

CENTERVILLE CITY PLANNING COMMISSION AGENDA

Public meetings will be held electronically via Zoom and live streamed on the Centerville City YouTube channel in accordance with Executive Order 2020-5 issued by Governor Herbert on March 18, 2020 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19. *Centerville City Utah YouTube Channel link: <https://www.youtube.com/user/centervillecityutah/videos> *To comment during the Public Hearing portions of the meeting, call 801-335-8850*

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON APRIL 8, 2020 AT THE CENTERVILLE CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

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

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Jacob Smith, Administrative Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

The full packet of backups can be found at <http://centerville.novusagenda.com/agendapublic>.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Mason Kjar, Commissioner

D. COMMISSION BUSINESS

1. ADMINISTRATIVE DECISION - Parking Modification - Pintsize Picassos - 181 S Main Suite A
Parking Modification request for new tenant at 181 South Main Street.
2. ADMINISTRATIVE DECISION - Public Hearing - Conceptual Site Plan - Legacy Crossing at Parrish Lane Lots 2 & 3
3. ADMINISTRATIVE DECISION- Public Hearing - Conceptual Site Plan - Parrish Creek Business Park, Building B
4. ADMINISTRATIVE DECISION- Public Hearing - Conditional Use Permit - Inland Marine - 1040 N 950 W
A conditional use permit application for Vehicle and equipment rental and sale at 1040 N 950 W.
5. STAFF UPDATE - Community Development Director Report

Upcoming Commission Items:

- The Hive Development - Conceptual Site Plan for R-H Zone Multi-family Development, 555 North 400 West
- Williamsburg Place Lot 9, New Lot Split - 503 South 75 West

City Council Update:

- Nothing to Report

2020 Commission Goals:

- South Main Street Corridor Plan Update - underway
- Transportation Plan Element Update - yet to be started
- West Centerville Neighborhood Plan Update (SCP mixed-residential reconsideration) - PC received initial information on Feb. 12, 2020

E. MINUTES REVIEW AND ACCEPTANCE

March 11, 2020

F. ADJOURNMENT

Mackenzie Wood
Centerville Assistant Planner

CENTERVILLE

Staff Backup Report

4/8/2020

Item No. 1.

Short Title: ADMINISTRATIVE DECISION - Parking Modification - Pintsize Picassos - 181 S Main Suite A

Initiated By:

Scheduled Time:

SUBJECT

Parking Modification request for new tenant at 181 South Main Street.

RECOMMENDATION

See attached staff report

BACKGROUND

See attached staff report

ATTACHMENTS:

Description

- ☐ 4-8-20 PC Staff Report Pintsize Picasso Parking Mod Staff Report
- ☐ Applicant Submittal
- ☐ Cup Bop Condition Use Permit Approval
- ☐ Cup Bop Parking Study
- ☐ Cup Bop Parking Site Plan

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

**STAFF REPORT
AGENDA: ITEM 1**

PROPERTY OWNER: NICK & BESSY THIROs, TRUSTEES

APPLICANT: JIM DELAHUNTY
801.330.2024
(DELAHUNTY1136@GMAIL.COM)

PROPERTY LOCATION: 181 S MAIN ST, SUITE A

PARCEL SIZE: 0.28

ZONING DISTRICT: COMMERCIAL MEDIUM

APPLICATION: PARKING MODIFICATION

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

Background

Mr. Delahunty has leased Suite A of the two-suite building located at 181 South Main Street. The other tenant is Cup Bop/Cal-Co. In late November 2017, Cup Bop/Cal-Co performed a parking study requiring five stalls for employees. The Planning Commission approved Cup Bop/Cal-Co's conditional use permit with a condition being no more than three catering transport vehicles on site at one time, and that they shall be parked on the north and south property lines but not in any of the provided parking stalls. The 2017 parking study for Cup Bop/Cal-Co leaves only six parking spaces for Pintsie Picassos. Because of the increased intensity of the new tenant's use and the city's parking calculations, the sum of the tenants' parking requirement exceeds the provided amount. Based on the actual use of these tenants and the nature of their business, the applicant argues that this high calculation for parking is unnecessary for the true use of the property.



Zoning Code

Parking Modification Allowed by Planning Commission

12.52.110 (a) Modification Permitted. The number of parking spaces required under CZC 12.52.060 may be modified in accordance with the provisions in this Section. The purpose of such modifications is to avoid creating unnecessary parking areas that will be essentially unused. In considering a modification, the Planning Commission may require a parking study to be completed as provided in Subsection (e).

12.52.110 (c) Commercial, Office, and Mixed-Use Development. The Planning Commission may modify the number of parking spaces required or allowed for commercial, office, or mixed-use development after considering the following factors and finding that adequate parking will be provided:

1. Total number of spaces that would otherwise be required for each individual establishment in the development;
2. Hours of operation for each business establishment located in the development, including peak business hours;
3. Estimated trade-off between businesses which are open when others are closed;
4. Availability of on-street or shared parking;
5. Transportation alternatives, including proximity to transit stations; and
6. Car or van pooling programs available to users of the development.

12. 52.110(e) Parking Space Study. When a parking space study is required for a particular use shown in Section 12.52.300, or when an applicant requests a modification in the number of parking spaces required under CZC 12.52.080, a parking study shall be provided by the applicant which recommends an adequate number of parking spaces and sets forth the basis of the recommendation.

(1) The study shall provide:

- a. Planning and traffic engineering data, including estimates of parking demand based on recommendations from the Institute of Parking Engineers;
- b. Data collected from uses or combinations of uses that are the same or comparable to the proposed project as indicated by density, scale, bulk, area, type of activity, and location;
- c. The source of data used to develop the study's recommendations; and
- d. The name and qualifications of the persons who prepared the study.

(2) The Planning Commission shall determine the required number of parking spaces after:

- a. Considering the recommendations of the parking study and any recommendations from City staff; and
- b. Making the findings required under Subsections (c) or (d), as the case may be.

12.52.300 parking calculations per use:

Personal instruction service	.50 per person under maximum occupancy allowed by Fire Code, plus 1 space per employee on highest employment shift
Catering, limited	Decided by Parking Study & Zoning Administrator Approval

Current Parking Calculation according to CZC 12.55.300

Suite	Company	Use	Square Footage	Calculation 1	Calculation 2
Suite 1	Pintsize Picassos	Personal Instruction	1,098	15 (23 students, 2 employees) Per building code load	12 (18 students, 2 employees)
Suite 2	Cup Bop	Catering, Limited	990	5 (+ 3 utility vehicles per 11-22-17 approval)	5 (+ 3 utility vehicles per 11-22-17 approval)
Required parking				20	17
Parking currently provided				11	11
Proposed parking to be provided				19	19

The applicant has an approximate 1 stall deficit according to City zoning code calculations and Building Code load counts.

Applicant's response:

The applicant has stated in their application that there will only be two employees, who will walk from their homes to the site and that the nature of the business is for 'children, youth, and families' so that the majority of users will carpool or be dropped off. Due to the carpooling nature of the use, the applicant argues that requiring 15 stalls is excessive.

The classes held by Pintsize Picassos will be in the hours of 3:30 pm to 8:30 pm, an overlap of only an hour and a half with Cup Bop's main hours of 7:00 am to 5:00 pm.

In addition, the applicant argues that Centerville City's off-street parking requirements are too high in comparison with other Davis County cities. The applicant requests matching the parking stall requirements to gross square footage of the space and to match neighboring cities' calculation of five stalls per thousand square feet. The applicant has created a spreadsheet of Davis County City's parking calculations for similar uses (see exhibits).

SUMMARY

The proposed use of Suite A shows 36 student seats. If all seats are filled, the 15 code-required parking stalls will not be enough to meet the demand. In conversations with the Building Inspector, he noted that the occupancy load of Suite A is 25 people. That is the calculation used for the 15 parking stalls. Cup Bop's agreement (see attachment) calls for five parking stalls for employees and the spaces to the north and south of the building for vans, trucks, and trailers. The

applicant's proposed plan would use up those spaces, block off the north vehicle storage, and violate Cup Bop's agreement with the City.

If the Planning Commission desires a Parking Study for this, it may be requested. The parking study will probably find that the required parking exceeds the amount provided. However, the option to go with a square footage parking stall calculation could mitigate the need to add 7+ stalls. The bulk of the parking needs for Pintsize Picassos will occur after hours for Cup Bop, but there is overlap, especially in the summer months when the food trucks are out at night.

STAFF RECOMMENDED MOTION

I hereby make a motion to **TABLE ACTION** of the proposed parking modification, as submitted by the applicant and direct the applicant to submit the following:

- (1) A Parking Study (per CZC 12.52.110(e))
 - a. The study shall provide:
 - i. Planning and traffic engineering data, including estimates of parking demand based on recommendations from the Institute of Parking Engineers;
 - ii. Data collected from uses or combinations of uses that are the same or comparable to the proposed project as indicated by density, scale, bulk, area, type of activity, and location;
 - iii. The source of data used to develop the study's recommendations; and
 - iv. The name and qualifications of the persons who prepared the study.
- (2) A revised site plan to include
 - a. Dimensions of parking stalls, driveways, and aisles according to CZC 12.52.090 and 12.52.310
- (3) Parking stall count that does not violate the 2017 CUP Approval and Parking Study Approval of Cup Bop/Cal-Co.

March 16, 2020

Dear Centerville City Planning Commission,

Please accept this letter as a formal request for a **“Parking Modification”** in conjunction with applying for a business license to operate an Art Studio for Children, Youth, and Families, located at 181 South Main Street Suite A, Centerville Utah.

The business applying for said license and parking modification is known as **Pintsize Picassos**, and specializes in teaching the beginnings of acrylic painting in a group setting to children, youth and families. For additional information on Pintsize Picassos and example of their work, please refer to their website at www.pintsizepicassos.com

Background:

The property being proposed currently has space for two commercial tenants. Currently the South end of the building or Suite B is occupied with a commercial catering kitchen operating under the name of CupBop / Cal-Co and has been permitted use by the planning commission with the North side or Suite A being currently vacant. Previous tenant to suite A was a hair salon.

The Property falls within the Commercial Medium Zone. The use falls under the Person Instruction Service with a definition defined in Centerville City Zoning Ordinance as follows:

Personal Instruction Service: An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.

As Art studio is the first “typical use” listed in the definition. It is a permitted use in zone.

There has been a good amount of discussion between the applicant and the City Planner, as well as the Building Department. There have been a few issues in granting a license due to questions as to whether all ordinance requirements are met:

The main issues revolve around building occupancy and parking provided as the two codes are linked. The parking requirement for this use in Centerville City Codes states:

Personal Instruction Service: .50 per person under maximum occupancy allowed by Fire Code, plus 1 space per employee on highest employment shift.

Applicant submitted for a Business license and was rejected stating:

I have reviewed your attachment parking submittal. The proposed parking plan you provided would violate CupBop's CUP approval. Therefore, I cannot deem you in compliance with needed parking for your business. You are welcomed to meet with City Staff to discuss this matter. If you would like to do so, please contact Donna at 801-292-8232 to schedule a meeting with the Development Review Committee. I think the owner of the building should also attend, so that everyone can fully understand the situation.

The applicant re- submitted after having a DRC Meeting with the city and making adjustments that the applicant feels meets the needs of the site, as well as the requirements set forth by Centerville City Planning Commission on November 17th 2017 for the operation of the CupBop / Cal-co.

The city planner has stated:

At this point, I am referring this matter to the Planning Commission. I think your request exceeds their original authorization. You will need to apply for a "parking modification." This requires you to prepare and submit a narrative letter, prepare a parking study that complies with the link provided below, and submit the applicable fee (I think it's \$250). The Planning Commission meets twice a month and an application is required 21 days before the meeting.

At the direction of the City Planner applicant is coming before Planning Commission making the request for a parking modification, or that parking be reviewed by planning commission for compliance with previous authorizations.

Please review the following information as it is pertinent to this specific site:

Building Occupancy:

To calculate the maximum occupancy this space which directly relates to the number of parking stalls required, many codes come into play but the most stringent code is that this space has only one restroom currently, under the building code that would limit occupancy to a maximum of 25 occupants.

Unfortunately there is not enough parking to justify this many occupants. Using the factors for occupancy as requested by the Building Department, I have adjusted my drawings to show that a maximum occupancy of 20 people may be in this space. That will consist of 18 students and 2 employees.

Also Planning Commission May consider allowing the maximum occupancy of 25 people and granting a different modification based on gross square footage of the building. (See Appendix D New Parking Study)

Parking:

It is applicants understanding that even though this is a studio for children, the code still requires 0.5 stalls for every "student or occupant" and 1 stall for every employee. Based on this calculation this project require 9 stalls for "students/occupants" and 2 stalls for employees for a total of 11 parking stalls.

After making a GRAMA request from Centerville City, applicant was provided with a Staff Report, and Meeting Minutes from November 17th planning commission meeting outlining the required parking for the adjacent user (CupBop / Cal-co). It was outlined that they require a parking study to determine the adequate stalls deemed acceptable by the Zoning Administrator. (See Appendix A - pages 3 and 4 of Staff Report and Appendix B pages 7-9 of meeting Minutes from Nov. 17th Planning Commission Meeting.)

Centerville City did not provide applicant with a copy of the parking study as required by Planning Commission and was told that there is not one on record. (if there is one that I am not aware of, please provide a copy).

In phone conversation with Cory Snyder, he has told applicant that the number required for CupBop is 5 parking stalls. Planning Commission also stated that a portion these stalls shall be in the spaces on the North and South areas of the project. (See Appendix A - pages 3 and 4 of Staff Report and Appendix B pages 7-9 of meeting Minutes from Nov. 17th Planning Commission Meeting.)

Applicant was able to obtain a copy of the provided study from CupBop/Cal-Co dated in November of 2017 associated with the Planning Commission requirements and revised in January of 2018 showing compliance with these parking requirements. (See Appendix C - Parking Study done for Cal-Co along with the associated Salon as adjacent user.)

A new parking analysis of this site has been done, following the pattern set in the previous study provided to applicant by CupBop/Cal-Co. It appears that there is adequate space to add 2 additional stalls along the south property line along 200 south. Applicant would be happy to provide the striping for them as part of this business license. Bringing the total parking count for the site to 19 stalls (using the space on the north and south of building for employee parking as previously approved). (See Appendix D - New Parking Study)

As the two projects together only need 16 stalls applicant believes we meet the parking requirements for these two uses, as well as any use that might arise in the future. If CupBop/Cal-Co were to leave the premises applicant would gladly take the spaces on the north of the building for employees leaving more parking for customers, and leaving at 8 parking stalls for the next use as needed. (adequate to meet many different uses as outlined in the zoning ordinance).

Official Parking Modification Request:

Match parking stall requirements to gross square footage of the building that is used in many of the other approved uses both in Centerville Zoning Ordinance and in almost all other cities located in Davis County. A good industry standard has been 5 stalls per thousand square feet gross

or

Limiting the occupancy to 20 occupants to balance the plumbing code, with the required parking in the zoning ordinance to meet existing conditions as set forth by planning commission November 17th Planning Commission Meeting. Pintsize Picassos would use 11 parking stalls, CupBop / Cal-Co would use 5 Stalls, with a total of 19 stalls provided on site.

I appreciate the help all parties involved have given. As a citizen of Centerville City it is important to me to try as hard as I can to bring this use to our city, especially along Main Street that could really use addition retail uses. I believe this is a unique use that would bring people from other surrounding communities to Centerville.

Sincerely,

Jim Delahunty
Pintsize Picassos

Appendix A

Staff Report

This site is a corner lot that has two access points, making it a better fit to accommodate traffic flow and circulation of the catering transport vehicles for this site. Vans and trucks will also be able to use 100 South, therefore interfering less with the already congested Main Street. Loading space is available on the north end of the building, but for major deliveries should be coordinated with the other tenant of the building, and shall not interfere with parking and access to the site. Deliveries, loading and unloading, shall also abide by our Municipal Code ordinances regarding noise, as stated in 7.09.020, and not be done between the hours of 9:00pm and 6:00am.

The off street parking count needed for this site shall be determined by a parking study done by the applicant.

Adequate utilities are already connected to the site due to prior tenants.

The safeguards provided or proposed to prevent noxious or offensive omissions such as noise, glare, dust, pollutants and odor from the proposed facility or use; The present and future requirements for transportation, traffic, water, sewer, and other utilities, for the proposed site and surrounding area; The impact of the proposed facility or use on the health, safety, and welfare of the City, the area, and persons owning or leasing property in the area.

As written in the definition of "Catering, limited", the tenant is prohibited to disseminate any detectible ambient food-source odors off-site. While food odor is not necessarily a health and safety issue, it can significantly contribute to the quality of life in the area surrounding, which in this case, includes residential zones and single family homes. As stated by the applicant, the site does not use exterior ventilation, so odor, noises, etc, would not produce a negative impact at this site.

