

**ORDINANCE NO. 2017-29**

**AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 8.49 ACRES OF CERTAIN REAL PROPERTY AS DESCRIBED HEREIN FROM COMMERCIAL-VERY HIGH (C-VH) TO COMMERCIAL-VERY HIGH/PLANNED DEVELOPMENT OVERLAY (C-VH/PD) AND APPROVING THE CONCEPTUAL PLAN FOR THE LEGACY COMMONS PLANNED DEVELOPMENT**

**WHEREAS**, the City is authorized to enact a zoning map consistent with the purposes set forth in the Utah Land Use Development and Management Act, as more particularly provided in *Utah Code Ann.* §§ 10-9a-101, *et seq.*, as amended, and the City is further authorized to make amendments to such zoning map in accordance with procedures set forth in *Utah Code Ann.* § 10-9a-503, as amended; and

**WHEREAS**, in accordance with applicable provisions of Utah law and the goals of the Centerville City General Plan for the subject property regarding commercial policies for West Centerville, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from Commercial-Very High (C-VH) to Commercial-Very High/Planned Development Overlay (C-VH/PD) as more particularly provided herein; and

**WHEREAS**, as part of the Planned Development Overlay (PDO) Zone requirements, requests for PDO zoning shall include a conceptual site plan for review and acceptance by the City Council concurrent with the rezoning decision; and

**WHEREAS**, the proposed amendments to the Centerville Zoning Map and Conceptual Plan for the Legacy Crossing Planned Development as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public noticing and hearings have been provided and held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Map and approval of the Conceptual Site Plan.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. PDO Rezone and Conceptual Plan Approval.** Subject to conditions of approval set forth in Section 2, the real property located at 1250 West Parrish Lane consisting of approximately 8.49 acres as more particularly described in the legal descriptions set forth in **Exhibit A**, attached and incorporated herein by this reference, is hereby rezoned and changed from Commercial-Very High (C-VH) to Commercial-Very High/Planned Development Overlay (C-VH/PD) and the Conceptual Site Plan for the Legacy Crossing PDO, as more particularly described in **Exhibit B**, attached hereto and incorporated herein by this reference, is hereby approved by the City Council.

**Section 2. Conditions of PDO Approval.** The PDO Rezone and Conceptual Plan for the Legacy Commons PDO are subject to the following conditions of approval:

- a. The **Development Design for the Legacy Commons** shall be substantially consistent with the plan layout received by the City on September 7, 2017, including updated submittals dated November 1, 2017.

- b. The **Land Uses** shall consist of the following:
- Hotel Use – 1.73 acres, Max. Four-story Main Building (60 feet in height, if a CUP is approved by the City).
  - Commercial Uses (e.g. restaurant & coffee house) – 1.25 acres, two (2) sites (*heights are proposed as 1-story buildings*)
  - Multi-family Residential Uses - 5.20 acres, consisting of:
    - *Max. 3-story Main Buildings (45 feet in height)*
    - *111 Dwelling Units*
    - *236 Parking Spaces with 92 parking stalls in garages*
    - *1.60 acres Open Space (31% of the Residential Area)*
- c. The **Architecture and Building Design Theme** shall consist of the following:
- A Shorelands Commerce Park color palate or other tones deemed compatible with the surrounding development, as approved with a final site plan.
  - The design of the Hotel and Commercial Uses shall be subject to the Parrish Lane Gateway Design Standards (*CZC 12.63*).
  - The residential design shall be consistent with the submitted Denver based project (*Aster Town Center*) concepts consisting of a low slope-roof (*an adapted contemporary prairie style*) building architecture meeting the approved PDO color palette.
  - The residential style and layout shall consist of, with the units fronting streets and pathways with parking hidden behind the building, as depicted on the Conceptual Plan.
  - The primary pedestrian streetscape design and trail system path shall be provided along 1250 West, as depicted on the Concept Plan, which creates the ability to connect to the 1250 West pedestrian overpass of Legacy Parkway located further to the north.
  - A secondary streetscape (non-pedestrian) design shall be provided along Parrish Lane, with landscaping and fencing, as depicted on the Concept Plan, and compatible with the design across the street to the south.
  - The Hotel use shall be subject to the “Increased Height” provision of CZC 12.34.080.
  - The Hotel use shall comply substantially with the design, colors, materials, and architectural features depicted in the Hotel Elevation set forth in **Exhibit B**.
  - The Commercial Uses shall comply substantially with the design, colors, materials, and architectural features depicted in the Commercial Elevations set forth in **Exhibit B**.
- d. The **Site Layout & Landscaping Theme** shall consist of the following:
- Site Access will be from 1250 West Street consisting of two planned accesses; one primarily for the hotel and commercial uses and the other for residential uses, as depicted on the Concept Plan.

