Centerville City. This will also fulfill the requirements associated with the subdivision improvements for the Legacy Crossing Trails development.

The following is a copy of the Staff Report from the original approval of October 28, 2015

CONDITIONAL USE PERMIT REVIEW & PLANNING STAFF ANALYSIS

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

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

Furthermore, the **West Centerville Neighborhood Plan** states that "*...conditional uses serving the South Davis Area*" are acceptable (see *Future Land Use, Goal 2, Objective 2.C. 12-480-6*). Additionally, the overall Goal is to "*create a positive visual experience or impression for arriving and leaving Centerville City*" (see *Goal 2 – explanation*).

Staff Comment: Staff believes that the proposed use provides a local "convenience service" for surrounding residential users, as well as a fuel sales service from both the local community and those in the South Davis area. Therefore, the proposed use could be deemed consistent with the goals and objectives of the General Plan. Also, the implementation of the Legacy Trail System access spur along Parrish Lane is a strong visual addition that would be greatly enhanced by the possible trailhead/bike rest stop area being considered by the City and Maverik.

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

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

Staff Comment: The proposed use is part of an overall master planned development that included the proposed use. Access drives and common integrated lanes in and through the development create a cohesive and functional development area.

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

Staff Comment: Staff believes that the proposed use will not generate any new or other issues that were not already anticipated with the master planned project. Traffic capacity and mitigation measures were identified and plans to mitigate such concerns have already been implemented with approval and development of the original subdivision. Nonetheless, the access lane from Parrish was required at the start of the 2nd Phase of the residential use lot (Lot 4) or with the development of the convenience store or fuel sales, also known as Phase 1 (Lot 1).

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

Staff Comment: Again, the proposed use is part of an overall master planned development that included the proposed use. Access drives and common integrated lanes in and through the development create a cohesive and functional development area. The associated subdivision approval anticipated such as use and all needed services were taken into account. Again, the access lane from Parrish was required at the start of the 2nd Phase of the residential use lot (Lot 4) or with the development of the convenience store or fuel sales, also known as Phase 1 (Lot 1).

CONCLUSION

Staff believes the above information is still relevant to the Conditional Use Permit renewal and does not find any negative impacts for this approval. The applicant and City staff continue to work together to ensure that all engineering and building development will follow all previous conditions of approval in relation to the Maverik site. The following conditions and findings are duplicated from the October 28, 2015 Staff Report.

CONDITIONAL USE PERMIT APPROVAL:

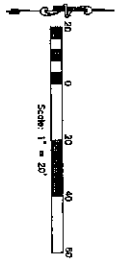
PROPOSED ACTION: I hereby make a motion for the Planning Commission to approve a Conditional Use Permit for the Maverik Convenience Store located at 1265 West Parrish Lane, with the following conditions of approval:

1. This CUP is for Gasoline Service Station associated with the Maverik Convenience Store Site Plan.
2. The installation of the Parrish Lane access and traffic mitigation measures as deemed required with the associated subdivision development for the Legacy Trails development.

SUGGESTED REASONS FOR THE ACTION:

- a. The Planning Commission finds that the proposed use is consistent with the goals and objectives of the General Plan.
- b. The Planning Commission finds that the implementation of the Legacy Trail System access spur along Parrish Lane is a strong visual addition that would be greatly enhanced by the possible trailhead/bike rest stop area being considered by the City and Maverik.