RECOMMENDED MOTION:

I hereby make a motion for the Planning Commission to approve the Conditional Use Permit for CupBop for the use of "Catering, Limited" at 181 South Main, with the following conditions:

1. This Conditional Use Permit is limited to the use of "catering, limited" for CupBop catering, represented by Cal-Co Distribution Services at 181 South Main Street, Suite B.
2. The applicant cannot disseminate any detectible ambient food source odors beyond the bounds of the property in accordance with the definition of "Catering, Limited" as set forth in CZC 12.12.040
3. A parking study should be performed to determine the adequate number of parking stalls for this site and deemed acceptable to the Zoning Administrator prior to issuance of a business license for the use.
4. The hours of operation of this business shall be limited to 7:00am to 5:00pm, as stated by the applicant.
5. Deliveries shall be limited to hours outside of the noise ordinance restriction of 9:00pm to 6:00am, as stated in Municipal Code 7.09.020 and also be coordinated with the adjacent tenant space for off hours operating for daytime deliveries.
6. Loading and unloading shall be limited to on-site, not in the public right of way, and delivery trucks shall not block access and parking for the adjacent businesses.

Staff Report

Centerville City Planning Commission

7. The applicant shall have no more than three (3) catering transport vehicles on site at one time.

Appendix B
Planning Commission Meeting Minutes

Suggested Reasons for the Action:

- a) The Planning Commission finds that the conceptual subdivision appears to be consistent with the City's General Plan.
- b) The Planning Commission finds that with the identified changes, this proposed subdivision plan may have the potential to meet the Development Standards, not only for the A-L Zone, but also for the Hillside Overlay for a single-family subdivision, as outlined in CZC 12.42
- c) The Planning Commission finds that the applicable review standards of the Subdivision Ordinance pertaining to Conceptual Subdivision application have been reviewed and directives established to allow the proposal to proceed to preliminary subdivision plan submittal.

PUBLIC HEARING – CONDITIONAL USE PERMIT – CUPBOP CATERING, LIMITED

Cassie Younger, Assistant Planner, presented the proposed matter of the Conditional Use Permit for CupBop Catering at 181 South Main Street. She explained that the City Council passed Ordinance 2017-27 last week which adds the definition of "Catering Limited" to the Centerville Table of Uses as a Conditional Use Permit in a Commercial-Medium Zone. There was a text amendment made to the final adopted definition of their use which prohibits offsite dissemination of any detectable odors. She further explained the conditions which are being recommended for addition in the Conditional Use Permit. These include conditions to ensure minimization of adverse effects to surrounding tenants and properties including parking conflicts, dissemination of odors, delivery times, and protection of public right-of ways and traffic circulation.

Commissioner Daly asked if CupBop wanted to add some kind of walk-up food service, whether that would be allowed, and whether they would need to provide an additional parking study. Mr. Snyder replied that if at some point in time the City entertained the use for CupBop to be able to serve food, then there would need to be a modification to their permit to be able to add that use to their site.

The applicant, Nate Hatch, was invited to speak and he declined the invitation.

At 8:26 p.m., Vice Chair Hayman opened a public hearing and closed the public hearing seeing that no one wished to comment.

Commissioner Johnson questioned how it is possible to regulate odor emissions. Lisa Romney explained that the City does have the authority to regulate smell and discussed ways to regulate it. She stated that it can be difficult to regulate after a business is already in existence, and as such conditions regulating smell in this case have been added to the definition of use.

Commissioner Helgesen states that she was concerned with the look of what she felt was an industrial use, especially as it pertains to parking large trucks on the property overnight.

Applicant Nate Hatch replied that trucks are typically gone during the day. For the summer they are gone all day, and for the winter trucks are gone at lunchtime and sometimes at dinnertime. On the north side of the building there is a space for a truck which is also fenced in, so one would not be able to see much of the trucks loading and unloading. He stated that on the south side there is a big area as well that is ideal for loading and unloading. He explained that the three transport vehicles are made up of a van, a food truck and a trailer and he stated that catering transport vehicles are going to be kept discreet. He stated that the trucks would need to be parked outside of the building at night per health code regulations.

Commissioner Wright made a **motion** for the Planning Commission to approve the Conditional Use Permit for CupBop for the use of "Catering, Limited" at 181 South Main, with conditions (1)-(7) and reasons for recommendation (a)-(g). Vice Chair Hayman seconded the motion.

Conditions:

1. This Conditional Use Permit is limited to the use of "Catering, Limited" for CupBop catering, represented by Cal-Co Distribution Services at 181 South Main Street, Suite B.
2. The applicant cannot disseminate any detectable ambient food source odors beyond the bounds of the property in accordance with the definition of "Catering, Limited" as set forth in CZC 12.12.040.
3. A parking study should be performed to determine the adequate number of parking stalls for this site and deemed acceptable to the Zoning Administrator, prior to issuance of a business license for the use.
4. The hours of operation of this business shall be limited to 7:00 a.m. to 5:00 p.m., as stated by the applicant.
5. Deliveries shall be limited to hours outside of the noise ordinance restriction of 9:00 p.m. to 6:00 a.m., as stated in Municipal Code 7.09.020 and also be coordinated with the adjacent tenant space for off hours operating for daytime deliveries.
6. Loading and unloading shall be limited to on-site, not in the public right of way, and delivery trucks shall not block access and parking for the adjacent businesses.
7. The applicant shall have no more than three (3) catering transport vehicles on site at one time.
8. Any trailer or accessory vehicle shall be parked and stored on the north side of the building behind the screening (not in the designated parking stalls).
9. Any food truck shall be parked and stored in the loading area on the south side of the building (not in the designated parking stalls).

Reasons for Recommendation:

- a) The Specific Property is suitable for the proposed use
- b) The proposed use is in harmony with the existing uses in the vicinity
- c) The proposed use is not injurious to potential or existing development in the vicinity
- d) The economic impact of the proposed use is consistent with the surrounding area
- e) The aesthetic impact of the proposed use is also consistent with the surrounding area.
- f) There is adequate transportation access, and parking/ loading space for the proposed use.
- g) There are adequate safeguards in place to minimize adverse effects to the health safety and welfare of the city from the proposed facility or use.

Commissioner Johnson and Commissioner Daly asked for clarification on what would happen if a detectable ambient food-source odor is reported. Ms. Romney and Mr. Snyder discussed that factual information would need to be collected to establish that ambient odor exists and then a CUP revocation hearing would most likely be held. Other enforcement tools may also be available under applicable City ordinances.

Commissioner Hirst and Commissioner Helgesen raised concerns that trucks parked outside of the establishment overnight would not be aesthetically pleasing on Main Street. Mr. Snyder replied that unloading and loading spots have been provided, but the number of trucks or size of trucks parked outside a business cannot be regulated.

Vice Chair Hayman questioned whether it would be permissible for CupBop to advertise their business with a large sign above their door or at the corner of their property. She questioned, if so, what the difference is between advertising in that way, and parking large trucks with advertising slogans on them outside of a business establishment. Mr. Snyder explained that there are regulations on the size of the signage that can go outside of a business.

Commissioner Hirst clarified that her main concern with the trucks parking outside of the CupBop Catering at night is how big they are. The applicant suggested a workable solution to the concern would be to put the trailer on the north side of the building which is mostly fenced, with the dumpster in front of it, and park the truck on the south side of the building, which is also fenced. He referenced the site plan to explain his proposal and stated in this proposal the trucks would be back off of Main Street.

Commissioner Helgesen asked that conditions (8)-(9) be added to the motion. Vice Chair Hayman asked if Commissioner Wright would accept an amendment to the motion to add conditions (8)-(9). Commissioner Wright accepted the amendment at 8:50 p.m.

The motion passed by unanimous vote (6-0).

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The next Planning Commission meeting is scheduled for December 13, 2017.

CITY COUNCIL'S REPORT

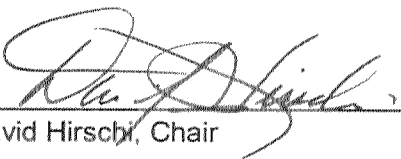
Cory Snyder, Community Development Director, updated the Planning Commission on actions recently taken by the Council.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the October 25th, 2017 meeting were reviewed and amendments suggested. At 8:56 p.m. Commissioner Helgesen made a **motion** to accept the minutes as amended. Commissioner Daly seconded the motion, which passed by unanimous vote (6-0).

ADJOURNMENT

At 8:59 p.m., Vice Chair Hayman made a **motion** to adjourn the meeting. Commissioner Daly seconded the motion, which passed by unanimous vote (6-0).


David Hirsch, Chair

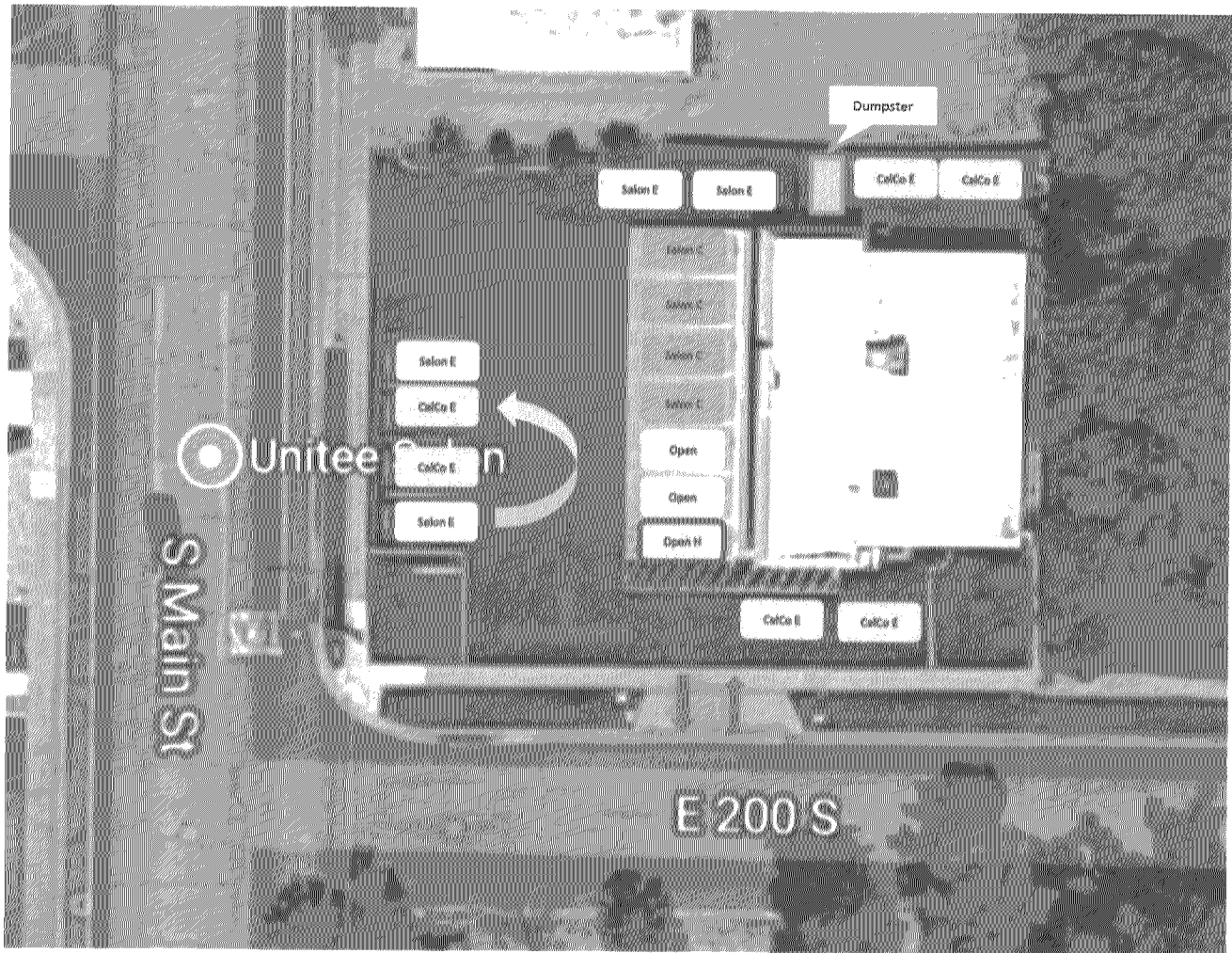
12-13-17
Date Approved


Avalon Comly, Recording Secretary



Appendix C
Parking Study done by Cal-Co and adjacent Salon

revised 01/10/2018 west stalls: 181B icon-truck moved to 2nd stall from north



Legend:

181A Salon Employee
181A Salon Customer

181B Cal-Co Employee

Open available

No parking egress

Dumpster

Open handicap

Salon E



CalCo E



Open



(emptied Mondays early morning)

Drawing Not To Scale

Appendix D

New Parking Study

Parking Study
181 South Main Street
Centerville Utah, 84014

Site Information:

This parking study is being performed to analyze the parking requirement for a commercial building located at 181 South Main Street, Centerville City Utah, 84014, and its use for an Art Studio for Children, Youth and Families.

The site currently has a commercial building of approximately 2,200 square feet. It is located on a corner facing Main Street and bordered on the south by a public road (200 South).

It appears that the original occupancy use of the building was a convenience store with fuel pumps that have been removed, consequentially making an oversized parking lot with 11 dedicated striped stalls and loading areas located along the north and south areas of the building. The use of this building has changed and has been split into 2 separate commercial units as well as an entry vestibule.

In analyzing the site it appears that areas of the site can be utilized to provide additional dedicated parking. With the change in uses the loading area on the south can be converted to provide additional parking, as well as 2 tandem employee parking spaces along the north side of the building. Additionally two parallel stalls can be provided along the north boundary line and 2 additional parking stalls on the south adjacent to 200 South Street. In all provided up to 19 parking stalls total to the site. This provides greater flexibility in bringing additional retail business to Main Street.

Keeping with a common "industry standard" of 5 parking stalls per thousand gross square footage, this site provides plenty of parking for normal retail uses. In fact if loading areas are converted to parking due to smaller retail uses not needing loading areas and all 19 available spaces are used, it provides about 8.6 spaces per 1,000 gross square feet.

See attached site plan.

Parking requirements for Art Studio:

This art Studio will have operating hours from 10:00 am to 9:00 pm with students only classes being held from 3:30 to 8:30 with the hours before and after being reserved for preparation by employees for the days classes and cleanup after the last class leaves at 8:30.

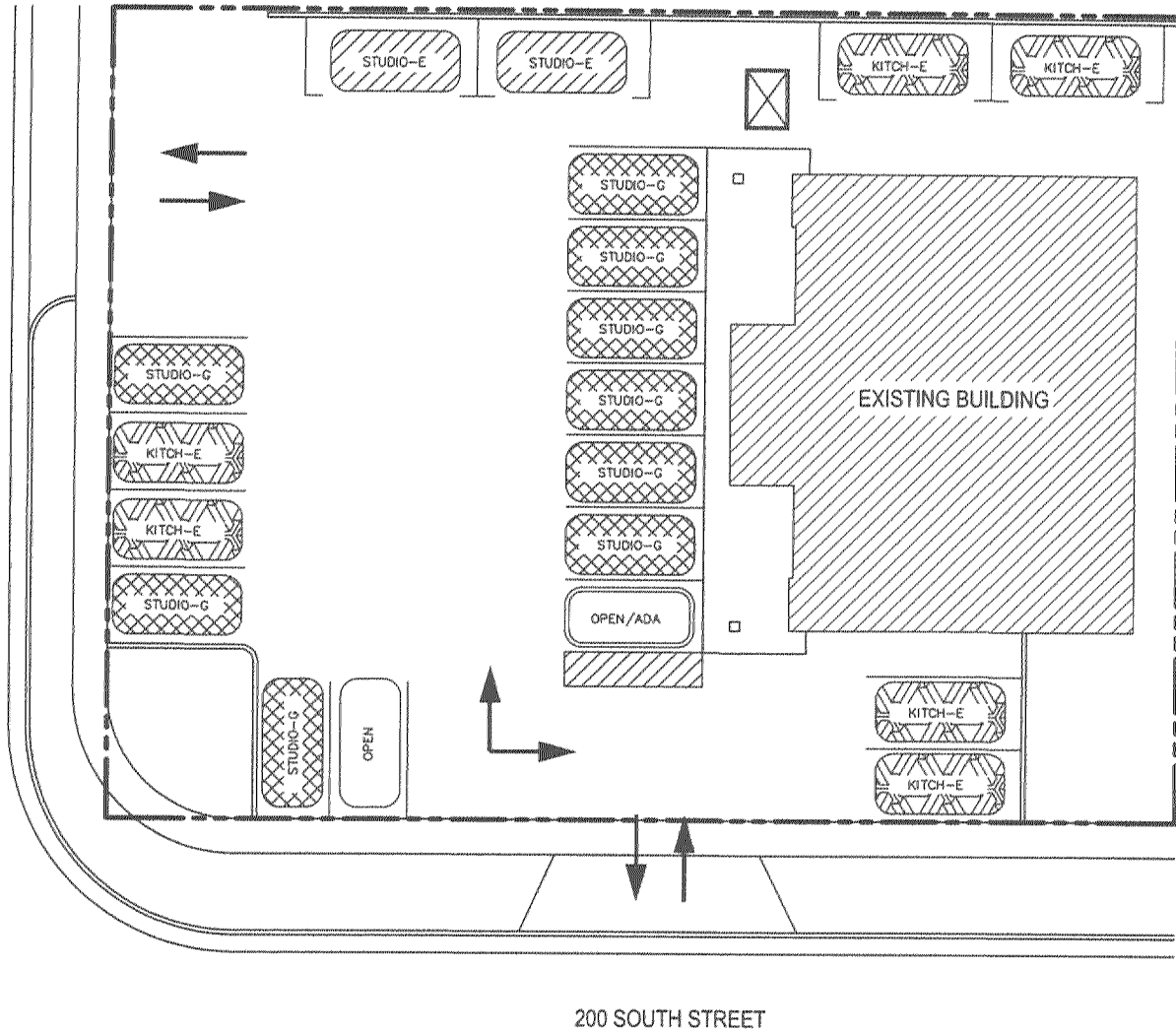
A parking study done in conjunction with the current user of unit "B" with hourly allocations as well as adjustments for Saturday use and winter use has been provided showing peak times. This study assumes full occupancy of 20 occupants, and a parking stall count of 11 required stalls for the art studio, meeting the current Centerville City Zoning ordinance. See attached table:

Additionally all the cities of Davis County were contacted. The city planner for each city was questioned about parking requirements for an Art Studio in their city. A table showing what zone, approved use and parking requirement has been provided. Centerville City code is significantly higher (3 times higher) than every other city with Davis County. It is believed that this represents a hardship on this particular site and should be considered. See attached table:

As the requested use is and Art Studio for Children, Youth and Families, it is implied that teaching will be done in groups, with students who do not drive. Using a total occupancy of 25, with 2 employees, this leaves 23 students, with a large number of them being dropped off by a parent, carpooling, as well as the owners and employees living approximately 1.1 miles from the site, and planning on walking, riding bikes, or carpooling to work. A parking requirement of 5 stalls per 1,000 square feet should be adequate for this use. This complies with building codes for commercial spaces and all other governing municipalities with Davis County.

