

ORDINANCE NO. 2017-24

AN ORDINANCE AMENDING THE PLANNED DEVELOPMENT OVERLAY ZONE FOR THE LEGACY CROSSING AT PARRISH LANE PLANNED DEVELOPMENT TO ALLOW A PARKING MODIFICATION FOR THE SHARED USE PARKING AND A REDUCTION IN THE OVERALL REQUIRED PARKING FOR THE PROJECT

WHEREAS, the City Council previously approved the rezoning of property for the Legacy Crossing at Parrish Lane Planned Development from Commercial-Very High (C-VH) to Commercial-Very High/Planned Development Overlay (C-VH/PDO) as more particularly provide in Ordinance No. 2010-12; and

WHEREAS, the Developer has requested an amendment to the C-VH/PDO zoning for the Legacy Crossing at Parrish Lane Planned Development to allow a parking modification for the shared use parking and a reduction in the overall required parking for the project; and

WHEREAS, the Planning Commission has reviewed and recommended approval of the proposed C-VH/PDO zone change subject to designated conditions of approval and all appropriate public hearings have been held in accordance with City Ordinances and State law.

BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF CENTERVILLE, UTAH, AS FOLLOWS:

Section 1. **Amendment.** The C-VH/PDO approval for the Legacy Crossing at Parrish Lane Planned Development is hereby amended to allow a parking modification for the shared use parking and a reduction in the overall required parking for the project, subject to all conditions of approval of the City Council as more particularly set forth in Section 2. This rezone amendment is applicable to the property more particularly set forth in Ordinance No. 2010-12, as amended, and all of the property within the Legacy Crossing at Parrish Lane Subdivision.

Section 2. **Conditions.** This rezone is subject to all applicable conditions of approval as set forth in the original rezone Ordinance No. 2010-12, as amended, and to the following additional conditions:

1. Approval of the amended Exhibit "C," to the Development Agreement as submitted to the City.
2. Approval of the Parking Modification, as prepared by Reeves and Associates, Inc.
3. The final parking counts for Lots 2 and 3 shall be subject to their applicable site plan approvals.
4. The preparation and recording of the necessary Development Agreement and Declaration of Parking and Cross-Access Easement amendments, as deemed acceptable by the City Attorney.
5. All other related or associated conditions of the Legacy Crossing at Parrish Lane Development PDO Approval shall remain in effect with this amendment.
6. The developer shall pay all applicable application and professional services fees related to the petition.

Section 3. Findings. This amendment to the PDO zoning for the Legacy Crossing Development is based on the following findings:

- a. The City Council finds that amendments to a PDO approval are subject to the original procedure used for obtaining a preliminary approval.
- b. The City Council finds that amendments are consistent and compatible with the originally approved expectations of the PDO Plan for the Legacy Crossing at Parrish Lane, as a mixed-use development project.

Section 4. This Ordinance shall take effect immediately upon posting or 30 days after final passage by the City Council, whichever is closer to the date of final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 5th DAY OF SEPTEMBER, 2017.

CENTERVILLE CITY

By: 
Paul A. Cutler, Mayor

ATTEST:


Marsha L. Morrow, City Recorder



Voting by the City Council:

	"AYE"	"NAY"
Councilmember Fillmore	<u>X</u>	_____
Councilmember Ince	<u>X</u>	_____
Councilmember Ivie	<u>X</u>	_____
Councilmember McEwan	<u>X</u>	_____
Councilmember Mecham	<u>X</u>	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Marsha L. Morrow
MARSHA L. MORROW, City Recorder

DATE: 9/6/17

RECORDED this day 6 of September, 2017.

PUBLISHED OR POSTED this 6 of September, 2017