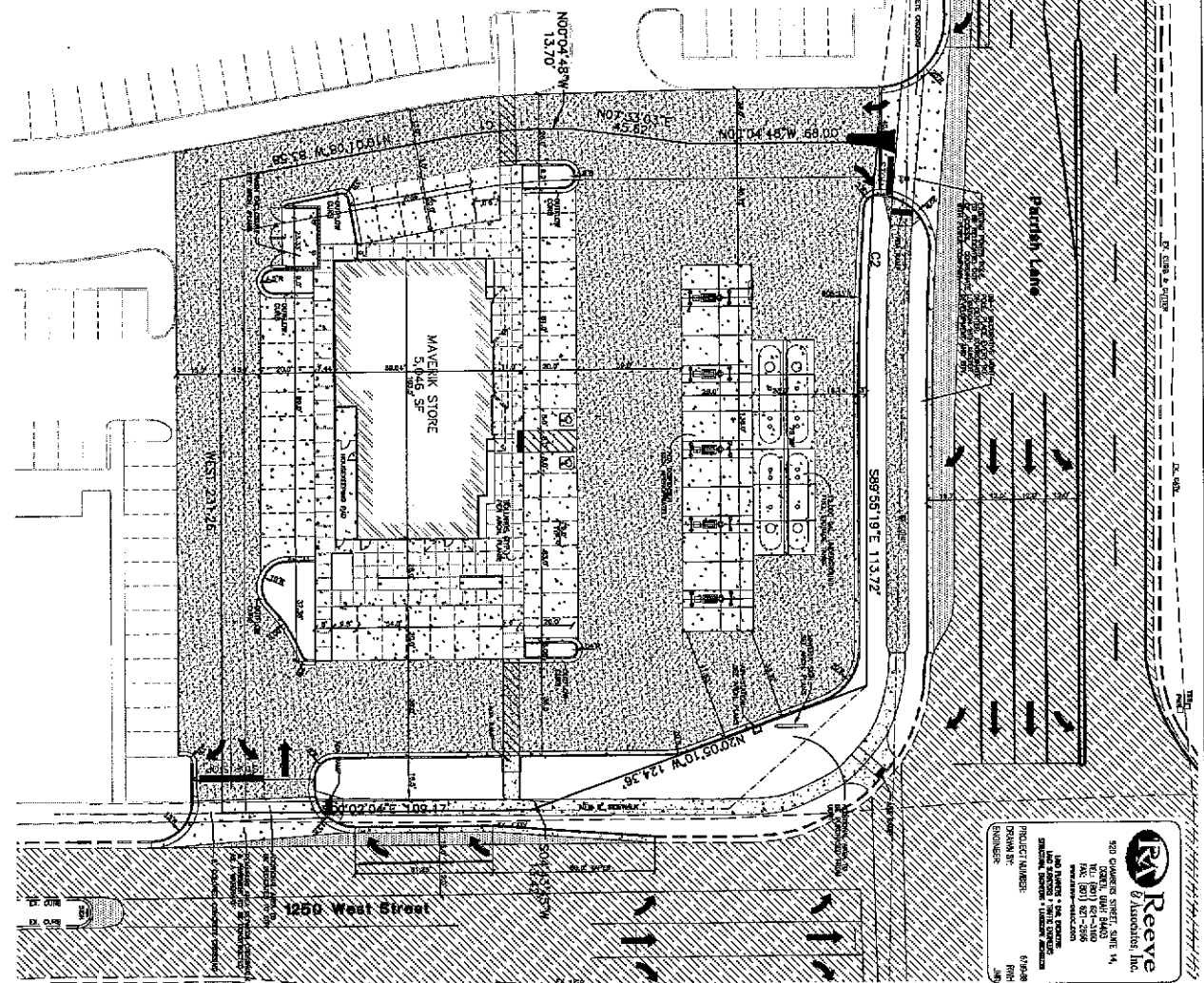
- c. The Planning Commission finds that proposed use is part of an overall master planned development that included the proposed use.
- d. The Planning Commission finds that access drives and common integrated lanes in and through the development create a cohesive and functional development area.
- e. The Planning Commission finds that traffic capacity and mitigation measures were previously identified and plans to mitigate such concerns have already been implemented with approval and development of the original subdivision for the Legacy Trail development.



Curve Table

Station	Length (ft)	Radius (ft)	Delta (deg)	Chord (ft)	Offset (ft)
1+00.00	100.00	100.00	180.00	100.00	0.00
2+00.00	100.00	100.00	180.00	100.00	0.00
3+00.00	100.00	100.00	180.00	100.00	0.00
4+00.00	100.00	100.00	180.00	100.00	0.00
5+00.00	100.00	100.00	180.00	100.00	0.00
6+00.00	100.00	100.00	180.00	100.00	0.00
7+00.00	100.00	100.00	180.00	100.00	0.00
8+00.00	100.00	100.00	180.00	100.00	0.00
9+00.00	100.00	100.00	180.00	100.00	0.00
10+00.00	100.00	100.00	180.00	100.00	0.00

- Legend**
- EXISTING ASPHALT PAVEMENT
 - PROPOSED ASPHALT PAVEMENT
 - PROPOSED CONCRETE
 - PROPOSED CONCRETE PAVING ON EXISTING ROAD PAVING



Reeve & Associates, Inc.
 500 QUAKER STREET, SUITE 104
 CANTON, OHIO 44705
 TEL: (330) 851-1800
 FAX: (330) 851-2008
 E-MAIL: REEVE@REEVE-ASSOCIATES.COM
 PROJECT NUMBER: 070008
 DRAWN BY: JRM
 CHECKED BY: JRM

FFKR
 10000 Building
 700 West 1000 Ave
 Unit 1000
 Cedar Rapids, IA 52404
 TEL: (319) 431-4186
 FAX: (319) 431-1816
 WWW.FFKR.COM



CENTERVILLE MAVERIK
SWC OF PARRISH LANE & 1250 WEST
CEBTERVILLE, UT. 84014
PERMIT SET

PROPOSED SITE PLAN

NO.	DATE	BY	CHKD.	APP.
1	6/2/2015	JRM	JRM	JRM

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
6/8/2016**

Item No. 2

Short Title: Public Hearing - Code Text Amendments for Title 12-Zoning

Initiated By: Centerville City, Applicant

Scheduled Time: 7:25

SUBJECT

Consider the proposed Zoning Code Amendments and re-adoption of entire Title 12-Zoning for online conversion; which includes minor edits and corrections for consistency

RECOMMENDATION

BACKGROUND

As part of the Fiscal Year 2015-16 Budget, the City Council approved funding to transition the Municipal Code, Zoning Code and General Plan to an online version to be hosted by Municipal Code Online, Inc. The Zoning Code is the first "book" to be uploaded onto the online platform and a sample beta version of the online code is now available for the City to review. As part of the transition to the online version of the Zoning Code, a number of formatting, renumbering, code references, and other changes have been made to the Zoning Code. These comprehensive amendments to the Zoning Code must be approved and adopted by the City prior to going live with the online Zoning Code.