Parking - Per current zoning ordinance

MAIN STREET



200 SOUTH STREET

LEGEND

-  STUDIO-E 181A ART STUDIO EMPLOYEE
-  STUDIO-G 181A ART STUDIO GUEST
-  KITCH-E COMMERCIAL KITCHEN EMPLOYEE
-  OPEN OPEN ADA STALL
-  OPEN/ADA OPEN ADA STALL
-  NO PARKING EGRESS
-  DUMPSTER (EMPTED EARLY MONDAY MORNING)

PARKING ANALYSIS

1" = 10'-0"

REVISIONS

REV	DATE	DESCRIPTION
1	2-22-2020	INITIAL DESIGN

PINTSIZE PICASSOS

181 SOUTH MAINT STREET SUITE A
CENTERVILLE, UTAH

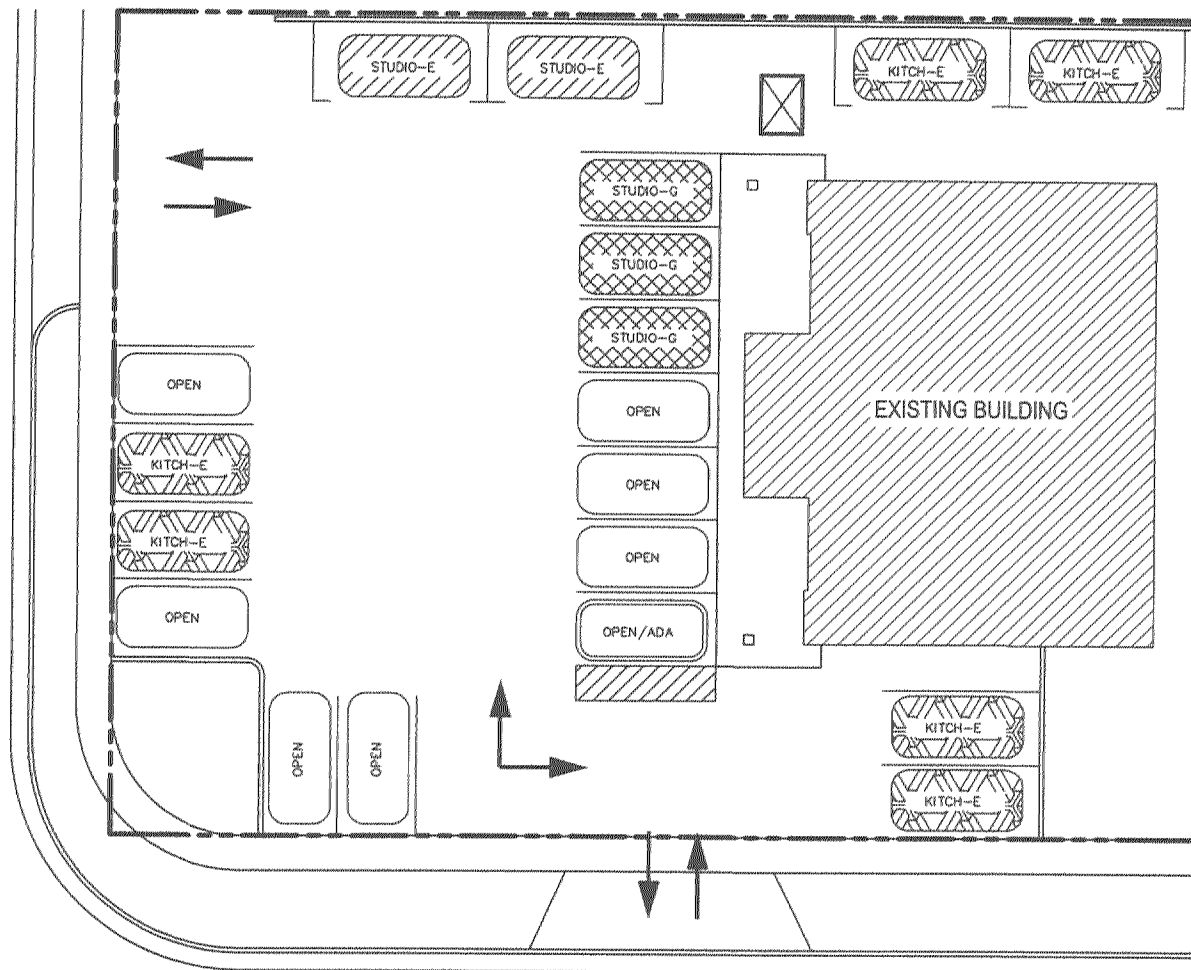
PROJECT NO: 001
DRAWN BY: JTD
CALC BY: JTD
CHECKED BY: JTD
DATE: 2-22-2020

FLOOR PLAN &
PARKING
ALLOCATION

1.0

Parking - 5 per thousand

MAIN STREET



200 SOUTH STREET

LEGEND

-  181A ART STUDIO EMPLOYEE
-  181A ART STUDIO GUEST
-  COMMERCIAL KITCHEN EMPLOYEE
-  OPEN ADA STALL
-  OPEN ADA STALL
-  NO PARKING EGRESS
-  DUMPSTER (EMPTIED EARLY MONDAY MORNING)



PARKING ANALYSIS

1" = 10'-0"

REVISIONS	
REV	DATE

PINTSIZE PICASSOS

181 SOUTH MAINT STREET SUITE A
CENTERVILLE, UTAH

PROJECT NO: 001
DRAWN BY: JTD
CALC BY: JTD
CHECKED BY: JTD
DATE: 2-22-2020

FLOOR PLAN &
PARKING
ALLOCATION

1.0

Parking Study - Hourly Allocation**Monday thru Friday****Pintsize Picassos Hours of Operation 11:00 a.m. -9:00 p.m.****Cupbop / Cal-Co Hours of Operation 7:00 a.m. -5:00 p.m.****Peak Parking Stall Calculations**

Time	Pintsize Picassos Peak	Cal-co Cars Peak	Total Cars
1:00 AM	0	3	3
2:00 AM	0	3	3
3:00 AM	0	3	3
4:00 AM	0	3	3
5:00 AM	0	3	3
6:00 AM	0	3	3
7:00 AM	0	5	5
8:00 AM	0	5	5
9:00 AM	0	5	5
10:00 AM	0	5	5
11:00 AM	0	2	2
12:00 PM	2	2	4
1:00 PM	2	2	4
2:00 PM	2	2	4
3:00 PM	2	2	4
4:00 PM	11	2	13
5:00 PM	11	2	13
6:00 PM	11	3	14
7:00 PM	11	3	14
8:00 PM	11	3	14
9:00 PM	2	3	5
10:00 PM	0	3	3
11:00 PM	0	3	3
12:00 AM	0	3	3

Parking Study - Hourly Allocation**Saturday****Pintsize Picassos Hours of Operation 11:00 a.m. -9:00 p.m.****Cupbop / Cal-Co Hours of Operation 7:00 a.m. -5:00 p.m.****Peak Parking Stall Calculations**

Time	Pintsize Picassos Peak	Cal-co Cars Peak	Total Cars
1:00 AM	0	3	3
2:00 AM	0	3	3
3:00 AM	0	3	3
4:00 AM	0	3	3
5:00 AM	0	3	3
6:00 AM	0	3	3
7:00 AM	0	5	5
8:00 AM	0	5	5
9:00 AM	0	5	5
10:00 AM	11	5	16
11:00 AM	11	2	13
12:00 PM	11	2	13
1:00 PM	11	2	13
2:00 PM	11	2	13
3:00 PM	11	2	13
4:00 PM	11	2	13
5:00 PM	11	2	13
6:00 PM	11	3	14
7:00 PM	11	3	14
8:00 PM	11	3	14
9:00 PM	2	3	5
10:00 PM	0	3	3
11:00 PM	0	3	3
12:00 AM	0	3	3

Parking Study - Hourly Allocation**Monday thru Friday - Winter****Pintsize Picassos Hours of Operation 11:00 a.m. -9:00 p.m.****Cupbop / Cal-Co Hours of Operation 7:00 a.m. -5:00 p.m.****Peak Parking Stall Calculations**

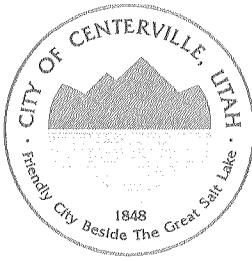
Time	Pintsize Picassos Peak	Cal-co Cars Peak	Total Cars
1:00 AM	0	3	3
2:00 AM	0	3	3
3:00 AM	0	3	3
4:00 AM	0	3	3
5:00 AM	0	3	3
6:00 AM	0	3	3
7:00 AM	0	5	5
8:00 AM	0	5	5
9:00 AM	0	5	5
10:00 AM	0	5	5
11:00 AM	0	2	2
12:00 PM	2	2	4
1:00 PM	2	2	4
2:00 PM	2	5	7
3:00 PM	2	5	7
4:00 PM	11	5	16
5:00 PM	11	3	14
6:00 PM	11	3	14
7:00 PM	11	3	14
8:00 PM	11	3	14
9:00 PM	2	3	5
10:00 PM	0	3	3
11:00 PM	0	3	3
12:00 AM	0	3	3

Parking Study - Hourly Allocation**Saturday - Winter****Pintsize Picassos Hours of Operation 11:00 a.m. -9:00 p.m.****Cupbop / Cal-Co Hours of Operation 7:00 a.m. -5:00 p.m.****Peak Parking Stall Calculations**

Time	Pintsize Picassos Peak	Cal-co Cars Peak	Total Cars
1:00 AM	0	3	3
2:00 AM	0	3	3
3:00 AM	0	3	3
4:00 AM	0	3	3
5:00 AM	0	3	3
6:00 AM	0	3	3
7:00 AM	0	5	5
8:00 AM	0	5	5
9:00 AM	0	5	5
10:00 AM	11	5	16
11:00 AM	11	2	13
12:00 PM	11	2	13
1:00 PM	11	2	13
2:00 PM	11	5	16
3:00 PM	11	5	16
4:00 PM	11	5	16
5:00 PM	11	3	14
6:00 PM	11	3	14
7:00 PM	11	3	14
8:00 PM	11	3	14
9:00 PM	2	3	5
10:00 PM	0	3	3
11:00 PM	0	3	3
12:00 AM	0	3	3

Davis County Cities Comparison - Based on Occupancy of 25

Governing City	Zoning Type	Approved Use	Use per Zoning Ordinance	Parking Requirements per Zoning Ordinance	Stalls required if Pintsize Picassos was within Gov. City
Bountiful City	Commercial Heavy Commercial General	Yes	Tutoring, Dance, preschool, Daycare	5 per thousand gross sq. ft.	5
Centerville City	Commercial medium intensity - CM Commercial High Intensity - CH Commercial Very High Intensity - CVH	Yes	Personal Instruction Service	0.5 Stalls per occupant allowed by fire code, plus 1 stall per employee	15
Clearfield City	Commercial Zone C-1 Commercial Zone C-2 Commercial Residential Zone C-R	Yes	Personal Services	3.5 stalls per 1000 sq. ft gross	4
Clinton City	Planned Commercial Zones CP1 & CP2	Yes	Art Store	1 space per 200 sq. ft. Gross	5
Farmington City	Commercial Zone "C"	Yes	Neighborhood Service Establishment "Art Supply/Studio"	4 per thousand gross sq. ft.	4
Fruit Heights City	Neighborhood commercial C-1 Commercial one C-2	Yes	Retail Commercial	5 per thousand gross sq. ft.	5
Kaysville City	General Commercial Central Commercial	Yes	Retail Services	3.5 stalls per 1000 sq. ft Gross	4
Layton City	Planned Neighborhood Commercial CP-1 Planned Community commercial CP-2 Planned Regional Commercial CP-3	Yes	Art Studio	1 space per 200 sq. ft. Gross	5
North Salt Lake City	Commercial Shop Distirct C-S General Commercial Distirct C-G	Yes	Independent Artists - Studio	1 space per 250 sq. ft.	4
South Weber City	Commercial Zone C	Conitonal	Conditional	Per Planning comission	Per Planning Comission
Syracuse City	General Commercial Zone - GC Commercial Zone C-2	Yes	Retail Trade	3.0 stalls per 1000 sq. ft gross	3
West Bountiful City	Neighborhood Commercial District - CN Commercial General District - CG	Yes	Learning Studio	5 per thousand gross sq. ft.	5
West Point City	Community Commercial C-C Regional Commercial R_C	Yes	Library, Art Gallery, Museum	3.5 stalls per 1000 sq. ft gross	4
Woods Cross City	General Commercial Zone C-2	Yes	Misc Retail Stores / Paint	1 space per 200 sq. ft. Gross	5



CENTERVILLE CITY

COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West • Centerville, Utah 84014 • (801) 292-8232 • Fax: (801) 292-8251

Nate Hatch
nate@cal-co.com

Re: Planning Commission

November 21, 2017

Dear Mr. Hatch

On November 15th, the Planning Commission voted to approve your Conditional Use Permit for Catering, Limited for CupBop at 181 South Main Street, with the following Conditions:

CONDITIONS:

1. This Conditional Use Permit is limited to the use of "catering, limited" for CupBop catering, represented by Cal-Co Distribution Services at 181 South Main Street, Suite B.
2. The applicant cannot disseminate any detectable ambient food source odors beyond the bounds of the property in accordance with the definition of "Catering, Limited" as set forth in CZC 12.12.040
3. A parking study should be performed to determine the adequate number of parking stalls for this site and deemed acceptable to the Zoning Administrator, prior to issuance of a business license for the use.
4. The hours of operation of this business shall be limited to 7:00am to 5:00pm, as stated by the applicant.
5. Deliveries shall be limited to hours outside of the noise ordinance restriction of 9:00pm to 6:00am, as stated in Municipal Code 7.09.020 and also be coordinated with the adjacent tenant space for off hours operating for daytime deliveries.
6. Loading and unloading shall be limited to on-site, not in the public right of way, and delivery trucks shall not block access and parking for the adjacent businesses.
7. The applicant shall have no more than three (3) catering transport vehicles on site at one time.
8. Any trailer or accessory vehicle not in use shall be parked and stored on the north side of the building behind the screening, not in the designated parking stalls.
9. Any food truck not in use shall be parked and stored in the loading area on the south side of the building, not in the designated parking stalls.

Please see the attached Permit with these stated conditions for your records, and let us know if you have any further questions.

Respectfully,

Cassie Younger
Assistant City Planner

This letter has been compiled from preliminary draft meeting minutes, not from the official approved meeting minutes. You may request a copy of the official approved minutes from the City Recorder, Marsha L. Morrow, 801.295.3477, when they are made available. Any person, or any officer, department, board or bureau of the City, adversely affected by a decision made in the administration or interpretation of a provision of this Title may appeal to the Board of Adjustment as provided in Subsection 12-21-200(d)(1) of the Centerville City Zoning Ordinance. A complete application for an appeal shall be filed within fourteen (14) days of the date when the decision was made.