- Limited access to the Hotel from Parrish Lane as depicted on the Concept Plan may be approved as part of any related final development approval, subject to UDOT approval.
  - As part of any related final development approval, the southern access for the commercial uses shall be deemed acceptable to the City upon review by a traffic engineer to establish whether it is a limited or full turn-movement access point.
  - All interior drive lanes shall be integrated within the entire development, as depicted on the Concept Plan.
  - The hotel and commercial uses will be located along Parrish Lane and the south corner and southern portion of 1250 West, as depicted on the Concept Plan.
  - The residential uses will be located behind (*from Parrish Lane*) and also fronting the northern portion of the property along 1250 West, along the proposed trail/pathway, as depicted on the Concept Plan.
  - The Common Area amenities shall be provided in an integrated manner and internal pathways shall be provided connecting to the residential units, as depicted on the Concept Plan.
  - The proposed landscaping theme, particularly along Parrish Lane and 1250 West, is to be compatible with the drought tolerant style used in the Legacy Trails project (*across the Parrish Lane to the south*).
  - The fencing and pedestrian style street lighting fixtures shall be used along 1250 West, as depicted on the Concept Plan.
  - The fencing and parking lot lighting along Parrish Lane shall be consistent with the styles used along 1250 West.
  - Interior project landscaping shall be consistent with the treescaping shown on the conceptual plan. A final detailed landscaping plan shall be prepared and submitted with any final development application.
  - A screen wall or fence shall be provided along the northern property boundary to buffer the residential units from the adjacent I-H zone, as depicted on the Concept Plan.
  - The bench and water feature shall be provided at the intersection corner of Parrish Lane and 1250 West and shall be compatible with the design plan concepts implemented for the Parrish-Legacy CDA.
- e. The **Site Plan/Subdivision and Phased Construction** shall be prepared as one development site to support the development in its entirety. All public improvements must be provided and installed as part of subdivision approval and/or development of Phase One of the project under site plan approval, whichever is sooner. However, construction activities may be phased as independent lots, as follows:
- *Phase One – Hotel*
  - *Phase Two – Commercial Buildings*
  - *Phase Three – Multi-Family Residential Buildings and related elements*

- *As a required condition of approved phasing of the construction activities, the developer must obtain a building permit for the Hotel and pour the required foundation for such structure prior to the issuance of any building permit for any Residential Buildings.*

f. The **Development Variations Allowed** for the Legacy Commons are limited to the following:

- Parrish Lane Gateway Design Standards (12.63) - The development plan is to relocate the pedestrian oriented amenities that normally abut the Parrish Lane Corridor to the 1250 West Corridor.
- Lot Side Lines/Right Angles (15.05.020) – The side line (north-south) between the two lots may have a right-angle jog, which is a design consequence of the interior access lanes amongst the various uses.

**Section 3. Findings for PDO Approval.** The rezone of the subject property to C-VH/PD and corresponding Conceptual Plan approval for the Legacy Commons PDO is based on the following findings:

- a. The proposed mixture of commercial and residential uses is consistent with the West Centerville Neighborhood Plan.
- b. The West Centerville Neighborhood Plan envisioned only medium box type commercial uses, capped a 125,000 sq. ft.
- c. The market conditions are not ripe now, nor likely in the future, for medium box commercial uses as evidence by the following:
- d. Farmington Station Park was developed after the West Centerville Plan adoption.
- e. Farmington Station Park has likely saturated the market for developing medium box type commercial uses.
- f. To date, Legacy Crossing at Parrish Lane provides space for medium box type commercial uses and Legacy Trails provided two smaller commercial lots that have not yet come to full fruition.
- g. Limiting the allowance of other types of multi-family development negatively impacts the planned allowance of multi-family development at this node in the West Centerville Neighborhood.
- h. Not master planning this site creates the potential for limiting the developed area and would isolate the excess UDOT property and reduce or eliminate any cost recovery by UDOT's ability selling off excess public property, which could become a nuisance in the future.
- i. Master Planning the entire area is better suited to address any impacts than to piecemeal development under already long list of permitted commercial uses.
- j. Lastly, a PDO rezone provides an enhanced tool to address any development related concerns and maximize the development opportunities for the entire site.