See the attached Staff Report for a summary of the proposed amendments to the Zoning Code. A pdf version of the entire Zoning Code with the proposed amendments is attached, but the Planning Commission is encouraged to view the proposed amendments on the online version of the Zoning Code which can be accessed at the following web addresses. The online platform works best from a desktop or laptop using Google Chrome. Mobile and iOS devices default to a mobile version of the website that is a very simplified version. If you want to see the full site on a mobile or iOS device, use the forced desktop interface link below.

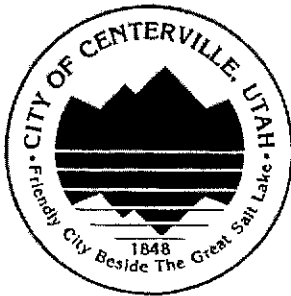
Computer viewing (Google Chrome recommended): <https://centerville.municipalcodeonline.com>
Mobile and iOS viewing: <https://centerville.municipalcodeonline.com/viewswitcher/switchview?mobile=false>

* Please note this is a test version of the online code and additional revisions or corrections may be needed. Staff is aware that the maps and illustrations need to be upgraded to higher resolution versions. Staff is also aware of extra page spacing in the pdf version and MCO is working on this. Please let us know of any other corrections or issues you see with the online or pdf versions.

ATTACHMENTS:

Description

- ☐ [Staff Report-Comprehensive Zoning Code Amendments](#)
- ☐ [Municipal Code Drafting and Usage Rules](#)
- ☐ [Comprehensive Zoning Code Amendments](#)



CENTERVILLE CITY ATTORNEY'S OFFICE

250 North Main Street
Centerville, Utah 84014
801.335.8842

STAFF REPORT

TO: Centerville Planning Commission
FROM: Lisa G. Romney, City Attorney
DATE: June 3, 2016
RE: Comprehensive Zoning Code Amendments

Introduction

As part of the Fiscal Year 2015-16 Budget, the City Council approved funding to transition the Municipal Code, Zoning Code and General Plan to an online version to be hosted by Municipal Code Online, Inc. The Zoning Code is the first "book" to be uploaded onto the online platform and a sample beta version of the online code is now available for the City to review. As part of the transition to the online version of the Zoning Code, a number of formatting, renumbering, code references, and other changes have been made to the Zoning Code. These comprehensive amendments to the Zoning Code must be approved and adopted by the City prior to going live with the online Zoning Code.

Procedure for Zoning Code Amendments

In accordance with Section 12.21.080 of the Centerville Zoning Code (CZC), the Planning Commission is required to review all proposed Zoning Code amendments and to hold a public hearing regarding the same. Notice of the public hearing for the Zoning Code amendments has been provided as required by law. After holding the public hearing, the Planning Commission should review the proposed amendments and make a recommendation to the City Council. Such recommendation may be to approve, approve with modifications, or deny the proposed Zoning Code amendments. In considering the proposed Zoning Code amendments, the Planning Commission should consider and determine whether the proposed Zoning Code

amendments are consistent with the goals, objectives and policies of the General Plan and are in the best interest of the public health, safety and welfare. It is Staff's opinion that the proposed Zoning Code amendments are consistent with the goals, objectives and policies of the General Plan and are in the best interest of the public health, safety and welfare as the amendments implement consistent formatting and usage rules, update definitions for commonly used terms, correct references to updated Utah Code provisions, provide a more user-friendly format and searchable platform, and provide the legal basis and authority for enactment and enforcement of the Zoning Code.

Summary of Amendments

The proposed updates to the Zoning Code are numerous and impact almost every chapter. While the proposed changes are numerous, they are not generally substantive. Most changes are minor formatting, capitalization, reference, citation, or grammatical corrections. To the extent feasible, the changes to the Zoning Code are highlighted in underlining (for proposed additions) and strikeout (for proposed deletions) in the online and pdf versions of the Zoning Code. In addition, to facilitate review of the changes, an asterisk has been placed in the section title if there are changes to that section. For instance, the asterisk in the heading for CZC 12.11.030 *General Plan, indicates there are redline changes to this Section. The following is a broad summary of the notable changes.