MEMORANDUM

Date: November 22, 2017
To: Nathan Hatch – Cupbop Korean BBQ
From: Hales Engineering
Subject: Centerville Cupbop Korean BBQ Parking Study

UT17-1154

Cupbop Commissary Parking Demand Rates

To identify an existing / acceptable parking demand rate for the Cupbop project, Hales Engineering conducted a phone interview with the project owner to understand the existing/future demand that would be placed on the site from the individual trip making characteristics of the workers. This type of qualitative analyses was completed since this type of land use is not included in the Institute of Transportation Engineers (ITE), *Parking Generation*, 4th Edition, 2010.

The proposed Cupbop commissary (food truck kitchen) is proposed to be located at 181 South / Main Street in a former 7-11 site (see Figure 1). They will split the space with the existing hair salon, and will use approximately 900 to 1,000 square feet of the overall 2,200 square feet of the existing building. There are 11 existing parking spaces on-site, including 1 handicap space. In addition, on the north side of the building is a parking spot for the Cupbop trailer, which is located behind a locked gate and the dumpster. This trailer is used only during the summer months and the dumpster will be moved (rolled away) to extract the trailer, if/when needed. The primary vehicle used is a larger food truck which will be stored on the south side of the existing building and out of the driveway area. This truck is primarily used for events and only supplemented with the trailer for simultaneous events during the summer months.

The Cupbop lease is for 5 stalls which should be sufficient for their needs based on the following information (summer maximum usage):

- Food Truck
 - 1 chef
 - 1 driver
- Commissary (food prep / cleanup)
 - 1 person
- Food Trailer

- 1 chef
- 1 driver

Because the commissary will have one person stay behind to clean and the other 4 people will leave and return with the vehicles, their will only need to be 5 spaces on-site.

The hair salon does not work on Mondays when the trash is picked up, therefore, if an additional on-site space is needed Tuesday – Saturday, a vehicle could park in front of the dumpster, if allowed by zoning code.

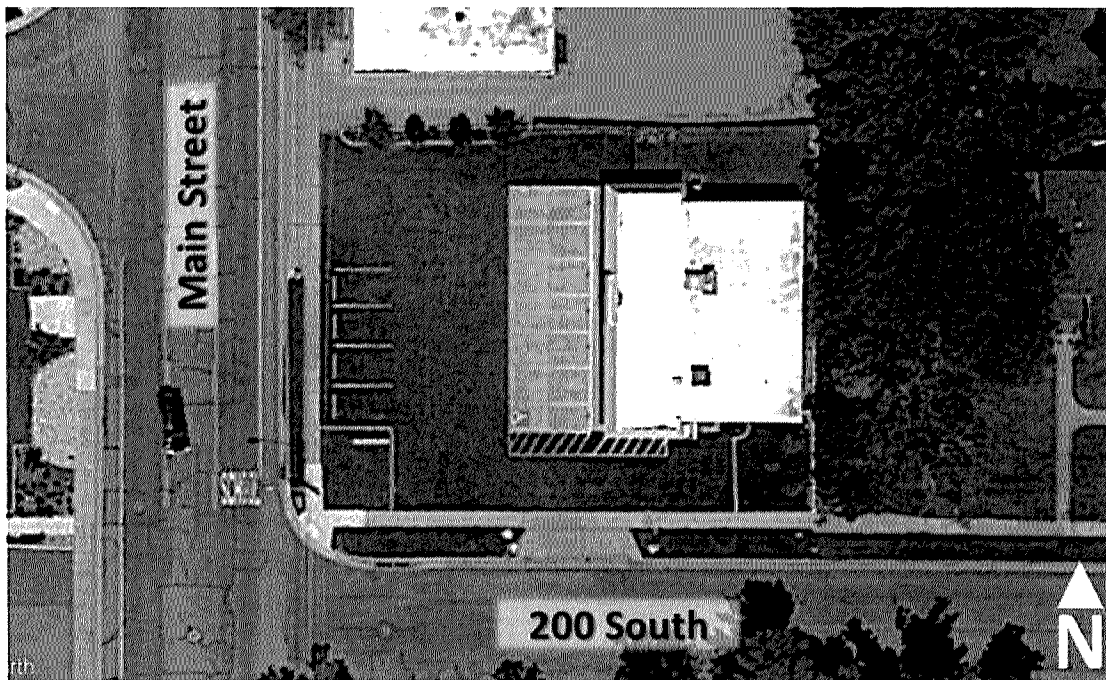


Figure 1: Former 7-11 site in Centerville, Utah

Conclusions / Recommendations

It appears that the 5 parking stalls leased to the Cupbop Korean BBQ will be sufficient for their needs, and leaves the remaining 6 stalls for the Unitee Salon next door. In addition, a parking space could be counted for the area in front of the dumpster, if additional on-site parking is needed on non-Mondays, if it meets City requirements. It is our recommendation that there appears to be sufficient parking available on-site for both land uses.

If you have any questions regarding this memo, please feel free to contact us.

Site Plan

Cal-co Managed Services, LLC
DBA: Cupbop Korean BBQ



CENTERVILLE

Staff Backup Report

4/8/2020

Item No. 2.

Short Title: ADMINISTRATIVE DECISION - Public Hearing - Conceptual Site Plan - Legacy Crossing at Parrish Lane Lots 2 & 3

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ 04-08-2020 PC Staff Report Conceptual Site Plan for Lot 2 & 3 Legacy Crossing
- ▢ Conceptual Site Plan Submittal for Lots 2 & 3
- ▢ Development Agreement for Legacy Crossing PDO Approval
- ▢ DA Amendment #4 Legacy Crossing PDO

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

**STAFF REPORT
AGENDA: ITEM 2**

APPLICANT: JF CAPITAL
MITCH VANCE
1148 LEGACY CROSSING BOULEVARD
CENTERVILLE, UTAH 94014

OWNER: JF CAPITAL
CHAD BESSINGER
1148 LEGACY CROSSING BOULEVARD
CENTERVILLE, UTAH 94014

PROPERTY: LOTS 2 AND 3 OF LEGACY CROSSING AT PARRISH LANE
1025 WEST LEGACY CROSSING BOULEVARD

ACREAGE: 5.63 ACRES

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

PROPOSED USES: OFFICE AND RETAIL

APPLICATION: CONCEPTUAL SITE PLAN (*AMENDED*)

BACKGROUND

The applicant is seeking to alter the approved conceptual site plan for Lots 2 and 3 of the Legacy Crossing at Parrish Lane. This project is located within the Legacy Crossing at Parrish Lane, which is a customized planned overlay zone approved by the City. The original approved development configuration consisted of a restaurant building and a medium box retail building.

The applicant now proposes to develop three (3) retail buildings and one (1) office building. Also, the applicant desires to reconfigure the lot lines and alter/change detention area to accommodate the new development layout.

CONCEPTUAL SITE PLAN REVIEW

A conceptual review for these lots will involve the applicable standards of the Commercial Very-High Zone and also the applicable Planned Development Overlay (PDO) Zone Approval. A summary review, beginning with the governing PDO provisions will be reviewed in depth, which are the predominate applicable development provisions for this project. Staff's review will then

be followed by any unaltered Parrish Lane Gateway Design Guidelines and then any unaltered Commercial, Very-High standards.

➤ APPLICABLE LEGACY CROSSING AT PARRISH LANE PDO PROVISIONS:

✓ **PDO Permitted Uses:** General Restaurant, General Retail, General Office

✓

- **Staff Comment:** Proposed Uses are Retail and Office. **Compliance: YES**

✓ **PDO Allowed Signage:** All signs are subject to CZC 12.54 of the Zoning Ordinance and the Parrish Lane Design Guidelines.

- **Staff Comment:** Signing has NOT been addressed

✓ **PDO Sidewalks and Pedestrian Pathways:** The PDO approval required specific interconnecting pathways for the project. Exhibit K of the applicable Development Agreement, requires a five (5) foot wide pathway connection from both buildings on Lots 2 and 3 to the south side of the theater building (*see related Development Agreement attachment*).

- **Staff Comment:** The proposed plan layout increases the number of buildings and provides a sidewalk access (*width unknown*) to two retail buildings and one office building. The third retail building is isolated from interconnecting pedestrian pathways. It is the opinion of staff that the access from the theater to the first southern buildings meets the intent of the exhibit. However, the remaining pathway connections are not as convenient for interconnecting pedestrian use, as originally envisioned. Since staff is of the understanding that the retail buildings are market speculation, there may be a better way of designing the expected pedestrian pathway interconnections. Staff considers the expected PDO pedestrian interconnections to be only partially in compliance.

✓ **PDO Architectural Guidelines:** The PDO was approved with an “*architectural theme*” outlining expected minimum building design elements, site features, and expected building materials and colors (shown in *Exhibit M of the Development Agreement*). The building theme is to use rock, wood, cement fiberboard, and accent stucco as main building materials. The design may also use the materials of the Shorelands Park, which consist of decorative concrete block and tile or other similar materials. In the Shorelands Park, metal and glass may be used as accent materials. Building design accents are to consist of cornices, columns, window treatments, lintels, and decorative roof vents.

- **Staff Comment:** The proposed plan submittal does NOT call out the specific materials uses. Nonetheless, it appears to staff that the design theme and accent seem to mostly comply with the expectations of the PDO and the Shorelands Park for the retail buildings. However, the office use appears to predominately use glass and metal in the architectural design. Although the office building design is interesting and maybe visually pleasing, staff is not convinced it actually meets the main building materials expectations of the PDO approval.

- ✓ **PDO Landscaping:** Landscaping is expected to meet the Commercial, Very-High Zoning District and Parrish Lane Gateway Design standards and the Development Agreement provides the expected percentages of each site and general list of allowed plantings. Additionally, Exhibit “E” depicts the landscaping areas for the entire development. Lot 2 was to provide at least 24% on-site landscaping. Lot 3 was to provide at least 15% on-site landscaping. Furthermore, the exhibit depicts the expected parking lot landscaping, as required by the Zoning Ordinance and Parrish Lane Gateway Design Guidelines.
 - **Staff Comment:** Although the submittal plan depicts the proposed areas devoted to landscaping, the proposed plan submittal has NOT fully addressed the expectations of the PDO Approval and the other ordinance references.
- ✓ **PDO Common Areas and Amenities:** The common amenity for Lot 2 and Lot three is limited to the detention basin located on Lot 3. The recorded subdivision plat indicates the following:
 - *“The detention basin easements on Lots 2 and 4 are for the purposes of the entire development and shall be maintained as such. However, the configuration, location, and dimensions of the ponds can be changed by future developments, as long as the storage capacity is not altered and that the performance is maintained.”* **Note:** there is a plat reference error – the easements are actually depicted on Lots 3 and 4.
 - **Staff Comment:** The conceptual plan submittal depicts a proposed “retail” building encroaching within the area of the area of the “detention easement,” as also shown on the related subdivision plat. Additionally, the conceptual submittal depicts an underground detention area within the parking lot area of the project. Staff raises the following questions that our City Attorney and City Engineer need to render their recommendation: Given the language of the subdivision plat and PDO approval:
 - “Can a building encroach within the detention easement area?”
 - “Will the plat need to be amended?”
 - “Can required detention be relocated outside of the easement area.”
- ✓ **PDO Exterior Lighting:** The PDO requires lighting to comply with the Parrish Lane Design Guidelines and Exhibit “F” of the Development Agreement with regards to shielding. More particularly, the shielding was addressed to mitigate light splay onto the adjacent residential uses. The light fixture style was set with Lot 1, which is the theater use site.
 - **Staff Comment:** The proposed plan submittal has NOT addressed the expectations of the PDO Approval.
- ✓ **PDO Drives and Drive Aisles:** The Conceptual Site Plan depicts the accepted access “Drive” locations for Lots 2 and 3. As to the “Drive Aisles,” the proposed layout depicts a reconfiguration of the isles to match the new building layout. As to the design of landscaped islands to define the aisles, the new plan appears to be consistent. However,

the aisles need to be at least 25 feet between the parking rows. The “*Drive Aisle*” dimensions are NOT listed.

- **Staff Comment:** The proposed plan submittal generally appears to be consistent with the PDO expectations, with the exception of the dimensioning requirements.
- ✓ **PDO Cross Access and Parking:** These lots are part of a recorded cross-access and parking agreement, which remains in effect for the proposed development. However, Amendment 4, dated February 13, 2018, removes Lot 2 and 3 from the approved parking counts of the other lots. Consequently, Lots 2 and 3 must provide independent parking for all proposed uses in accordance with the “*parking tabulation*” of the Zoning Ordinance, as part of any site plan approval.
 - **Staff Comment:** The proposed plan submittal does address the parking counts. However, it reverses the ordinance tabulations of retail requiring 4 stalls per 1,000 sq. ft. and office of 5 stall per 1,000 sq. ft. of building space.
 - Total count provided on plans = 405 parking stalls
 - Total count required by Ordinance = 424 parking stalls
 - Under-parked Count = Short 29 parking stalls
- ✓ **PDO Truck Route Plan:** The PDO requires all develop to comply with the “depicted truck routes” of Exhibit “P,” or amended at Final Site Plan Approval.
 - **Staff Comment:** The proposed plan submittal amends the original “truck route,” but complies with the expectations of the PDO Plan. The plan also lists the truck route as a “designated fire lane” this designation needs to be reviewed and deemed acceptable to the South Davis Metro Fire District.
- ✓ **PDO Setbacks and Buffering:** The PDO Exhibits require 10-foot building setbacks and 4-foot parking area setbacks along the lot perimeters.
 - **Staff Comment:** The proposed plan submittal appears to comply. However, the plans do not provide the actual dimensions.
- **APPLICABLE PARRISH LANE GATEWAY DESIGN PROVISIONS:**
 - ✓ **Guidelines for Building Articulation:** Large buildings shall be “stepped”, both vertically and horizontally, to break up the building mass and provide aesthetic relief.
 - **Staff Comment:** From review of the submitted plans, it appears the expected articulation has been designed into the buildings.
 - ✓ **Guidelines for Screening:** Screening is required for all roof-top equipment, ground-based utility boxes or equipment, and for trash containers.

- **Staff Comment:** It appears that roof-top screening is planned in the building design. However, the plan submittal overall lacks sufficient information regarding this requirement.
- ✓ **Guidelines for Parking Area Landscaping:** At least 5% of the interior parking lot areas are to be landscaped.
 - **Staff Comment:** From staff review of the plans, the parking lot design likely plan meets this standard.
- APPLICABLE COMMERCIAL, VERY -HIGH ZONING PROVISIONS:
 - ✓ **C-VH Allowable Building Heights:** Building heights are generally limited to 45 feet. Building heights are measure from final grade to the top most level of habitable space. Parapets, roof top mechanical, lofts, and other elements are exempted from the height requirements. However, an increased height may be allowed through issuance of a Conditional Use Permit. Previously within the development, a CUP has been issued for the theater and an office building to allow for increased height.
 - **Staff Comment:** The proposed office building's height is depicted at 60 feet. A CUP approval will be required to allow for the increased height.
- OTHER APPLICABLE DEVELOPMENT PROVISIONS
 - ✓ **Request for Site Plan Development Phasing:** The entire site is expected to develop at one time. However, the Planning Commission may approve a Phasing Plan, subject to 12.21.110.f.
 - **Staff Comment:** The applicant has previously indicated that they may develop the buildings as the market allows. If this is the case, the applicant will need to provide a phasing plan to ensure that as buildings develop, the needed parking, drive lanes, and associated landscaping can support each building that is proposed to be phased.
 - ✓ **Additional Subdivision Plat Matters:** The applicant has indicated a desire to make adjustments to the configuration of the platted lots. More specifically, the desire seemed to focus on keep apart the office building from the retail buildings.
 - **Staff Comment:** This request more than likely qualifies for some sort of "lot line adjustment," which is permissible by state laws. However, such lot line adjustments do not address easement locations. The applicant will need to address this matter with the City Attorney to ensure that changes comply with state statues and the City's subdivision provisions.

PLANNING STAFF RECOMMENDATIONS FOR CONCEPTUAL SITE PLAN

The Planning Commission should be aware that the City's efforts to deal with the COVID-19 pandemic concerns have affected the ability for staff to process applications within the normal time frames. The City is just now attempting to replace typical in person meetings and communications using other forms of communication technology. These changes have not yet created an efficient stream of communication for the applicant to make corrections to their applications in time for presentation at the Commission Meeting.

Consequently, the reviews of this report show several shortfalls. Additionally, keep in mind that any conceptual site plan review is not intended to permit actual development of property pursuant to such plan but shall be prepared and reviewed merely to represent how the property could be developed (See CZC 12.21.110.d.5). This allows both the staff and Commission to better communicate to the applicant the correct development expectations.