**Section 4. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

**Section 5. Effective Date.** Subject to conditions of approval set forth in Section 2, this Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 8<sup>th</sup> DAY OF NOVEMBER, 2017.**

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow  
Marsha L. Morrow, City Recorder

By: Paul A. Cutler  
Mayor Paul A Cutler

Voting by the City Council:

	"AYE"	"NAY"	Absent
Councilmember Fillmore	_____	_____	X
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: November 21, 2017

RECORDED this 21 day of November, 2017.

PUBLISHED OR POSTED this 21 of November, 2017.

## EXHIBIT A

### Legacy Commons PDO Rezone Property Descriptions

#### All of Parcel No. 06-006-0082

BEG ON THE N LINE OF PARRISH LANE AT A PT S 0°01' E 145.25 FT & S 89°59' W 2075.19 FT & N 20°54'57" E 316.18 FT FR THE E 1/4 COR OF SEC 12-T2N-R1W, SLM IN THE CITY OF CENTERVILLE; & RUN TH N 20°54'57" E 389.56 FT; TH N 89°59' E 380.50 FT, M/L, TO THE W LINE OF A 100 FT WIDE STATE HWY R/W; TH S 0°12'30" W 650.0 FT ALG SD HWY TO A PT 60.0 FT N OF THE CENTER LINE OF SD PARRISH LANE; TH S 88°15' W 295.96 FT; TH S 88°01'05" W 18.11 FT TO A PT OF A 767.22 FT RAD CURVE TO THE RIGHT 486.57 FT (LC BEARS N 63°53'23" W 478.46 FT); TH N 45°43'17" W 96.965 FT TO THE POB. CONT. 5.972 ACRES.

#### All of Parcel No. 06-006-0083

A PARCEL OF LAND IN FEE FOR A CONNECTION ROAD INCIDENT TO THE CONSTRUCTION OF A FREEWAY KNOWN AS PROJECT NO 0067; BEING PART OF AN ENTIRE TRACT OF PPTY SIT NW 1/4 SE 1/4 OF SEC 12-T2N-R1W, SLM; THE BNDRY OF SD PARCEL OF LAND ARE DESC AS FOLLOWS: BEG IN THE N'LY R/W LINE OF THE EXIST PARRISH LANE AT THE SW COR OF SD ENTIRE TRACT, WH PT IS 632.518 M (2075.19 FT) N 89°54'28" W ALG THE 1/4 SEC LINE & 44.272 M (145.25 FT) S FR THE E 1/4 COR OF SD SEC 12 AS MONU WITH A CO BRASS CAP; & RUN TH N 20°54'57" E (EQUALS HWY N 20°58'50" E) 96.372 M (316.18 FT) ALG THE W'LY BNDRY LINE OF SD ENTIRE TRACT; TH S 45°43'17" E (HWY BEARING) 29.555 M (96.965 FT) TO THE PT OF TANGENCY WITH A 233.850 M (767.22 FT) RAD CURVE TO THE LEFT; TH SE'LY 148.307 M (486.57 FT), M/L, ALG THE ARC OF SD CURVE TO THE N'LY R/W LINE OF PARRISH LANE (NOTE: CHORD TO SD CURVE BEARS S 63°53'23" E (HWY BEARING) FOR A DIST OF 145.834 M (478.46 FT)); TH N 88°01'05" E (EQUALS HWY N 88°31'23" E (5.521 M (18.11 FT), M/L, ALG SD N'LY R/W LINE TO THE W'LY R/W LINE OF 1250 W STR; TH S 88°01'05" W (EQUALS HWY S 88°31'23" W) 95.698 M (313.97 FT), M/L, ALG SD N'LY R/W LINE; TH S 0°05'00" W (EQUALS HWY S 0°09'31" W) 2.996 M (9.83 FT); TH S 89°56'14" W (EQUALS HWY N 89°59'38" W) 101.982 M (334.59 FT), M/L, CONT ALG SD N'LY R/W LINE TO THE POB AS SHOWN ON THE OFFICAL MAP OF SD PROJECT ON FILE IN THE OFFICE OF THE UDOT. CONT. 1.639 ACRES