Renumbering and New Numbering Format

The most significant change to the Zoning Code includes the renumbering of all chapters and sections to reflect a citation form that uses decimals rather than dashes between the numbers. For instance, a section in the previous Zoning Code referred to as 12-10-010 is now referred to as 12.01.010. A more detailed explanation of the numbering system is set forth in the new Preface at the beginning of the Zoning Code. All internal citations to the new numbering system have also been changed throughout the Zoning Code. The renumbering changes to the Zoning Code were prepared by MCO and are not shown in the redline changes.

New Citation Format

Another major change to the Zoning Code is the citation format for references to the Centerville Municipal Code and the Centerville Zoning Code. Any reference in the new Zoning Code and future ordinance amendments to the Centerville Municipal Code use the abbreviation CMC. For example, a title in the Centerville Municipal Code is referred to as CMC 15 (Subdivisions). A chapter in the Centerville Municipal Code is referred to as CMC 9.3 (Drinking Water Source Protection). A section in the Centerville Municipal Code is referred to as CMC 15.7.010. A similar citation reference is used for the Centerville Zoning Code which uses the

abbreviation CZC. Thus, a chapter in the Centerville Zoning Code is referred to as 12.22 (Nonconformities). A section in the Centerville Zoning Code is referred to as CZC 12.22.010. Some of these internal references changes were made by MCO and are not shown as redline changes. Other reference changes made by Staff are highlighted in redline.

Updated Utah Code References

All State law references to the Utah Code were checked and confirmed for accuracy and updated when necessary. Most of these updated changes to State law references are shown in redline.

Consistent Formatting and Usage Rules

Most of the proposed amendments to the Zoning Code implement changes based on formatting and usage rules regarding capitalization, active verbs, semi-colons, hyphenated words, defined terms, etc. These rules are summarized in the attached list. Most of these changes are not highlighted in the redline version, but have been implemented throughout the proposed Zoning Code.

Recommendation

Staff recommends the Planning Commission recommend approval of the proposed Zoning Code amendments and adoption of the new Zoning Code to the City Council based on the following findings:

1. The Zoning Code amendments are consistent with the goals, objectives and policies of the General Plan;
2. The Zoning Code amendments are in the best interest of the public health, safety and welfare as the amendments implement consistent formatting and usage rules, update definitions for commonly used terms, correct references to updated Utah Code provisions, provide a more user-friendly format and searchable platform; and
3. The Zoning Code amendments and recodification of the Zoning Code provide the legal basis and authority for enactment and enforcement of the Zoning Code.

Municipal Code Drafting and Usage Rules

June 3, 2016

The following drafting and usage rules should be used when drafting or amending the Centerville Municipal Code or the Centerville Zoning Code. These rules are intended to provide more consistent usage and formatting within the codes when amended by various drafters.

1. The list order type used for numbering subsections within the Centerville Municipal Code and the Centerville Zoning Code is as follows: (a), (1), (A), (i), (1).
2. Citations to the Centerville Zoning Code should refer to CZC. Chapters in the Centerville Zoning Code should be referred to as CZC 12.22 (Nonconformities). Sections in the Centerville Zoning Code should be referred to as CZC 12.22.010.
3. Citations to the Centerville Municipal Code should refer to CMC. Titles in the Centerville Municipal Code should be referred to as CMC 15 (Subdivisions). Chapters in the Centerville Municipal Code should be referred to as CMC 9.3 (Drinking Water Source Protection). Sections in the Centerville Municipal Code should be referred to as CMC 15.7.010.
4. When referring to the Centerville Zoning Code within the Zoning Code, refer to "this Title" or the "Zoning Code." Not, Zoning Ordinance or CZC 12.
5. If a provision is required by Utah law, provide a citation to the Utah Code section for user reference. Use language such as "pursuant to Utah Code Ann. § 10-9a-513 regarding billboards . . ."
6. Utah Code citations for single code section shall be cited as Utah Code Ann. § 10-9a-516. Utah Code citations for multiple sections shall be cited as Utah Code Ann. §§ 10-9a-101, et seq. The reference "as amended" is no longer needed since a section was added stating that any reference to a code or law shall include any subsequent amendments or renumbering. See, CZC 12.12.030.
7. When referencing specific acts under Utah law, refer to it as "Utah" act, such as the Utah Open and Public Meetings Act. Follow title of act with citation, such as the Utah Open and Public Meetings Act, as set forth in Utah Code Ann. §§ 52-4-101, et seq.
8. Capitalize the following words when referring to the specific item or document:
 - a. General Plan
 - b. Zoning Code (not Zoning Ordinance)
 - c. Zoning Map (not Official Zoning Map)
 - d. Master Street Plan
9. Capitalize and refer to the following documents as defined terms:
 - a. Construction Codes (not Building Codes or Uniform Codes)
 - b. City Standards and Specifications
 - c. City Fee Schedule (not City's Fee Schedule)