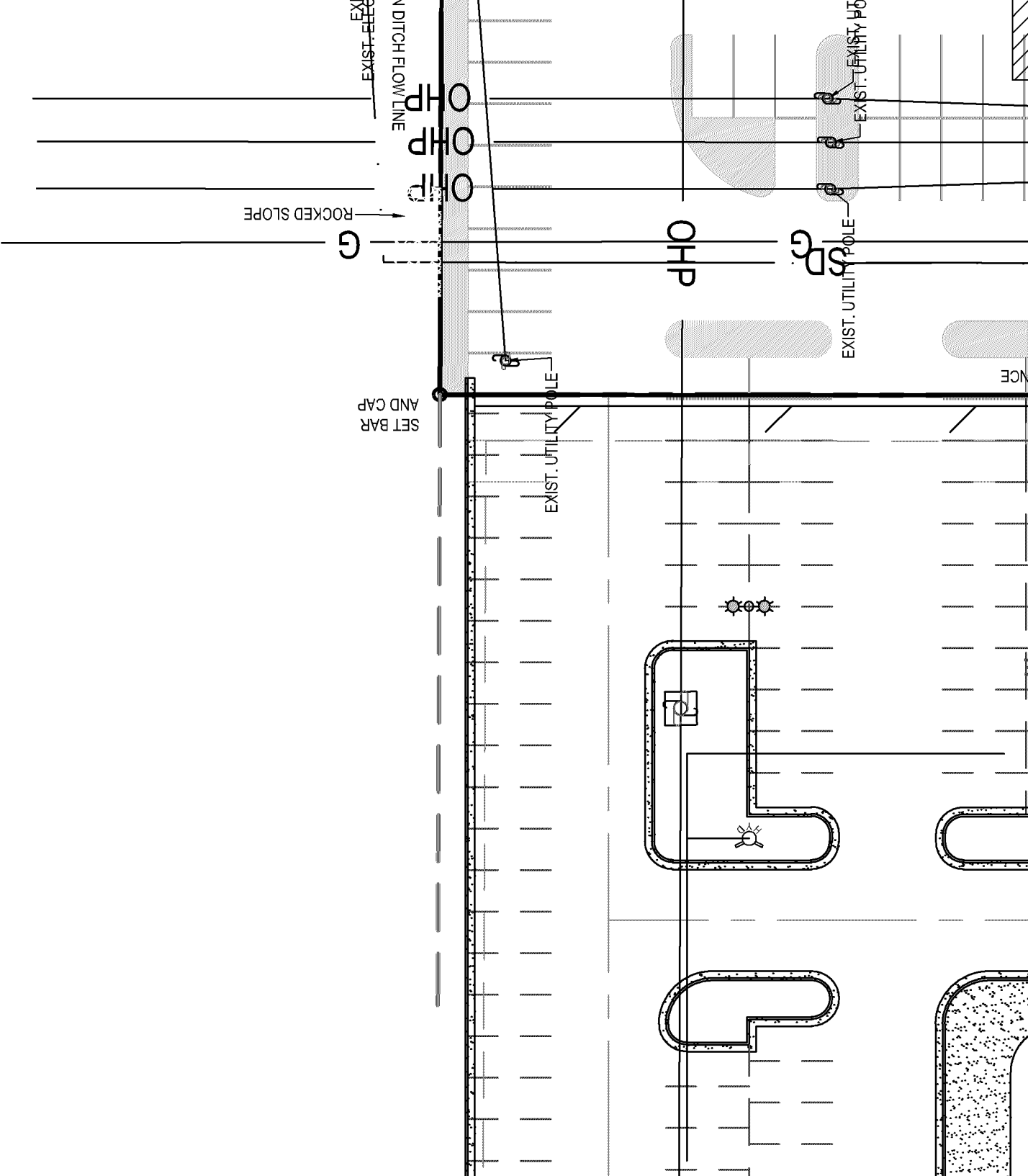
Therefore, the Planning Commission can decide to either *'TABLE' the item to allow the applicant time to address the various shortfalls identified in this report and bring the matter back to the Commission.*

OR

The Commission can, in spite of the shortfalls, decide to *"ACCEPT" the Conceptual Site Plan Submittal, provided that the applicant address the matters as described in the Staff Report of April 03, 2020.*

SUGGESTED REASONS FOR AN "ACCEPTANCE" ACTION:

- a. *The Planning Commission finds that a Conceptual Site Plan review is not intended to permit actual development of property pursuant to such plan but shall be prepared and reviewed merely to represent how the property could be developed (See CZC 12.21.110.d.5).*



2

1



2

1



2

1

1

2

1

1

2

1

1

2

1

1

200/49

LEGACY CROSSING AT PARRISH LANE

DEVELOPMENT AGREEMENT & EXHIBITS

JULY 26, 2010

MEGAPLEX

06-008-0037
0038
0057
0058
0087

E 2555652 S 5113 P 526-622
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
09/28/2010 11:18 AM
FEE \$206.00 Post 97
DEF RIT REC'D FOR CENTERVILL



When recorded, return to:

Centerville City
Attn: City Recorder
250 North Main Street
Centerville, Utah 84014

Affects Parcels: 6-008-0027, 06-008-0038, 06-008-0057, 06-008-0058, 06-008-0087

**DEVELOPMENT AGREEMENT BETWEEN CENTERVILLE
CITY, PARRISH LAND HOLDINGS, LLC, AND LEGACY CROSSING LLC**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the 21st day of September, 2010, by and between **CENTERVILLE CITY**, a Utah municipal corporation ("City"), and **PARRISH LAND HOLDINGS, LLC**, a Utah limited liability company, and **LEGACY CROSSING LLC**, a Utah limited liability corporation (collectively referred to herein as "Developer").

RECITALS:

A. Developer owns approximately 28.92 acres of real property located at the southeast corner of 1250 West and Parrish Lane in Centerville City, Davis County, State of Utah, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property").

B. Developer desires to rezone, subdivide and develop the Property as a **Mixed Commercial / Residential Planned Development** to include a theater complex, retail, restaurant, office, and multi-family residential housing (the "Planned Development") in accordance with the **Planned Development Overlay Zone Ordinance**, as more particularly set forth in Chapter 12-41 of the City Zoning Ordinance, and all other applicable City Ordinances, as more particularly defined herein.

C. Pursuant to City Ordinances, Developer has submitted to the City applications for rezone of the Property with a Planned Development Overlay, zoning text amendment regarding residential density within a mixed commercial/residential planned development, and conceptual master site plan approval for development of the Property as a Planned Development.

D. Subject to various conditions of approval, including the approval and execution of this Agreement, the City is willing to approve the rezoning of a portion of the Property from Industrial Use (I-H & I-VH) to Commercial Very High (C-VH) with an associated Planned Development Overlay (PDO) zoning for the Property. The conditionally approved zoning for the Property is more particularly indicated and represented on **Exhibit B**, attached hereto and incorporated herein by this reference.

E. Subject to various conditions of approval, the City has approved a master conceptual site plan ("Master Site Plan") for the Mixed Commercial / Residential Planned Development. The Master Site Plan is attached hereto as **Exhibit C** and incorporated herein by this reference.

F. As part of the Master Site Plan, the City also conditionally approved the following plans for the Planned Development (hereinafter collectively referred to as the "Project Plans"):

1. Legacy Crossing Master Phasing Plan ("Phasing Plan") attached hereto and incorporated herein by reference as **Exhibit D**;
2. Legacy Crossing Master Landscaping Plan ("Landscaping Plan") attached hereto and incorporated herein by reference as **Exhibit E**;
3. Legacy Crossing Master Lighting Plan ("Lighting Plan") attached hereto and incorporated herein by reference as **Exhibit F**;
4. Legacy Crossing Signage and Monument Plan ("Signage and Monument Plan") attached hereto and incorporated herein by reference as **Exhibit G**;
5. Legacy Crossing Reciprocal Parking and Cross-Access Easements Plan ("Reciprocal Parking and Cross-Access Easements Plan") attached hereto and incorporated herein by reference as **Exhibit H**;
6. Legacy Crossing Traffic Mitigation Plan ("Traffic Mitigation Plan") attached hereto and incorporated herein by reference as **Exhibit I**;

7. Legacy Crossing Setback Plan ("Setback Plan") attached hereto and incorporated herein by reference as **Exhibit J**;

8. Legacy Crossing Sidewalk and Pedestrian Pathways Plan ("Sidewalk and Pedestrian Pathways Plan") attached hereto and incorporated herein by reference as **Exhibit K**;

9. Legacy Crossing Common Areas and Amenities Plan ("Common Areas and Amenities Plan") attached hereto and incorporated herein by reference as **Exhibit L**;

10. Legacy Crossing Architectural Design Guidelines ("Architectural Design Guidelines") attached hereto and incorporated herein by reference as **Exhibit M**;

11. Legacy Crossing Fencing Plan ("Fencing Plan") attached hereto and incorporated herein by reference as **Exhibit N**;

12. Legacy Crossing Drive Aisle and Dimensions Plan ("Drive Aisle Plan") attached hereto and incorporated herein by reference as **Exhibit O**;

13. Legacy Crossing Truck Route Plan ("Truck Route Plan") attached hereto and incorporated herein by reference as **Exhibit P**.

G. All approvals for development of the Property are subject to specific conditions of approval. This Agreement includes various conditions and requirements which must be satisfied by Developer in the development of the Property. Except as otherwise specifically provided herein, both the Property and the development of the Planned Development are subject to and shall conform with this Agreement as well as all ordinances, rules and regulations adopted by the City, including but not limited to the provisions of the City General Plan, Zoning Ordinance, Subdivision Ordinance, fees, and all other applicable ordinances, standards, specifications, regulations and codes, collectively hereinafter referred to as the "City Ordinances."

H. The purpose of this Agreement is to reduce to writing the respective agreements and understandings of the parties regarding the approval of the Planned Development Overlay and development of the Property in conformance with the City Ordinances and the specific approvals granted by the City for the Property and the Planned Development. The City and Developer, as well as any permitted successors and assigns, agree to be bound by the terms and conditions of this Agreement as more particularly set forth herein. Any person or entity hereinafter developing the Property or any portion thereof shall comply with the terms of this Agreement.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Incorporation of Recitals.** The above Recitals are hereby incorporated into this Agreement.

2. **Property Development.** The Property and the Planned Development shall be developed in strict accordance with the terms and conditions of this Agreement and City Ordinances. All development and use of the Property shall be subject to and shall comply with the terms and conditions of the Master Site Plan, the Project Plans, and the Planned Development Overlay Zone requirements. In accordance with the terms and findings of the Planned Development Overlay Zone and the terms and conditions of this Agreement, the Property shall be developed as one integrated land use rather than as an aggregation of individual and unrelated buildings and uses. In addition, in accordance with the Planned Development Overlay Zone requirements, the Planned Development shall implement the goals of the City General Plan, have an overall architectural design theme, and allow a variety of uses to be established in a mutually compatible manner. No additional property may be added to the Property or the Planned Development described herein for the purposes of this Agreement except by written amendment to this Agreement approved and executed by the parties. Unless otherwise expressly provided herein, all improvements and requirements for development of the Planned Development shall be installed by Developer at Developer's cost.

3. **Mixed Planned Development.** The Property shall be developed as a Mixed Commercial / Residential Planned Development in accordance with the Planned Development Overlay Zone Ordinance, as more particularly set forth in Chapter 12-41 of the City Zoning Ordinance, and all other applicable City Ordinances. Pursuant to applicable City Ordinances, commercial / residential development within a commercial planned development shall be predominantly commercial with a supplemental residential component. The Planned Development shall consist of six (6) subdivided lots. Developer shall be required to apply for and obtain subdivision plat approval for subdivision of the Property in accordance with applicable City Ordinances as more particularly provided in Section 32. Subject to the terms and conditions of this Agreement and future approvals, commercial uses shall be permitted within Phases 1-4 and Phase 6, as indicated on the Master Site Plan. Subject to the terms and conditions of this Agreement and future approvals, residential uses shall be permitted solely within Phase 5, as indicated on the Master Site Plan.

4. **Parrish Lane Gateway Design Standards.** The Property and Planned Development are located within and, except as otherwise expressly provided herein, subject to all provisions of the Parrish Lane Gateway Design Standards as more particularly set forth in Chapter 12-63 of the Centerville Zoning Ordinance ("Parrish Lane Gateway Design Standards"). The purpose and intent of the Parrish Lane Gateway Design Standards is to enhance the economic viability and aesthetic value of the Parrish Lane Gateway Area as an important gateway to the City. The Parrish Lane Gateway Design Standards are in addition to existing standards and regulations of the underlying zone of the Property.

5. **Permitted Uses.** The list of allowed uses for each phase, as indicated on the Master Site Plan, shall be limited to the following. The terms and uses listed herein shall be defined and determined in accordance with the City Zoning Ordinance. Any uses of the Property shall also be subject to conditional use permit approval in accordance with applicable City Ordinances.

a. **Phase 1.** Use of Phase 1 shall be limited to a movie theater. Accessory uses such as restaurant uses may be allowed within the theatre building on Phase 1, subject to compliance with uses permitted in the underlying zoning. No automobile related sales, services or repair or non-destination type uses or drive-thru facilities shall be permitted on Phase 1.

b. **Phase 2, Phase 3, and Phase 4.** Use of Phase 2, Phase 3, and Phase 4 shall be limited to general restaurant, general retail, and general office. No automobile related sales, services, or repair, or non-destination type uses or drive-thru facilities shall be permitted on Phase 2, Phase 3 or Phase 4.

c. **Phase 5.** Use of Phase 5 shall be limited to multifamily residential and accessory uses associated with multifamily housing, such as recreational buildings, club house, storage facility, etc. Development of Phase 5 shall comply with the density and transitioning requirements of Section 6.

d. **Phase 6.** Use of Phase 6 shall be limited to general restaurant, fast food restaurant, general retail, and general office. Pursuant to the conditions of approval for the PDO, access to Phase 6 to or from 1250 West is prohibited. No automobile related sales, services, or repair shall be permitted in Phase 6. Drive-thru facilities are permitted in Phase 6, subject to final site plan approval and compliance with applicable City Ordinances.

6. **Residential Density.** The residential portion of the Planned Development may be developed at a maximum gross density not to exceed fifteen (15) units per acre when calculating the entire Planned Development or twenty-five (25) units per acre when calculating the residential area only, whichever is less.

Residential uses shall be located within a minimum of three (3) and a maximum of five (5) buildings and in substantial compliance with the Master Site Plan. In accordance with the approved Zoning Ordinance text amendment, the maximum height for any residential building within the Planned Development shall be limited to four (4) stories and forty-five (45) feet. Notwithstanding the foregoing, in accordance with applicable provisions of the Centerville City General Plan, development of the Property shall provide for appropriate land use transitioning between adjacent properties and uses surrounding the Property. Residential density for the Property shall provide for appropriate transitioning within the Property and to adjacent properties.

7. **Signage.** All signage in the Planned Development shall comply with City Ordinances and the Signage and Monument Plan as set forth in **Exhibit G**, attached hereto. Sign permits shall be required for each individual sign within the Planned Development in accordance with City Ordinances. Future development within individual phases or lots shall be required to adhere to the sign locations and types approved with the Master Site Plan. Building signage for all development within the Planned Development shall adhere to the requirements of the sign ordinance and the Parrish Lane Gateway Design Standards. All signage shall be consistent with the signage for the overall Planned Development and the architectural treatments of the buildings within the Planned Development. Except as otherwise approved as Planned Development common signage, no signs shall be permitted except those advertising the business conducted on the specific lot for which the sign is designated.

8. **Entry Monuments.** Developer shall provide and install the entry monuments for the Planned Development in accordance with and as more particularly described in the Signage and Monument Plan set forth in **Exhibit G**, and the Master Site Plan as set forth in **Exhibit C**. Entry monuments shall be installed and constructed with the applicable phase of the development in which the proposed monuments and features are located and shall be completed prior to issuance of any certificate of occupancy within such phase.

9. **Fencing.** Developer shall provide and install internal fencing for the entire Planned Development in accordance with and as more particularly described in the Fencing Plan as set forth in **Exhibit N**, attached hereto and incorporated herein by this reference. Except as otherwise set forth in the Phasing Plan, fencing shall be installed and constructed with the applicable phase of the development in which such fencing is located and shall be completed prior to issuance of any certificate of occupancy within such phase.

10. **Sidewalks and Pedestrian Pathways.** Developer shall provide within, through and around the Planned Development a network of sidewalks and pedestrian pathways that interconnect residential and commercial uses and provide for vehicular crossings. All sidewalks and pathways shall be provided as more particularly shown

on the Master Site Plan and the Sidewalk and Pedestrian Pathways Plan attached hereto as **Exhibit K**. The sidewalks and pedestrian pathways shall be designed and installed in accordance with applicable provisions of City Ordinances, including, but not limited to, the Parrish Lane Gateway Design Standards and City General Plan provisions regarding pedestrian pathways. For purposes of the Parrish Lane Gateway Design Standards, the Sidewalk and Pedestrian Pathways Plan is the approved pedestrian circulation plan for the Planned Development. No urban trail is required for the project, as the Property frontage with Parrish Lane is a freeway entrance and/or contains a significant slope. Except as otherwise set forth in the Phasing Plan, all sidewalks, pedestrian pathways and crossings shall be installed and constructed with the applicable phase of the development in which such improvements are located and shall be completed prior to issuance of any certificate of occupancy within such phase. All pedestrian pathways within the Planned Development shall be a minimum of five (5) feet in width and all public sidewalks shall be a minimum of four (4) feet in width. All vehicular crossings shall be of stamped concrete, brick pavers, or stamped and painted asphalt. Additional pedestrian pathways may be approved or required with final site plan approval for individual phases or lots. The property owner shall be responsible for maintaining the pedestrian pathways, stamped concrete areas, and related pedestrian improvements, lighting and landscaping.