#### All of Parcel No. 06-006-0102

SIT IN THE SW 1/4 NE 1/4 OF SEC 12-T2N-R1W, SLM; THE BNDRY OF SD TRACT OF LAND ARE DESC AS FOLLOWS: BEG AT THE NE COR OF SD ENTIRE TRACT, WH PT IS 139.64 FT S 0°01' E (EQUALS HWY S 0°01'43" E), 2075.66 FT S 89°59' W (EQUALS HWY N 89°59'38" W) TO A PT IN THE N'LY R/W LINE OF PARRISH LANE & 704.80 FT N 20°58'50" E (EQUALS HWY BEARING N 20°54'57" E) FR THE E 1/4 COR OF SD SEC 12 AS MONU WITH A CO BRASS CAP; & RUN S 89°54'19" W (HWY BEARING EQUALS DEED OF RECORD S89°56'14" W) 168.84 FT, M/L, ALG THE N'LY BNDRY LINE OF SD ENTIRE TRACT TO THE E'LY R/W LINE OF A HWY KNOWN AS PROJECT NO 0067; TH ALG SD E'LY R/W LINE THE FOLLOWING THREE (3) COURSES: (1) S 9°10'08" W 266.43 FT TO A PT OF TANGENCY WITH A 49.21 FT RAD CURVE TO THE LEFT; TH (2) S'LY 47.15 FT ALG THE ARC OF SD CURVE (NOTE: CHORD TO SD CURVE BEARS S 18°16'34" E FOR A DIST OF 45.36 FT); TH (3) S 45°43'17" E 80.90 FT, M/L, TO THE E'LY BNDRY LINE OF SD ENTIRE TRACT; TH N 20°58'50" E (HWY EQUALS DEED OF RECORD N 20°54'57" E) 388.62 FT, M/L, ALG SD E'LY BNDRY TO THE PT OF BEG. CONT 0.992 ACRES