10. Capitalize the following words when referring to a specific item and do not capitalize if referring in general to such items:
 - a. Title
 - b. Chapter
 - c. Section
 - d. Subsection
11. Capitalize the first word of each list order level
12. If referring to a subsection within the current section, just refer to the subsection as Subsection (a), or Subsection (a)(3). If referring to something in the current section, just refer to "this Section." If referring to a section or subsection in another portion of the code, refer to full citation as CZC 12.11.010 or CZC 12.11.010(a). Same rule applies for references to chapters and titles.
13. Capitalize the word zone if referring to a specific zone, such as R-L Zone or Planned Development Overlay Zone. Do not capitalize the word zone if just referring to zones in general, such as residential zones.
14. Don't capitalize these words:
 - a. District court
 - b.
15. Always check to see if the new language correctly uses applicable defined terms set forth in CZC 12.12.040 or if a new term should be added to the definitions. Use defined terms consistently. Some common problem words are:
 - a. Multiple-family (not multi-family)
 - b. Table of Uses (not Table of Uses Allowed)
16. Use hyphen on these words:
 - a. Single-family
 - b. Multiple-family
 - c. I-15 (not Interstate 15)
17. Don't use hyphen on these words:
 - a. Bylaws
 - b. Subdrain
 - c. Stormwater
 - d. Shorelands
18. Spell out numbers one through nine and use numerals for any number over 10.
19. If number is one through nine, spell out the word percentage, and use the % symbol for any numeral, i.e. five percent and 20%.
20. Spell out the following measurement terms:
 - a. Foot or feet; i.e. 10 feet
 - b. Square feet; i.e. 10 square feet
 - c. Inches; i.e. 10 inches

21. Tables, maps and illustrations of general applicability should be added at the end of the chapters starting with the section number .300. Tables, maps, illustrations and figures can be added within a section if only applicable to that section or if it is more convenient for the reader to have the table, map or illustration with the text.
22. Figures within a section should be numbered as Figure 1., Figure 2., etc. followed by the title of the figure, such as Figure 1. Streetscape Aerial View.
23. Notes in tables should be added as a numbered list order at the end of the table using the list order 1., 2., 3., etc. The reference number should be added in the body of the table using the superscript box.



Centerville City
Davis County, Utah

Zoning Code

Compiled: Friday, June 3, 2016

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
6/8/2016**

Item No. 3.

Short Title: Public Hearing - Code Text Amendments for South Main Street Corridor (SMSC) Overlay Ordinance, Chapter 12-48

Initiated By: Centerville City, Applicant

Scheduled Time: 7:50

SUBJECT

Postponed from May 25, 2016 Meeting

Consider the Code Text Amendments for the South Main Street Corridor (SMSC) Overlay Ordinance, which includes the City Council directives and changes to the SMSC Public Space Plan

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ Backup Materials

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

**STAFF REPORT
AGENDA: ITEM 3**

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

APPLICATION: **ZONING CODE TEXT AMENDMENTS**

APPLICANT REQUEST: **AMEND THE SOUTH MAIN STREET CORRIDOR
OVERLAY ZONE/PUBLIC SPACE PLAN, AS FOLLOWS:**

- o *REMOVING BENCHES, PLANTERS, AND DROUGHT TOLERANT GRASSES*
- o *CHANGE IN POSITION OF THE LIGHTING (i.e. decorative pedestrian street lamps)*

RECOMMENDATION: **PLANNING COMMISSION ASKED STAFF TO PREPARE A
MOTION AND FINDINGS TO RETAIN THESE SPECIFIC
ELEMENTS AS CURRENTLY ADOPTED IN THE SMSC
PUBLIC SPACE PLAN**

BACKGROUND

At the May 25, 2016, Planning Commission Meeting, the Commission decided to table action regarding this matter and allow each Commissioner to review and refine the drafted motion and findings for the SMSC Public Space Plan edits. As of the writing of this report, the planning staff did not receive individual suggestions from any of the Commissioners. Thus, this report contains the originally drafted motion as presented to the Commission on May 25th.

PLANNING COMMISSION RECOMMENDATION (STAFF ASSISTED DRAFTING)

"I hereby make a motion for the Planning Commission to recommend to the City Council that they retain the subject elements of SMSC Public Space Plan (a denial of the Council's directive of January 19, 2016). Furthermore, the Planning Commission recommends that the SMSC Public Space Plan be amended to include the following:

- 1. Provide illustration and language for Main Street Traffic Striping changes, as discussed with UDOT on May 11, 2016, which consists of:*
 - i. Re-striping of Main Street, from Parrish Lane to Pages Lane*
 - ii. Reduction of travel lane widths to 11 feet*

- iii. *Reduction of center turn lane width to 11 feet*
- iv. *Addition of a shoulder stripe to allow for a formal bike lane for both north and south directions*

Suggested Reasons for Action (*Findings*):