11. **Architectural Guidelines.** The Planned Development has been approved with an architectural theme, minimum building design elements, site features, and permitted building materials and colors as more particularly set forth in the Architectural Design Guidelines as attached hereto in **Exhibit M**. The approved Architectural Design Guidelines may be amended in accordance with applicable City Ordinance and as an amendment to this Agreement. All development, buildings, construction and uses within the Planned Development shall comply with the Architectural Design Guidelines and the following requirements.

(a) All buildings within the Planned Development shall be architecturally compatible and in accordance with the overall design theme approved for the Planned Development. All buildings within the Planned Development shall be developed with the architectural, building, colors, materials, landscaping, entry monument and fencing theme presented in the Architectural Guidelines and Project Plans, which reflect a Legacy Parkway/Shorelands style theme using rock, wood, cement fiberboard, and accent stucco as main materials and accenting the buildings with motif elements such as cornices, columns, window elements, lintels, and decorative roof vents.

(b) All mechanical equipment within the Planned Development shall be screened from view from adjacent public streets. Dumpster enclosures shall only be allowed in locations specifically designated on the Master Site Plan and any other approved final site plan.

(c) All fencing and walls installed for buffering, screening, retaining or other purposes shall be constructed to a high quality standard and shall be compatible with other building materials and colors used in the architectural treatment, or compatible with development of adjacent properties.

(d) The development of the buildings shall be of appropriate scale and mass to fit the size of the phase or lot being developed. The scale of the building(s) shall meet the intent of the Parrish Lane Gateway Design Standards, incorporating human scale elements.

(e) The buildings shall be designed so that the exterior elevation is architecturally and aesthetically compatible within the Planned Development and so that the building footings shall not encroach onto any other phase or lot. The design and construction shall be in conformity with sound architectural and engineering standards and the construction shall be of high quality.

(f) Color Palettes shall be compatible with the Centerville Shorelands Color Palette.

(g) Building setbacks shall be in accordance with the setbacks established in the Setback Plan set forth in **Exhibit J**.

(h) In addition to the approved Architectural Design Guidelines, all buildings, structures, enclosures and architectural design themes within the Planned Development shall comply with the building articulation, pedestrian accessibility, colors, materials, and screening requirements of the Parrish Lane Gateway Design Standards, including, but not limited to, Section 12-63-040, as amended.

(i) The residential component of the Planned Development shall provide semi-private areas, consisting of true balconies, patios, and front courts and such elements shall be integrated as part of the building design.

12. **Architectural Control Committee.** An architectural control committee shall be created and required in accordance with provisions of Section 12-41-110 of the City Ordinances and as more particularly required in Section 17 of this Agreement regarding Restrictive Covenants.

13. **Landscaping.** All landscaping for and within the Planned Development shall be provided by the Developer in accordance with the Landscaping Plan, attached hereto as **Exhibit E**. The Landscaping Plan includes a proposed 10' wide landscaping corridor for the residential area adjacent to 200 North using the excess right-of-way, which use and improvements shall be subject to approval by the City and the Utah Department of Transportation, as applicable. In addition to the approved Landscaping Plan, all landscaping within the Planned Development shall comply with the

landscaping, maintenance and screening requirements of the Parrish Lane Gateway Design Standards, including, but not limited to, Section 12-63-050, as amended, and the parking landscaping requirements of Section 12-63-060, as amended. All landscaping shall be bonded for and warranted in accordance with applicable City Ordinances. The Landscaping Plan shall include a program for the intended maintenance of the landscaping and a mechanism for dust, weed and debris control on undeveloped portions of the Property as required by the Parrish Lane Gateway Design Standards. The Planned Development shall adhere to the landscape requirements set forth in the Parrish Lane Gateway Design Standards and the Centerville C-VH Zoning Ordinance regulations as minimum criteria for landscape, buffering and open space. All plant palette and themed street tree palette will be established with the preparation of the construction documents for Phase 1. All other landscaping within the Planned Development shall adhere to the same plant palette, mulch types, sod types and streetscape themes to be consistent with the landscape construction documents for Phase 1. Any site furniture items shall be compatible and similar in style and color with site furniture chosen for Phase 1. Unless otherwise specified in the Phasing Plan, all landscaping shall be constructed and installed with the applicable phase of the development in which such landscaping improvements are located and shall be completed prior to issuance of any certificate of occupancy within such phase. All landscaping shall be maintained in accordance with the provisions set forth herein and the requirements and specifications of the Landscaping Plan and the landscaping plan approved for the specific phase or lot during final site plan approval. Notwithstanding any private agreement or covenant by or between property owners within the Planned Development, each lot owner within the Planned Development shall be responsible for maintaining all landscaping located on the owner's lot, including, but not limited to perimeter, internal, and parking lot landscaping. Developer, or acceptable owners' association, shall be responsible for maintaining the landscaping in the middle of the round-about within 1250 West.

14. **Common Areas and Amenities.** All common areas, open space, and amenities shall be provided by the Developer in accordance with the Common Areas and Amenities Plan, attached hereto as **Exhibit L**. In addition to the approved Common Area and Amenities Plan, all common areas, open space, and amenities within the Planned Development shall comply with the requirements of the Parrish Lane Gateway Design Standards. Except as otherwise set forth in the Phasing Plan, all common areas, open space, and amenities shall be constructed and installed with the applicable phase of the development in which such common area and amenities are located and shall be completed prior to issuance of any certificate of occupancy within such phase. All common areas, open space, and amenities shall be maintained in accordance with the provisions set forth herein and the requirements and specifications of the Common Areas and Amenities Plan and any requirements approved for the specific phase or lot during final site plan approval. Notwithstanding any private agreement or covenant by or between property owners within the Planned

Development, each lot owner within the Planned Development shall be responsible for maintaining common areas, open space, and amenities of the Planned Development located on the owner's lot.

15. **Adequate Guarantee for Protection of Common Areas.** In accordance with City Ordinances, Developer is required to provide adequate guarantees for the protection of the Common Areas from future development. Pursuant to Section 12-41-110 of the Centerville City Zoning Ordinance, Developer proposes to have the landscaping, common areas and amenities owned by an owners' association. Developer shall prepare and record ownership association documents and restrictive covenants in accordance with applicable provisions of Section 12-41-110 regarding the maintenance and protection of landscaping, common areas and amenities. Such association documents and covenants shall be in a form acceptable to the City and shall be prepared and submitted to the City for review with application for final site plan approval for Phase 1 and shall be recorded against the Property prior to the issuance of a building permit for Phase 1.

16. **Owners' Associations.** Developer shall create an owners' association for the maintenance of landscaping, common areas and amenities as more particularly discussed in Sections 13-15. Such owners' associations shall be required to remain in existence for the required maintenance of landscaping, common areas and amenities.

17. **Restrictive Covenants.** A declaration of property and building use restrictions shall be required for the Planned Development and each phase thereof in accordance with Centerville City Zoning Ordinance Section 12-41-110. Such restrictive covenants shall be in a form acceptable to the City and shall be prepared and submitted to the City for review with application for final site plan approval for Phase 1 and shall be recorded against the Property prior to this issuance of a building permit for Phase 1. . The restrictive covenants for the Planned Development shall provide all covenant requirements set forth in this Agreement and shall provide for an architectural control committee as provided in Section 12-41-110.

18. **Lighting.** All exterior lighting within the Planned Development, including any street lighting, shall comply with City Ordinances and the Lighting Plan as set forth in **Exhibit F**, attached hereto. All exterior lighting within the Planned Development shall be directed downward and shall be directed in such a manner as to prevent light spillage onto adjacent properties and lots. All lighting on commercial lots or phases shall be shielded from shining onto residential areas, phases, lots or units. Exterior lighting of the site and buildings is required to promote a safe pedestrian and vehicular environment with the entire Planned Development. Development within the Planned Development shall use lighting fixtures and pole heights consistent with those approved for Phase 1. Pedestrian corridors will also be lit in accordance with the Parrish Lane Gateway Design Standards for lighting. All exterior lighting shall be installed and constructed with the applicable phase of the development in which such lighting is

located and shall be completed prior to issuance of any certificate of occupancy within such phase. In addition to the approved Lighting Plan, all lighting for the Planned Development shall comply with applicable lighting provisions of the Parrish Lane Gateway Design Standards. Final design and specifications for street lighting within the project shall be approved by the City with final site plan approval for Phase 1.

19. **Drives and Drive Aisles.** All drives and drive aisles within the Planned Development shall be constructed in accordance with City Ordinances and applicable standards. All drives and drive aisles shall be installed and constructed by Developer in accordance with the approved Master Site Plan attached as **Exhibit C** and the Drive Aisles and Dimensions Plan attached as **Exhibit O**. All drives and drive aisles shall comply with the recommendations of the Traffic Study for the Planned Development and all requirements of the City Engineer in accordance with City Ordinance and approved construction drawings. Unless otherwise indicated in the Phasing Plan, all drives and drive aisles shall be installed and constructed with the applicable phase of the development in which such improvements are located and shall be completed prior to issuance of any certificate of occupancy within such phase in accordance with City Ordinances.

20. **Streets and Roadways.** Except for Legacy Crossing Boulevard, all streets within the Planned Development shall be dedicated public streets. All streets, including Legacy Crossing Boulevard, shall be constructed in accordance with City standards. Developer shall provide and develop the Property with the streets and roadway networks as shown on the Master Site Plan attached hereto as **Exhibit C**. Streets and other public improvements shall be constructed and installed by Developer in accordance with City Ordinances and the approved Phasing Plan for the Planned Development. Developer shall bond and warrant all public improvements in accordance with City Ordinances. All streets and related street improvements and roadways shall comply with the Traffic Mitigation Plan for the Planned Development and all requirements of the City Engineer in accordance with City Ordinances and approved construction drawings. Unless otherwise indicated in the Phasing Plan, all streets and roadways shall be installed and constructed with the applicable phase of the development in which such improvements are located and shall be completed prior to issuance of any certificate of occupancy within such phase in accordance with City Ordinances. Developer shall dedicate all land needed for construction and widening of public streets for the Planned Development, including dedication of off-site land needed for construction and dedication of the roundabout and widening of 1250 West.

21. **Traffic Mitigation Plan.** Development, use and all activities within the Planned Development shall comply with all of the recommendations of the Traffic Study prepared and provided for the Planned Development, and the Traffic Mitigation Plan as set forth in the **Exhibit I**. Pursuant to PDO approval, the Traffic Mitigation Plan shall include and address the following requirements: (1) 1250 West/Parrish Lane shall be improved with a signalized intersection; (2) a cross-access drive lane

shall be provided to the 75 North Street (currently a private lane); (3) 1250 West shall be improved to a three-lane cross section as Master Planned from Parrish Lane to 200 North Streets; (4) the off-set intersection of 200 North shall be re-aligned with the access directly across 1250 West; (5) parking shall be prohibited along 1250 West; and (6) no access for Phase 6 shall be permitted to or from 1250 West. Additional traffic mitigation measures may be required for individual phases or lots within the Planned Development as part of final site plan approval for such phases lots. All phases or lots within the Planned Development are intended to and shall be developed as one integrated development site through use of shared access and circulation routes as more particularly provided herein. Vehicular access to public rights-of-way from each phase or lot and the Planned Development shall be limited to the requirements and designations of the Traffic Mitigation Plan and the Master Site Plan. All on-site and off-site improvements required in the Traffic Mitigation Plan shall be installed and bonded for by Developer in accordance with the Traffic Mitigation Plan, the Phasing Plan, and applicable City Ordinances.

22. **Parking.** Parking shall be provided in accordance with the Master Site Plan as set forth in **Exhibit C**. All parking for the Planned Development shall comply with the applicable parking, parking lot, traffic circulation, landscaping, design, and lighting provisions of the Parrish Lane Gateway Design Standards and applicable City Ordinances.

23. **Reciprocal Parking and Cross-Access Easements.** The Planned Development has been approved with reciprocal parking and cross-access requirements for all of the Property within the Planned Development as more particularly provided in the Reciprocal Parking and Cross-Access Easements as set forth in **Exhibit H**. All Property within the Planned Development shall be subject to reciprocal parking and cross-access easements to be recorded against the Property in substantially the same form as set forth in **Exhibit H**. Reciprocal Parking and Cross-Access Easements shall be required as a condition of final site plan approval for Phase 1 and shall be recorded against all of the Property prior to issuance of a building permit for Phase 1. No building permit shall be issued within the Planned Development until all Reciprocal Parking and Cross-Access Easements as shown in **Exhibit H** have been recorded against the Property as provided herein. All parking ratios for individual phases or lots within the Planned Development shall be calculated according to the City Ordinances. Each phase within the Planned Development shall provide the minimum number of parking spaces required for such use and development in accordance with applicable City Ordinances. No private agreements shall be entered into by the owners or tenants that would encumber or restrict available parking for any given use, phase or building to less than the minimum number of parking spaces required for such use, phase or building by City Ordinances. Any amendments or revisions to the Reciprocal Parking and Cross-Access Easements shall require site plan amendment approval, if

required by City Ordinances, in addition to required amendments to the easements and this Agreement.

24. **Snow Storage.** Developer shall provide for adequate snow storage within the Planned Development, including, but not limited to snow storage easements where deemed necessary, and private snow removal services for private and common areas.

25. **Maintenance.** In addition to all City Ordinance requirements regarding maintenance of property and weeds, the following shall apply to maintenance within the Planned Development. Developer or an acceptable owners' association, as provided herein, shall, at its expense, maintain all built improvements in good condition and repair. Maintenance includes, without limitation, the following: (1) maintaining the surfaces in a level, smooth and evenly-covered condition with the type of surfacing material originally installed or such substitute as shall in all respects be equal in quality, use and durability; (2) removing all papers, debris, filth and refuse and thoroughly sweeping the area to the extent reasonable necessary to keep the area in a clean and orderly condition; (3) placing, keeping in repair and replacing as necessary any directional signs, markers or lines; (4) maintaining all walls and fences in a good condition and state of repair; and (5) maintaining all landscaped areas and making such replacements of shrubs, and other landscaping as is necessary, including regular pruning of plant material and cutting of grassy areas

26. **Outside Storage.** No outside storage, including, but not limited to, outside bale and pallet storage, store shelving, metal storage containers, and refrigerated diesel trailers, shall be permitted in the Planned Development, except in designated areas as shown on the Master Site Plan and any other approved final site plan for individual phases or lots within the Planned Development. Designated areas for outside storage shall be approved and designated with final site plan approval for such phases or lots. Outside storage of any kind must be screened and maintained pursuant to the Parrish Lane Gateway Design Standards and CV-H zoning. Outside storage must be contained within the confines of the phase or lot without creating barriers to traffic flow or pedestrian connectivity within the Planned Development. Any landscape, fencing, or walls used for screening of outside storage or sales shall be compatible with the overall architectural colors, materials palette and plan palette set forth in the Architectural Design Guidelines. This Section shall not apply to the temporary storage on the Property of building supplies and materials and equipment that are necessary for and being used in connection with permitted construction activities on the Property; provided, Developer shall comply with construction maintenance provisions set forth in Section 56 and applicable City Ordinances regarding the same. At no time shall any portion of the Planned Development be used for used car sales, long-term storage of maintenance equipment or vehicles, hazardous waste, junk yards, or other uses that may detract from the overall appearance of the gateway corridor.

27. **Seasonal Sales.** Seasonal sales may be permitted on commercial lots or phases within the Planned Development in accordance with and subject to applicable City Ordinances as long as such seasonal sales displays in no way hinder pedestrian or vehicular circulation on each lot or phase or within the Planned Development.

28. **Trucks, Trailers, and Recreational Vehicles.** Delivery trucks and trailer parking and storage shall be prohibited within the Planned Development, except for designated loading areas as shown on the Master Site Plan and any other approved final site plan for individual lots or phases within the Planned Development. No overnight recreational vehicle parking, camping, or similar use shall be allowed in any area of the Planned Development. No idling of delivery trucks shall be permitted within the Planned Development. All delivery trucks shall comply with approved truck routes as shown on the Truck Route Plan attached as **Exhibit P** and any other approved final site plan for individual lots or phases within the Planned Development. Truck routes shall not be amended or revised without site plan amendment in accordance with City Ordinances.

29. **Setbacks and Buffering.** Development of the Planned Development shall comply with the Master Site Plan set forth in **Exhibit C** and the Setback Plan set forth in **Exhibit J**. Structures within the Planned Development shall be situated so as to maintain a minimum setback from any perimeter property line, from residential buildings, and other required setbacks, as shown in the minimum dimensions of the Setback Plan. The Property and Planned Development shall also be constructed in accordance with the Dimensions Plan set forth in **Exhibit O**.