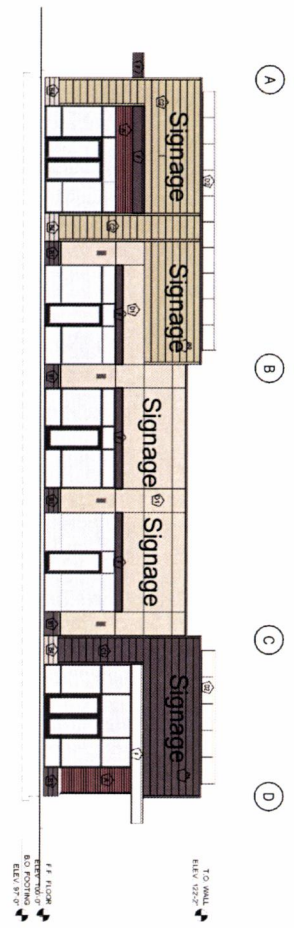
**EXHIBIT B**

**Legacy Commons PDO  
Conceptual Site Plan and Details**

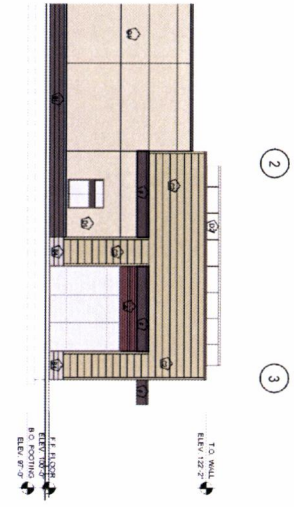




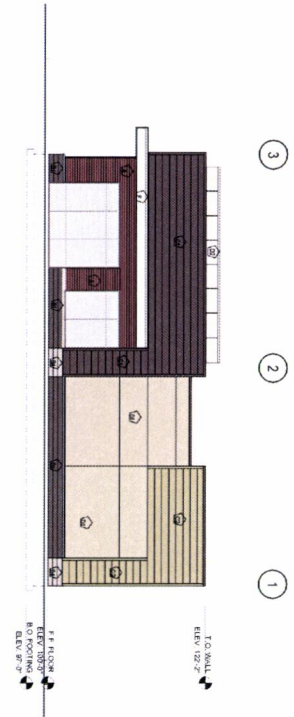




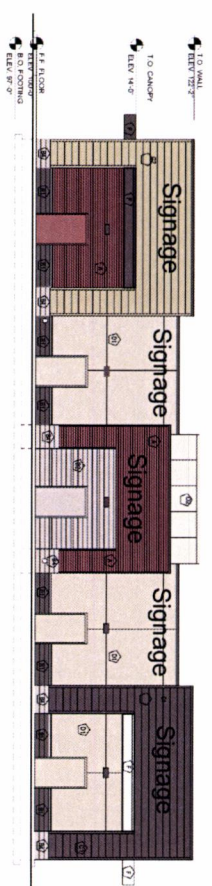
**NORTH ELEVATION - H**  
SCALE: 1/8" = 1'-0"



**EAST ELEVATION - H**  
SCALE: 1/8" = 1'-0"



**WEST ELEVATION - H**  
SCALE: 1/8" = 1'-0"

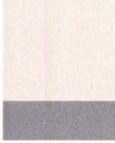





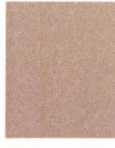


**SOUTH ELEVATION - H**  
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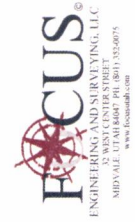
**FINISH LEGEND:**

- 1) CMU
- 2) 1/2" POLYURETHANE INSULATION
- 3) 1/2" GYPSUM BOARD
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	<b>Stucco</b> Tan Stucco
	<b>Lap Siding</b> Tan Hardie Board
	<b>Lap Siding</b> Dark Brown Hardie Board
	<b>Lap Siding</b> Green Hardie Board
	<b>Standing Seam</b> London Gray Aluminum
	<b>Asphalt Shingles</b> Weathered Wood
	<b>Trim</b> Tan Stained Timber