- a. The Planning Commission reviewed the changes using the Zone Text Amendment provisions of Section 12-21-080 and finds that preserving the subject elements accomplishes the following:
 - i. Preserves and enhances mobility throughout the Main Street Corridor, and “accommodations” for all types of users – see **SMSC Plan, Goal 2.**
 - ii. Enhances and promoted the [SMSC] as the setting for attractive, convenient, active, safe, and enjoyable destination and place of residence – see **SMSC Plan, Goal 3.**
 - iii. Develops and implements a coordinated standard for streetscape improvements along the entire [SMSC]. Improvements should include street lighting, landscaping, street furnishings, and signage and other amenities... - see **SMSC Plan, Objective 3.A.**
 - iv. Other relevant or related goals and objectives that were considered:
 - ✓ **Objective 2.D & 7.H** – width of sidewalks
 - ✓ **Objective 7.I** – use of street trees
 - ✓ **Objective 5.G** – use of landscaping and hardscaping
 - ✓ **Objective 2.B** – motorist/pedestrian conflicts and safety, lower speed limits
 - ✓ **Objective 8.A** – continuity of streetscape into the residential district
- b. The Planning Commission believes that the planter boxes, benches, and light poles are fundamental to the SMSC Public Space Plan and to the walkability of the corridor because they provide human scale and complexity, which is a critical component for considering the inclusion of various users of the Main Street.
- c. The Planning Commission finds that both UDOT and WFRC strongly suggested all public space elements remain in the public right-of-way, with the possible exception of trees.
- d. The Planning Commissions finds that UDOT seems to be surprisingly adaptable to the SMSC Public Space Plan and the proposed elements with the currently adopted Public Space Plan.
- e. The Planning Commission believes that it is important to prepare and adopt local master plans and maps to improve the coordination between local and regional Complete Streets Policies.



PROPOSED AMENDMENTS TO THE SOUTH MAIN STREET CORRIDOR (SMSC) OVERLAY ZONE REGARDING PUBLIC SPACE PLAN AND MAXIMUM GROSS DENSITY – January 19, 2016 City Council Minutes

Public Space Plan – Councilman McEwan expressed concerned with elements included in the SMSC Public Space Plan that could present a liability to the City. Councilwoman Mecham added she is not sure where liability would lie if a car were to hit a break-away light pole, or a skateboarder were to run into a flower pot. She also stated that maintenance of elements included in the Plan could potentially be very high. Ms. Romney responded that liability typically lies with the owner of a property or improvement. The City is responsible and liable for public improvements in the public right-of-way; private property owners are liable for private improvements on private property. Regarding maintenance of lights, Mr. Snyder stated the City replaces and maintains the decorative lights on Parrish Lane. He mentioned that the sporadic installation of decorative lights that tends to occur with redevelopment can be difficult to connect to a City power source. Mr. Snyder agreed that maintenance and liability of the planter boxes is a valid question. Councilwoman Mecham suggested the Police Department discuss with the Council whether or not the tall grasses in planter boxes would be a potential visibility hazard.

Councilwoman Fillmore commented that skateboarding is an issue with any City-installed horizontal surface. Manufacturers offer benches with an added nub every few feet to discourage skateboarders. Councilman McEwan responded that skateboarders like to show they can jump over the nubs, and added he believes it would be borrowing trouble to mandate a horizontal surface on a busy road with a 40 mph speed limit. He said he feels it is only a question of when an incident would occur. Councilwoman Fillmore commented that through her continuing education, she has seen a lot of research to support that these types of elements increase the safety of a road. Councilman McEwan made a motion directing staff to prepare amendments to the SMSC Public Space Plan removing benches, planters, and drought tolerant grasses, to be redirected back to the Planning Commission. Responding to a question about lights, Mr. Snyder commented that most of the newer light poles on Parrish Lane and 400 West are behind the clear zone. Councilwoman Fillmore commented that during the public comment process for the SMSC Overlay Zone last year citizens stated they did not want Main Street to be just like Parrish Lane. As a former Planning Commissioner, Councilman Ince said he does not remember some of the liability issues being raised during Planning Commission discussions of the Public Space Plan. Councilwoman Fillmore said she will be grateful for the Planning Commission's input. Councilman McEwan added to the motion a change in position of the lighting. Councilman Ince seconded the motion. Due to noticing requirements, the earliest the Planning Commission is able to consider the changes is February 24th. Ms. Romney recommended the Council present the changes as amendments to Section 12-48-180 of the Public Space Plan. Councilwoman Fillmore made a motion to amend the motion to add direction to staff to research experiences of other cities with elements framing their main streets to show the concern is valid. The motion to amend failed for lack of a second. The original motion passed by majority vote (4-1), with Councilwoman Fillmore dissenting.

Maximum Gross Density – Councilman McEwan stated he was not happy with the maximum gross density passed by the previous Council. Councilwoman Ivie said she has had conversations with citizens who have questioned the advisability of using conditional use in any building projects in the future, considering the changes made by the State Legislature limiting the City's ability to deny conditional use. Mr. Snyder commented that conditional use gives flexibility. As an example, he stated that if the Council is comfortable with a maximum of four units, the permitted would be two, and the conditional would be four. The conditional should be the maximum number the Council is comfortable with. Conditional use is allowed unless a negative impact cannot be mitigated. Councilwoman Fillmore cited the Walmart development as a good example of conditional use. The public was able to be involved and express concerns, resulting in an extraordinarily thorough process. Councilwoman Mecham agreed, and said she wants to see Main Street redeveloped and wants to encourage commercial with some incentive to make it viable. She asked if the mixed-use label could be removed, and commercial could be allowed with two or three accessory buildings. Mr. Snyder responded that mixed-use was introduced as a component to encourage redevelopment, but has been watered down to a point that the encouragement is reduced. The mixed-use label could be removed and a new use category created to allow commercial with a few accessory apartments.