30. **Storm Drainage and Erosion Control.** Development of the Planned Development shall comply with storm drainage and engineering provisions of City Ordinances and the approved engineering requirements for the Property, including, but not limited to, detention facilities, erosion control, and utility services. Erosion control measures shall be utilized during all stages of construction in accordance with City Ordinances and State standards and regulations regarding the same. All storm drainage facilities shall comply with applicable City Ordinances. Developer shall comply with all flood control regulations and permit requirements of Davis County and the State of Utah. All site grading and drainage shall comply with applicable provisions of the Parrish Lane Gateway Design Standards as more particularly set forth in Section 12-63-050, as amended, and applicable City Ordinances.

31. **Phasing.** Development of the Property and the Planned Development may be developed in phases as more particularly provided herein and as shown on the Phasing Plan set forth in **Exhibit D**. Phasing of the development of the Property and the Planned Development shall take into account the orderly development of the Property, coordination in connection with the installation of infrastructure improvements, traffic circulation patterns, future utility capacity needs, availability of access, adequacy

of utilities and related considerations, and the provision of common areas and amenities at various intervals of development. Developer is required to develop all proposed phases of the Planned Development. Notwithstanding the foregoing, each phase must be developed in such a way as to provide all street, utility, and public improvements necessary for the particular phase to stand on its own, with or without future phase development. All improvements and construction within the various phases shall limit the amount of disturbance to and patching of new asphalt in future phases. A visual map of the approved phasing of development for the Property is set forth in **Exhibit D**, and shall be subject to and comply with the following requirements.

a. Phase 1. Phase 1 shall include construction of the movie theatre complex and all related public and private improvements required for the development of Phase 1. No building permit shall be issued for Phase 1 until all required public improvements, including those described herein, have been installed and/or bonded for in accordance with applicable City Ordinances and the terms of this Agreement. No certificate of occupancy shall be issued for Phase 1 until and unless all private improvements and common area amenities required to be installed in Phase 1 have been installed and/or bonded for in accordance with applicable City Ordinances and the terms of this Agreement. Phase 1 shall include installation of the following improvements, to be installed and constructed by Developer at Developer's cost in accordance with approved construction drawings:

- (1) The entire round-about along and within 1250 West, including curb and gutter on both sides, utilities and asphalt;
- (2) Curb, gutter, asphalt and related improvements needed to widen that portion of the east side of 1250 West fronting the Property from 300 North to 400 North, and the corner radius at 400 North;
- (3) Transitional curb and gutter from the round-about south for approximately 160 feet in accordance with and as more particularly shown on the approved construction drawings;
- (4) Curb, gutter, asphalt and related improvements needed to widen that portion of the west side of 1250 West from approximately 160 feet north of the round-about south to the existing curb and gutter on the same side.
- (5) Water lines, storm drains and other utilities that must be located within the newly asphalted areas shall be installed by Developer within such areas to avoid asphalt cutting or replacement for future phase improvements.

(6) Approximately twenty-six feet (26') in width of new asphalt and related improvements to widen the entire length of 200 North, along with casings and drainage pipes and catch basins, as more particularly shown on the construction drawings, and reconfiguration of intersection with 1250 West.

(7) A new cul de sac, including curb, gutter, asphalt and related improvements, to be constructed at the terminus of 200 North as shown on the construction drawings, and including the necessary curb and gutter on both sides of 200 North to form the cul de sac.

(8) Storm drainage piping needed to complete the cul de sac portion of 200 North as well as water tie-ins to the existing six inch (6") water lines at three (3) locations.

(9) Water line connection and tunneling to the north side of 400 North at 1000 West shall be required to insure proper working and maintained water pressures.

(10) Legacy Boulevard shall be completed with all curb, gutter, asphalt, utilities, landscaping and related improvements, in accordance with the construction drawings.

(11) Looping of water lines, sewer relocations and all other improvements and utilities as needed for Phase 1.

(12) Detention basin at 1250 West and Parrish Lane as more particularly shown on **Exhibit D**, and related storm drain piping.

b. Subsequent Phases. Development of the Property may be constructed in up to six (6) phases as more particularly shown on the Phasing Plan set forth in **Exhibit D**. Phase 1 must occur first, but all other phases may be constructed in any order or simultaneously to each other; provided the additional improvements to 200 North and 1250 West, as more particularly described herein, shall be constructed as follows and in accordance with the approved construction drawings. With the construction of Phase 2, Phase 3 or Phase 5, whichever occurs first, Developer shall install at Developer's cost all improvements needed to complete the north side of 200 North, as more particularly shown in **Exhibit D**, including installation of curb, gutter, sidewalk and asphalt widening, utilities, water main, and two inch (2") asphalt overlay. With the construction of Phase 2, Phase 3, Phase 5 or Phase 6, whichever occurs first, Developer shall install at Developer's cost, the remaining curb, gutter and street widening improvements,

water main and other utility extensions, along 1250 West fronting the Property as more particularly shown on **Exhibit D**. With the development of Phase 2, Phase 3 or Phase 5, whichever is first, Developer shall install at Developer's cost the sewer extension along the south side of 200 North to service the development within Phase 2 and Phase 3. With the development of Phase 4, Developer shall be required to complete and install at Developer's cost the public sidewalk along the east side of 1250 West from the round-about to Parrish Lane. With the development of Phase 2 or Phase 3, whichever occurs first, Developer shall be required to install at Developer's cost the detention basin improvements adjacent to Phase 2 and Phase 3 as shown in **Exhibit D**. Except for the public and private improvements or common amenities required to be constructed in Phase 1, all parking, landscaping, amenities, and site improvements related to each building or improvement for subsequent phases shall be installed at the time of construction and development of such phases and individual lots in accordance with City Ordinances and the terms of this Agreement. Commencement and completion of construction for each phase shall comply with the time restrictions set forth in Section 35.

c. Landscaping of Future Phased Lots. Undeveloped phases or lots reserved for future phased construction shall receive temporary landscaping treatments to provide dust and weed control and to prevent erosion. Such temporary landscaping treatment and maintenance obligations shall be detailed in and comply with the Landscaping Plan attached hereto as **Exhibit E**. In accordance with Section 12-63-050 of the Parrish Lane Gateway Design Standards, property being reserved for future development within a phased project should be landscaped using water-conserving plant material or other alternative conservation methods that control dust and weed nuisances. Developer is required to properly maintain the landscaping and control weeds on undeveloped phases or lots until and unless development of such phases or lots occurs. Failure to maintain shall be subject to City Ordinance enforcement measures as well as breach of contract claim under the terms of this Agreement.

32. **Final Subdivision Plat Approval.** Developer shall submit a proposed preliminary and final subdivision plat for the Planned Development in accordance with applicable City Ordinances for review and approval by the City. Subdivision plat approval shall be a required condition of any final site plan approval and a condition precedent to issuance of a building permit for any structure within the Planned Development. Pursuant to conditions of PDO approval, each lot within the Planned Development shall have frontage on a publicly maintained street with a minimum lot width of eighty feet (80'), unless modified by the City as part of the preliminary subdivision and final plat approvals.

33. **Final Site Plan Approval.** Individual uses and development of phases or lots within the Planned Development shall be required to submit and obtain final site plan approval in accordance with applicable City Ordinances. Developer shall submit for review and approval by the City a final site plan for each lot or phase of development. The final site plan for each lot or phase shall comply with the Phasing Plan, the Master Site Plan, the approved Subdivision Plat, and applicable City Ordinances, including, but not limited to, the Site Plan Review Ordinance as set forth in Section 12-21-110 of the City Zoning Ordinance.

34. **Time Restrictions.** By City Ordinance, the rezoning of the Property to PDO zoning is subject to submission of a preliminary subdivision plat and approval of final site plan within one (1) year from the effective date of the rezoning. The rezoning of the Property to PDO zoning is further subject to submission, approval and recording of a final subdivision plat within one (1) year from the effective date of approval of the preliminary subdivision plat approval. Substantial construction shall be commenced within one (1) year from the date of final plat recording. All construction and development shall proceed in a timely manner. Pursuant to City Ordinances, if no final site plan has been submitted or developed within the required time frame, the Master Site Plan approval shall be deemed revoked and the Property may be rezoned to remove the PDO zone.

35. **Time Restrictions for Phased Development.** For purposes of the approved Phasing Plan for the Planned Development, a final site plan for Phase 1 shall be submitted and approved within one (1) year from the effective date of approval of the PDO rezoning. For successive phases, Developer shall file a completed application for final site plan within one (1) year from the date of approval of the previous phase. Extension may be permitted in accordance with applicable City Ordinances. The Planned Development must be platted as a condition of site plan approval and prior to issuance of a building permit in accordance with the provisions of Section 32. Subsequent phases may be developed in any order, provided the additional improvements to 200 North are completed with the next subsequent phase in accordance with the provisions of Section 31, and subject to compliance with all the terms and conditions of this Agreement. For purposes of the approved Phasing Plan for the Planned Development, substantial construction shall be commenced for each phase within one (1) year from the date of final site plan approval for the subject phase.

36. **Financial Capability.** In accordance with City Ordinances for planned developments, Developer is required to establish with sufficient evidence that Developer has sufficient control over the property to be developed to ensure development will occur as approved; the financial capability to carry out the planned development project; and the capability to start construction of the proposed project within one (1) year of final approval. As a condition of final subdivision plat recording and any final site plan

approval, Developer shall provide the City with sufficient evidence of compliance with the foregoing requirements.

37. **Ownership and Recording.** Developer represents that Developer owns or has the exclusive right to purchase all of the Property within the Planned Development. This Agreement shall be recorded against the Property prior to and as a condition of final site plan approval for Phase 1 and/or the recording of any final subdivision plat, whichever occurs first. No construction, excavation, or other development activities shall be conducted on the Property until and unless this Agreement is recorded in the Davis County Recorder's Office and all pre-construction requirements, conditions of this Agreement, and City Ordinances have been met. Prior to recording this Agreement, Developer shall provide the City with a current and accurate title report regarding the entire Property. Developer shall be required to cure or subordinate any unacceptable encumbrances on the Property, as determined by the City, prior to recording of this Agreement. All persons or entities with an ownership interest in the property as shown in the title report shall sign and be a party to this Agreement.

38. **Conflicts Clause.** The Planned Development and all Property therein shall be developed by Developer and/or any Subsequent Developers in accordance with all of the requirements contained in this Agreement. In the event there is a conflict between the provisions of this Agreement and the Master Site Plan, Project Plans, or other approved plans, plats, drawings, etc., the terms and conditions of this Agreement shall govern. In the event of conflict between the terms of this Agreement, the more restrictive provision shall govern.

39. **Compliance with City Ordinances and Development Standards.** The Property and all portions thereof shall be developed in accordance with the City Ordinances, the Master Site Plan, the Project Plans and all subsequent applicable final subdivision plats and final site plans for individual phases and lots within the Planned Development. All applicable construction standards and specifications shall be met. Any and all construction within the Planned Development shall comply with all applicable City Ordinances, approved construction drawings, and requirements of the City Engineer imposed pursuant to and in accordance with applicable City Ordinances.

40. **Time Frames and Deadlines.** Nothing in this Agreement is intended to extend or waive any applicable time frame or deadline as set forth in applicable City Ordinances. Commencement and completion of construction within the Planned Development shall comply with all applicable City Ordinance provisions.

41. **Utilities and Infrastructure.** Developer shall install or cause to be installed natural gas, electrical service, telephone, storm water, sanitary sewer and water systems, and all required utility and street improvements (the "Utilities and Infrastructure") for the Planned Development. All Utilities and Infrastructure

construction and installation shall be done in accordance with City Ordinances and applicable design and construction standards of the utility providers and the City. All plans and construction for water, sewer, street and storm drainage improvements shall be reviewed and approved by the City Engineer. All Utilities and Infrastructure shall comply with applicable City Ordinances, including, but not limited to the City Subdivision Ordinance and applicable Subdivision Standards and Specifications.

42. **Security for Public Improvements.** In accordance with City Ordinances, including, but not limited to Section 15-4-109 of the Centerville Municipal Code, the Developer shall enter into a Bond Agreement in the standard form acceptable to the City and provide security to guarantee the payment for the installation and completion of all public Utilities and Infrastructure, and all public improvements to be constructed, installed, reviewed or provided by Developer pursuant to this Agreement or in connection with the Planned Development or located within the Property, or any portion thereof, and any other public improvements required by the City in accordance with applicable City Ordinances. All public improvements shall be constructed and installed at the Developer's sole expense in accordance with the City's construction and engineering standards and the City Ordinances. All public improvements shall be warranted for one (1) year in accordance with applicable City Ordinances.

43. **Easements.** Appropriate easements including satisfactory perpetual public utility easements, water line easements, storm drainage easements, and sewer easements required by the City shall be conveyed by Developer to the City, in recordable form acceptable to the City, in conjunction with final site plan approval for Phase 1 or final subdivision plat recording, whichever occurs first. The utility easements shall consist of property adjacent to and along the public rights-of-way within and adjacent to the Property and around lot lines as are needed for public and/or private utilities. Developer shall provide Reciprocal Parking and Cross-Access Easements for Property included in the Planned Development for the purposes of shared access and parking as more particularly provided herein. Developer shall provide easements for any public sidewalks, pathways or trails within the Planned Development if required with final subdivision plat or final site plan approval and recording. Additional easements may be required of Developer or property owner with the development of any particular phase, lot or building within the Planned Development and public improvements required in connection with the same.

44. **Dedication or Donation.** Developer shall dedicate and convey to the City, at no cost to the City, all required public utility easements for the purpose of constructing, installing, operating and maintaining public utilities and improvements of every nature and kind as determined and required by the City, and fee title to all public street rights-of-way and public improvements required by the City in connection with the Property and Planned Development along with the appurtenant easements and rights-of-way, and the City's portions of streets, water systems and storm drainage system

and their related easements and rights-of-way. All public improvements and rights-of-way shall be dedicated in fee in conjunction with subdivision plat recording or final site plan approval for Phase 1, whichever occurs first, and prior to issuance of a building permit for any structure within the Planned Development. Prior to the time of dedication, Developer shall take such action as is necessary to obtain a release of any encumbrance on any property to be dedicated to the City. The City shall have the right to inspect all such improvements prior to acceptance of a conveyance thereof. Developer is making the dedications and donations provided in this Agreement voluntarily and as a contribution to the City and hereby waives and releases any claims for compensation therefor.

45. **Vested Rights.** Subject to the terms and provisions of this Agreement, by reason of the Developer's completed application for and the City's conditional approval of the PDO zoning and the Master Site Plan, the parties hereby acknowledge certain vested rights of Developer to develop the Property in accordance with such conditional approved plans, plats and permits. Nothing herein shall be construed to provide Developer with any further or additional vested rights than those recognized by Utah law. Such vested rights shall be subject to all recognized exceptions, including, but not limited to the pending ordinance, procedural modes and form, clarifying ambiguity, and compelling public interest doctrines. Except as otherwise provided herein, development of the Property shall be permitted in accordance with the approved plans, plats and permits for the Property, the terms and conditions of this Agreement, and all applicable City Ordinances which are in effect on the date of this Agreement. Notwithstanding the foregoing, development of the Property shall be subject to subsequent amendments to City Ordinances regarding fees, procedures and police power provisions as may be allowed under applicable vested rights law in the State of Utah. For instance, any amendments to the site plan approval procedures shall require subsequent site plan applications to comply with the procedural requirements of the City Ordinances in place at the time the application for site plan approval or amendment is submitted. Fees required in connection with any development within the Planned Development shall be paid in accordance with the fee schedule in place at the time the fees are due and paid. Development of the Property shall also be subject to subsequent City Ordinances enacted under the City's police power to protect the public health, safety and welfare as may be allowed under applicable vested rights law in the State of Utah.

46. **Reserved Legislative Powers.** Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power preserved by law.

47. **Payment of Fees.** Developer shall pay to the City all required fees in a timely manner which are due or which may become due pursuant to the City Ordinances in connection with development in the Planned Development or any portion

thereof and in such amounts as are required by City Ordinances at the time such fees are actually paid to the City. Developer shall pay all required impact fees for the Planned Development unless otherwise agreed to in writing by the parties.

48. **Construction Standards and Requirements.** All construction on any portion of the Planned Development shall be conducted and completed in accordance with the City's Ordinances, approved construction drawings, construction standards, and the provisions of this Agreement. Prior to issuance of any construction permit for any improvements to be dedicated to public use following construction, the Developer shall submit all plans and specifications to the City Engineer for review and comment. Prior to occupancy, final "as built" drawings of public improvements to be dedicated to the City shall be provided by Developer or Subsequent Developers to the City without cost for each portion of the Planned Development in accordance with City Ordinances.

49. **Building Permits.** No buildings or other structures shall be constructed within the Planned Development without Developer first obtaining building permits in accordance with the terms and conditions of this Agreement, the approved plans, plats and permits, and City Ordinances.