BUILDING MATERIAL BOARD



# The Commons

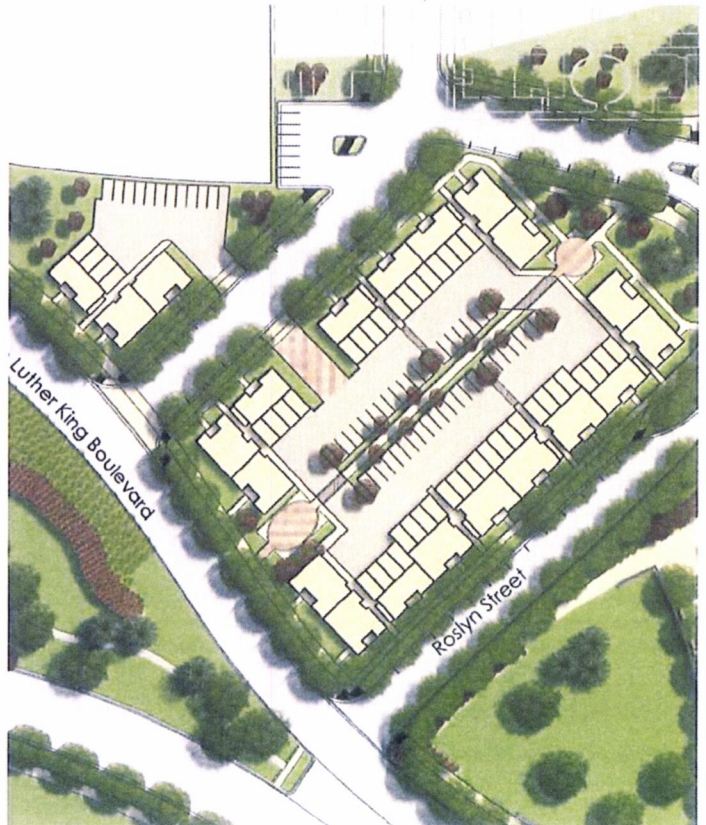
Centerville, Utah

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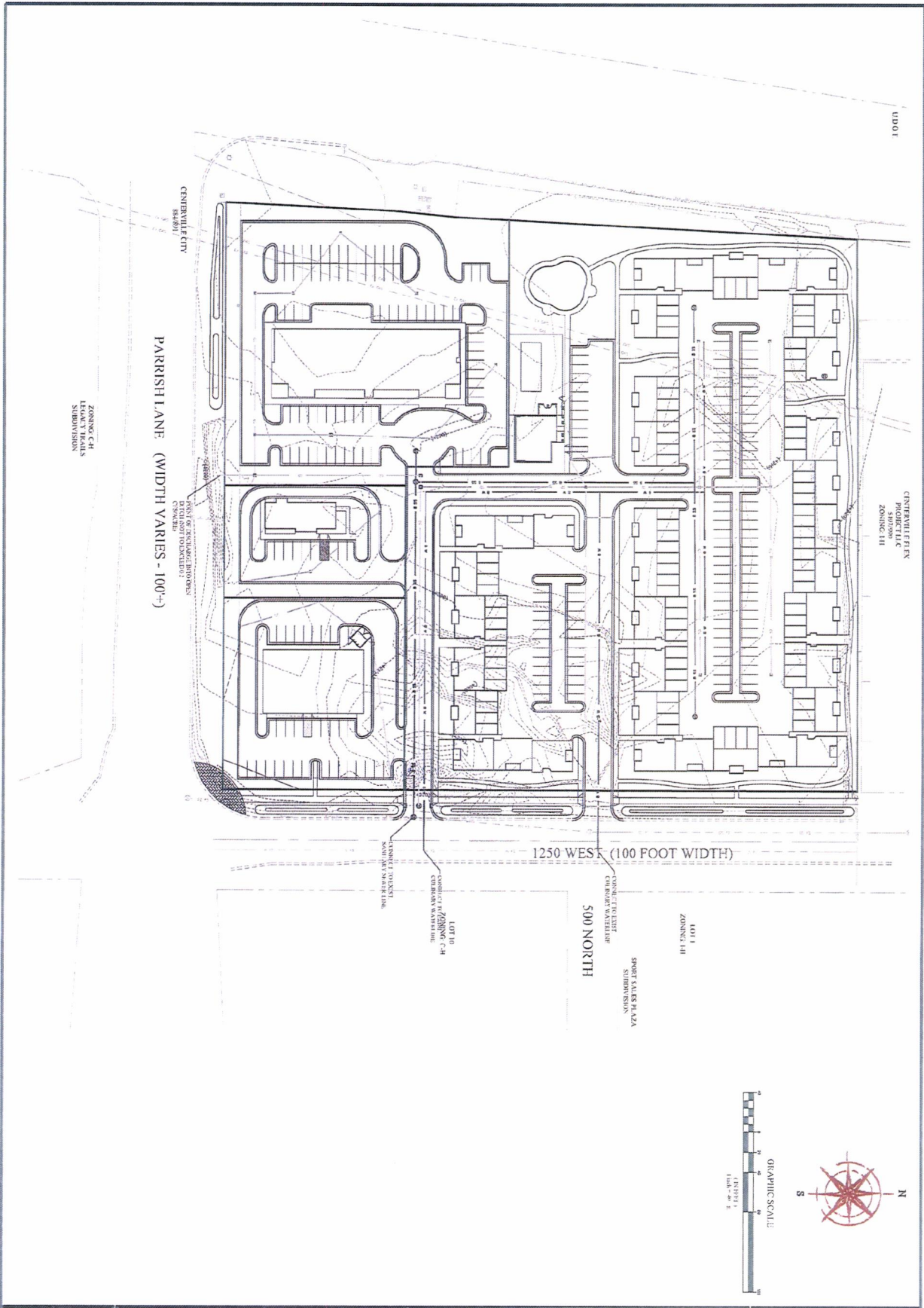
COLOURS ARE REPRESENTATIVE ONLY. FINAL COLOURS MAY VARY FROM EXHIBIT REPRESENTATION.

# ASTER TOWN CENTER

Denver, CO  
Forest City Stapleton







REVISION BLOCK	
NO.	DESCRIPTION
1	
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3	
4	
5	
6	

**CENTERVILLE MIXED USE**  
 CENTERVILLE, DAVIS COUNTY, UTAH  
**UTILITY PLAN**

**FOCUS**  
 ENGINEERING AND SURVEYING, LLC  
 32 WEST CENTER STREET  
 MIDVALE, UTAH 84047 TEL: (801) 333-0015  
 www.focusllc.com

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