Councilman McEwan said he appreciated a comment made by Councilman Averett predicting that any redevelopment would be office space rather than mixed-use. Mr. Snyder responded that office space is a competing use in many places in Centerville, and the saturation for office space is currently pretty high. Farmington Station Park is a heavy influence on retail commercial, and Woods Cross is gaining ground on their retail commercial center. Mr. Snyder said the long-term viability of retail in Centerville is probably not very strong. He acknowledged that demand for office space could increase in the future. He expressed the opinion that the tug of redevelopment is difficult with the current density numbers. If the numbers are reduced further, the expectation could be for small commercial use with a small number of dwelling units as support. He questioned whether tearing down and rebuilding at the street would ever happen without redevelopment incentive.

Councilman McEwan said that, considering the information presented, he does not wish to make a motion for action at this point. He said he can see enough competing forces that he does not know what will happen on Main Street. Councilwoman Fillmore mentioned that data collected by staff regarding demographics and ownership of the corridor was helpful to the previous Council. She agreed that the market has yet to speak regarding where Main Street will land, but said she likes giving property owners, many of whom are local, the option to have value in their land and be incentivized a little to redevelop and diversify their investment. Councilman McEwan expressed his concern that mixed-use is a density driver, and Centerville is not a destination city, it is a bedroom community. He said he would like to see the conditional use reduced to four units. Councilwoman Fillmore agreed that holding off on making changes is a good idea, and pointed out that the City went from having no caps in the corridor to establishing thoroughly thought-out caps that are at or below the range of the residential neighborhoods behind. Councilwoman Mecham responded that density on Main Street was intensified from commercial. Councilman Ince said he would prefer commercial up front with a couple ADUs above, rather than a row of commercial with dwelling units behind. Mr. Snyder repeated that if redevelopment is not the goal, a new use could be added providing the opportunity to have accessory apartments supplementing commercial. Councilwoman Fillmore commented that density would be increased without the benefit of an improved, beautified core area.

PLANNING COMMISSION RECOMMENDATION FOR THE SMSC PUBLIC SPACE PLAN

After addressing the City Council's concerns over the SMSC Public Space Plan's potential 1) liability to Centerville City, 2) general driver and pedestrian liability, 3) maintenance of Plan elements, and 4) potential visibility hazards, I hereby make a motion for the Planning Commission to recommend to the City Council that they retain the elements of benches, planters, pedestrian lighting, and other park strip furniture or elements currently found in the SMSC Public Space Plan.

Suggested Reasons for Action (Findings):

1. The Planning Commission believes that property ownership is not the only factor in liability to Centerville City. Upon review of Utah case law, Centerville City attorney was unable to find "any relevant Utah cases regarding municipal liability specifically relating to street furnishing or landscaping improvements in the public right-of-way." Furthermore, the following immunity provisions of the Utah Governmental Immunity Act (UGIA) allow for municipalities to maintain and improve streets in a reasonably safe manner:
 - a. Governmental Immunity
 - b. Latent Dangerous or Defective Immunity
 - c. Discretionary Function Immunity

The Planning Commission believes that public improvements do create risk, but not necessarily liability. As with any public improvements, Centerville City should be expected to maintain structures and seek to have constructive knowledge of public conditions in order to prevent "defective, unsafe, or dangerous" public improvements. Finally, Comparative Negligence accounts for proportionate fault of a person treating public improvements with a non-intended use, and Centerville City can alleviate liability by posting such.

2. The Planning Commission believes public elements in the park strip mitigate general driver and pedestrian liability. After meeting with representatives from WFRC and UDOT, Darin Fistrup from UDOT stated that UDOT is concerned with the safety of both the pedestrian and the driver, and that furniture in the park strip is "not a big deal" as long as it is crash-worthy. He said that it is an "over-worry" that breakaway objects cause a liability to the pedestrian. Mr. Fistrup continued, saying that the likelihood of a pedestrian in the pathway of an element that has broken free is minimal and that the majority of the energy from the collision is lost as the element breaks free. Because of this information, and other general knowledge, the Planning Commission believes that SMSC Plan elements placed in the park strip between the driver and the pedestrian create increased safety for both the general driver and the pedestrian.
3. The Planning Commission believes maintenance protocol of Plan elements does not cause an undue burden or cost to Centerville City. After contacting cities with similar public improvements, Centerville City Planner was unable to find a city with extensive maintenance costs. Plantings, pavers, and other Plan elements can alleviate maintenance needs by mitigating storm water runoff and recharging groundwater. Moreover, native or water-wise plantings can provide beauty while reducing maintenance needs and setting an example of water responsibility for city residents. The Planning Commission finds that both UDOT and WFRC strongly suggested all public space elements remain in the public right-of-way, with the possible exception of trees.
4. The Planning Commission believes plantings and planter box varieties can be flexible elements that maintain safety and visibility. City Code 11-01-150(4) (regulations for "Clear View of Intersection Street") requires maintaining a 50-foot sight triangle at all intersections. Police Chief Paul Child encouraged the City to follow and be cognizant of such regulations when designing public improvements. Furthermore, UDOT's Darin Fistrup stated that UDOT prefers planter boxes no taller than 18-inches, yet UDOT is flexible on planting choices. He said that public elements can have some height variation as long as it does not hinder a driver's view of the pedestrian corridor and as long as sight triangles are maintained. The Planning Commission fully supports City Code and believes alternative plantings are possible in planter boxes, as plantings are flexible elements that should be chosen based on visibility standards set by City Code and UDOT.

Suggested Reasons for Action (Findings continued):

5. The Planning Commission believes that the planter boxes, benches, and light poles are fundamental to the SMSC Public Space Plan and to the walkability of the corridor because they provide Human Scale, Imageability, and Complexity—which are critical components for Walkability along Main Street as well as for supporting the State’s goal of Active Transportation: to consider the needs of various users, including ADA, bike, and pedestrian use—in addition to vehicular use.
6. The Planning Commission finds that UDOT is surprisingly amenable to the currently adopted SMSC Public Space Plan and proposed elements. Darin Fistrup from UDOT stated multiple times that “we will work you” on the goals for Centerville City’s plan.
7. The Planning Commission believes that it is important to prepare and adopt local master plans and maps to improve the coordination between local and regional Complete Streets Policies.
8. The Planning Commission reviewed the changes using the Zone Text Amendment provisions of Section 12-21-080 and finds that preserving the subject elements accomplishes the following:
 - a. Preserves and enhances mobility throughout the Main Street Corridor, and “accommodations” for all types of users – see SMSC Plan, Goal 2.
 - b. Enhances and promoted the [SMSC] as the setting for attractive, convenient, active, safe, and enjoyable destination and place of residence – see SMSC Plan, Goal 3.
 - c. Develops and implements a coordinated standard for streetscape improvements along the entire [SMSC]. Improvements should include street lighting, landscaping, street furnishings, and signage and other amenities... - see SMSC Plan, Objective 3.A.
 - d. Other relevant or related goals and objectives that were considered:
 - Objective 2.D & 7.H – width of sidewalks
 - Objective 7.I – use of street trees
 - Objective 5.G – use of landscaping and hardscaping
 - Objective 2.B – motorist/pedestrian conflicts and safety, lower speed limits
 - Objective 8.A – continuity of streetscape into the residential district

Furthermore, the Planning Commission recommends that the SMSC Public Space Plan be amended to include the following:

- A. Provide illustration and language for Main Street Traffic Striping changes, as discussed with UDOT on May 11, 2016, which consists of:
 - i. Re-striping of Main Street, from Parrish Lane to Pages Lane
 - ii. Reduction of travel lane widths to 11 feet
 - iii. Reduction of center turn lane width to 11 feet
 - iv. Addition of a shoulder stripe to allow for a formal bike lane for both north and south directions

Suggested Reasons for Action (Findings):

1. The Planning Commission met with the Trails Committee and discussed their desire to complete proposed bike lanes as found on their “Centerville Parks and Trails & Proposed Bike Lanes” map dated April 17th, 2015.
2. The Planning Commission would like to accommodate both drivers and cyclists after hearing from WFRC’s Scott Hess that Centerville Main Street is a Priority Bike Route on the Davis County plan, UDOT’s plan, the WFRC plan, and on Centerville City’s Trails Master Plan.

Walkability: Human Scale. Imageability. Complexity. Transparency. Enclosure. Also mentioned: Accessibility. Connectivity

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
6/8/2016**

Item No. 4.

Short Title: Discussion on Work Session with City Council for the SMSC Public Space Plan Recommendation

Initiated By: City Attorney

Scheduled Time: 8:15

SUBJECT

RECOMMENDATION

BACKGROUND

Discuss proposed dates for joint work session with the City Council regarding the Planning Commission's recommendation on the SMSC Public Space Plan amendments.

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
6/8/2016**

Item No. 5

Short Title: Community Development Director's Report 060816

Initiated By: Cory Snyder, Community Development Director

Scheduled Time: 8:30

SUBJECT

The next regularly scheduled meeting is June 22, 2016. Items to be considered are as follows:
The Cove @ Deuel Creek Estates, Sensitive Lands Restriction, Bike Lane Changes to General Plan with new Trails Map

RECOMMENDATION

BACKGROUND