50. **Indemnification.** The Developer hereby agrees to indemnify and hold the City and its officers, employees, agents and representatives harmless from and against all liability, loss, damage, costs, or expenses, including attorneys' fees and court costs arising from or as a result of the death of any person or any accident, injury, loss or damage whatsoever caused to any person or to the property of any person which shall occur within the Planned Development or occur in connection with any off-site work done for or in connection with the Planned Development or any subsequent phase thereof and which shall be caused by acts done thereon, or any errors or omission of the Developer, its agents, servants, employees or contractors. In addition, Developer shall indemnify and hold the City and its officers, employees and representatives harmless from and against any claims, liability, costs and attorneys' fees incurred on account of any change in the nature, direction, quantity or quality of historical drainage flows resulting from the Planned Development or the construction of any improvements therein. The Developer and any Subsequent Developers shall not be responsible for (and such indemnity shall not apply to) any negligent acts or omissions of the City or its agents, servants, employees or contractors. The City agrees to indemnify and hold Developer harmless from and against any such liability, loss, damage, costs, or expenses, including attorneys' fees and court costs arising from or as a result of the City's negligence. Nothing herein shall be construed to prevent the City from raising any defense under the Governmental Immunity Act with regard to claims from third parties. The indemnity provisions contained herein shall survive the expiration, revocation or termination of this Agreement.

51. **Insurance.** During the period from commencement of the work on the Planned Development and ending on the date when a Certificate of Completion has been issued with respect to the entire Planned Development, the Developer shall furnish, or cause to be furnished, to the City, satisfactory Certificates of Insurance from reputable insurance companies evidencing death, bodily injury and property damage insurance policies in the amount of at least \$2,000,000 single limit naming the City as an additional insured. Developer shall require all contractors and other employees performing any work on the Planned Development to maintain adequate workers compensation insurance and public liability insurance. The insurance policy or policies required herein shall be noncancellable except upon thirty (30) days prior written notice to the City. In no event shall insurance coverage be provided by Developer in amounts less than those set forth herein or less than federal or state statutory limits and requirements, including, but not limited to governmental immunity cap limits for municipal corporations, as set forth in *Utah Code Ann. §§ 63G-7-101, et seq.*, as amended. Developer shall increase the limits of such insurance to at least the amount of the Limitation of Judgments described in *Utah Code Ann. §§ 63G-7-101, et seq.*, as amended, of the Governmental Immunity Act of Utah, as calculated by the State risk manager every two years and stated in Utah Admin. Code R37-4-3, as amended.

52. **City and Other Governmental Agency Permits.** Before commencement of construction or development of any buildings, structures or other work or improvements upon any portion of the Property, the Developer or Subsequent Developers, as more particularly defined in Section 60, shall, at their sole expense, secure or cause to be secured any and all permits which may be required by the City and/or any other governmental entities having jurisdiction over the work or affected by its construction or development.

53. **Rights of Access.** Representatives of the City shall have the reasonable right of access to the Property, and any portions thereof, during any periods of construction, to inspect or observe the Property and development of the Planned Development and/or any work thereon.

54. **Compliance with the Law.** Developer shall comply with all applicable federal, state and local laws, ordinances, rules and regulations pertaining to the Developer's activities in connection with the Planned Development, or any portion thereof, including the City's Ordinances. The parties agree, intend and understand that the obligations imposed by this Agreement are only such as are consistent with State and Federal law. The parties further agree that if any provision of this Agreement becomes, in its performance, inconsistent with State or Federal law or is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with State or Federal law, as the case may be, and the balance of this Agreement shall remain in full force and effect.

55. **Inspection and Approval by the City.** The City may, at its option, perform periodic inspections of the improvements being installed and constructed by the Developer. No work involving excavation shall be covered until the same has been inspected by the City's representatives and the representatives of other governmental entities having jurisdiction over the particular improvements involved. The Developer shall warrant the materials and workmanship of all improvements installed in each phase of the Planned Development for a period required by City Ordinances from and after the date of final inspection and approval by the City of the improvements in that phase. All buildings shall be inspected in accordance with the provisions of the International Building Code, as adopted by the City.

56. **Use and Maintenance During Construction.** During construction, the Developer, and any permitted Subsequent Developer, shall keep the Planned Development and all affected public streets and public easements free and clear from any unreasonable accumulation of debris, waste materials and any nuisances and shall contain construction debris and provide dust control so as to prevent scattering via wind and water or otherwise. Such construction maintenance and control of construction debris shall be conducted in accordance with applicable City, State and Federal laws, regulations and permits, including, but not limited to applicable Utah Department of Environmental Quality regulations and permitting requirements, and in accordance with applicable best management practices.

57. **Provision of Municipal Services.** Subject to Developer complying with all of the City's Ordinances and the provisions of this Agreement, the City agrees to provide standard municipal services to the Property equal to those generally provided to other areas by the City, subject to payment of all reasonable fees and charges charged or levied therefor by the City.

58. **Default.** The City may pursue any enforcement action deemed necessary and appropriate for any violation of City Ordinances in accordance with applicable enforcement provisions as set forth in City Ordinances or otherwise permitted by law. Notwithstanding and in addition to the City's right to pursue any enforcement action for violation of City Ordinances, in the event any party fails to perform its obligations hereunder or to comply with the terms of this Agreement, the non-defaulting party may have the following enforcement remedies. Prior to the invoking the remedies provided herein, the non-defaulting party shall provide the defaulting party written notice of default and a twenty (20) day cure period. All notices of default shall be provided in accordance with the Notice provisions set forth in Section 62. In the event the non-defaulting party does not cure the default within the required twenty (20) day cure period or enter into a written agreement for curing the default within a reasonable time, acceptable to the non-defaulting party in its reasonable discretion, the non-defaulting party may, at its election, have the following remedy or remedies:

- a. All rights and remedies available at law and in equity, including, but not limited to, injunctive relief, specific performance and/or damages.
- b. The right to withhold all further approvals, licenses, permits or other rights associated with the Property until such default has been cured.
- c. The right to draw on any applicable security posted or provided in connection with the Planned Development.
- d. The right to terminate this Agreement.
- e. The rights and remedies set forth herein above shall be cumulative.

59. **Insolvency or Misrepresentation.** Developer shall also be in default under the terms of this Agreement under the following circumstances if not cured within the required time frame after notice of default is given in accordance with the provisions of Section 58: (i) Developer has made a materially false representation or warranty in any agreement with or application to the City; or (ii) Developer is adjudicated bankrupt or makes any voluntary or involuntary assignment for the benefit of creditors, or bankruptcy, insolvency, reorganization, arrangement, debt adjustment, receivership, liquidation or dissolution proceedings shall be instituted by or against Developer; and, if instituted adversely, the one against whom such proceedings are instituted consents to the same or admits in writing the material allegations thereof, or said proceedings shall remain undismissed for 150 days.

60. **Assignment.** Developer shall not assign its obligations under this Agreement or any rights or interests herein without giving prior written notice to the City. Any future assignee shall consent in writing to be bound by the terms of this Agreement as a condition precedent to the assignment. No party shall transfer, assign, sell, lease, encumber, or otherwise convey its rights and obligations under this Agreement separate from that party's interest in the Property except for the sale of lots or lease of buildings within the Planned Development. In the event of a sale or transfer of the Property, or any portion thereof, the buyer or transferee ("Subsequent Developer") shall be liable for the performance of each of the obligations contained in this Agreement as it relates to that portion of the Property it is buying, and acceptance of a deed to any portion of the Property shall constitute an agreement to assume and to be bound by the provisions of this Agreement as it relates to the Property covered by the deed. Each buyer or transferee shall sign an assignment and assumption agreement in a form reasonably acceptable to the City agreeing to be bound by the terms and conditions of this Agreement as provided herein. Any reference to Developer herein shall be construed to refer to any Subsequent Developer with respect to the portion of the Property owned by such Subsequent Developer.

61. **Ownership.** Developer hereby warrants and represents that it is the legal owner of record of the Property, it has the right to develop the Property, and it has full authority to enter into the terms of this Agreement encumbering the Property.

62. **Notice.** All notices required or desired to be given hereunder shall be in writing and shall be deemed to have been provided on the date of personal service upon the party for whom intended or upon receipt if mailed, by certified mail, return receipt requested, postage prepaid, and addressed to the parties at the following addresses:

To the City:	Centerville City Attn: City Manager 250 North Main Street Centerville, Utah 84014 Centerville City Attorney Mazuran & Hayes, P.C. 2118 East 3900 South, Suite 300 Salt Lake City, Utah 84124
--------------	---

To Developer:	Parrish Land Holdings, LLC Attn: Managing Member 5532 N. Lillehammer Dr., Suite 103 Park City, Utah 84098 Legacy Crossing LLC Attn: Managing Member 1513 North Hillfield Rd, Suite #2 Layton, Utah 84041
---------------	---

Any party may change its address for notice under this Agreement by giving written notice to the other party in accordance with the provisions of this paragraph.

63. **Attorneys Fees.** Each party agrees that should it default in any of the covenants or agreements contained herein, the defaulting party shall pay all costs and expenses, including reasonable attorneys' fees which may arise or accrue from enforcing this Agreement, or in pursuing any remedy provided hereunder or by the statutes or other laws of the State of Utah, whether such remedy is pursued by filing a lawsuit or otherwise, and whether such costs and expenses are incurred with or without suit or before or after judgment.

64. **Entire Agreement.** This Agreement, together with the Exhibits attached hereto, documents referenced herein and all regulatory approvals given by the City for the Property and Planned Development, contain the entire agreement of the parties with respect to the subject matter hereof and supersede any prior promises, representations, warranties, inducements or understandings between the parties which are not contained in such agreements, regulatory approvals and related conditions. It is expressly agreed by the parties that this Agreement is intended to and shall govern the development of the Property pursuant to the City Ordinances, including, but not limited to, all planning, zoning and subdivision issues.

65. **Headings.** Headings contained in this Agreement are intended for convenience only and are in no way to be used to construe or limit the text herein.

66. **Construction of Agreement.** This Agreement shall be construed so as to effectuate the public purpose of implementing long-range planning objectives, obtaining public benefits, and protecting any compelling countervailing public interest. For purposes of this Agreement and the construction of its terms, the parties acknowledge that both participated in the drafting of this Agreement and neither shall be considered the drafter.

67. **Non-Liability of City Officials, Employees and Others.** No officer, representative, agent or employee of the City shall be personally liable to the Developer or any successor in interest or assignee of the Developer in the event of any default or breach by the City, or for any amount which may become due Developer, or its successors or assigns, or for any obligation(s) arising under the terms of this Agreement.

68. **No Third Party Rights.** The obligations of Developer and the City set forth in this Agreement shall not create any rights in or obligations to any other persons or third parties.

69. **Binding Effect.** This Agreement shall be binding upon the parties hereto and their respective officers, agents, employees, successors and assigns, as permitted herein. The covenants contained herein shall be deemed to run with the Property and a copy of this Agreement shall be recorded in the office of the Davis County Recorder, State of Utah. All recording fees shall be paid by Developer.

70. **Termination.** In addition to any other enforcement right or remedy provided herein, and notwithstanding anything in this Agreement to the contrary, it is hereby agreed by the parties hereto that in the event the Planned Development, including all phases thereof, is not completed within eight (8) years of the date of this Agreement, or in the event the Developer does not comply with the provisions of this Agreement, the City shall have the right, but not the obligation, at the sole discretion of the City, to terminate this Agreement and/or to not approve any additional phases for

the Planned Development. Any termination may be effected by the City by giving written notice of intent to terminate to the Developer at its last known address, as set forth herein. Whereupon the Developer shall have sixty (60) days during which the Developer shall be given the opportunity to correct any alleged deficiencies and to take appropriate steps to commence and/or complete the Planned Development. In the event the Developer fails to correct the alleged deficiencies or to take appropriate steps to commence or complete the Planned Development as provided herein, the City shall be released from any further obligations under this Agreement and may terminate the same by written notice to Developer. The parties expressly recognize and acknowledge that the development of the Planned Development is a phased Planned Development. It is also recognized that it is critical to the City that certain development occurs within a reasonable time from the date of this Agreement. It is expressly acknowledged by the parties that the Planned Development is intended to be developed in reasonably staged phases and that Developer shall use its best efforts to proceed with the Planned Development in a timely fashion. The indemnification provisions of Section 50 shall survive any termination of this Agreement.

71. **Governing Law and Jurisdiction.** The provisions of this Agreement shall be governed by and interpreted in accordance with the laws of the State of Utah. The parties to this Agreement agree that any judicial action associated with the Agreement shall be taken in the Utah State or Federal court of competent jurisdiction.

72. **No Waiver.** Any party's failure to enforce any provision of the Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

73. **Severability.** If any portion of this Agreement is held to be unenforceable by court of competent jurisdiction, any enforceable portion thereof and the remaining provisions shall continue in full force and effect.

74. **Time of Essence.** Time is expressly made of the essence with respect to the performance of each and every obligation hereunder.

75. **Knowledge.** The parties have read this Agreement and have executed it voluntarily after having been apprised of all relevant information and risks and having had the opportunity to consult with legal counsel of their choice.

76. **Supremacy.** In the event of any conflict between the terms of this Agreement and those of any document referred to herein, this Agreement shall govern.

77. **No Relationship.** Nothing in this Agreement shall be construed to create any partnership, joint venture or fiduciary relationship between the parties.

78. **Priority.** This Agreement shall be recorded against the Property senior to any protective covenants and any debt security instruments encumbering the Property.

79. **Amendment.** This Agreement may be amended only in writing signed by the parties hereto. Any amendments to the Planned Development documents, including, but not limited to the plans, plats and Exhibits attached hereto, must be approved by the City in accordance with applicable City Ordinances in addition to required amendments to this Agreement.

80. **Force Majeure.** Neither party hereto shall be liable for any delay or failure in the keeping or performance of its obligations under this Agreement during the time and to the extent that any such failure is due to acts of God, acts of the United States Government or the State of Utah, fires, floods, or other casualties or causes beyond the reasonable control and without the fault or negligence of the party obligated to perform hereunder; provided the party seeking relief under the provisions of this Section: (1) notifies the other party in writing of a force majeure event within fifteen (15) days following the affected party's knowledge of the occurrence of the claimed force majeure event, and (2) promptly resumes the keeping and performance of the affected obligations after such cause has come to an end. Each party shall make every reasonable effort to keep delay in performance as a result of such a cause to a minimum.

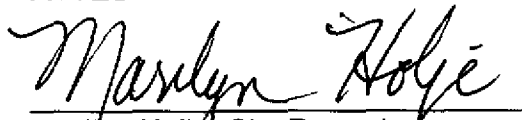
[Signature page to follow]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first above written.

ACITY@

CENTERVILLE CITY

ATTEST:


Marilyn Holje, City Recorder

By:

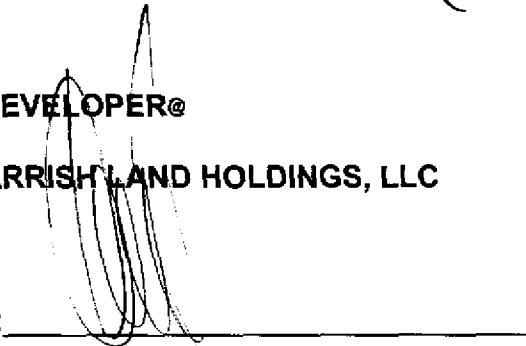

Mayor Ronald G. Russell

ADEVELOPER@

PARRISH LAND HOLDINGS, LLC

By:

Its:


Manager

LEGACY CROSSING LLC

By:

Its:


member. 

CITY ACKNOWLEDGMENT

STATE OF UTAH)

:ss.

COUNTY OF DAVIS)

On the 28th day of September, 2010, personally appeared before me Ronald G. Russell, who being duly sworn, did say that he is the Mayor of **CENTERVILLE CITY**, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said Ronald G. Russell acknowledged to me that the City executed the same.

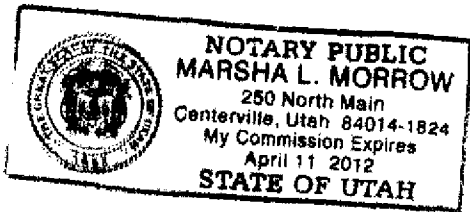
Marsha L. Morrow
Notary Public

My Commission Expires:

4-11-2012

Residing at:

Centerville



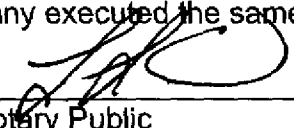
DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)

:ss.

COUNTY OF Summit)

On the 15th day of Sept, 2010, personally appeared before me
Craig Mogel who being by me duly sworn did say that (s)he is the
of **PARRISH LAND HOLDINGS, LLC**, and that the
foregoing instrument was signed in behalf of said company by authority of its members
and they acknowledged to me that said company executed the same.



Notary Public

My Commission Expires:

7-18-14

Residing at:

Parish City, UT

STATE OF UTAH)

:ss.

COUNTY OF Summit)

On the 15th day of Sept, 2010, personally appeared before me
Danny C. Bridges who being by me duly sworn did say that (s)he is the
of **LEGACY CROSSING LLC**, and that the foregoing
instrument was signed in behalf of said company by authority of its members and they
acknowledged to me that said company executed the same.



Notary Public

My Commission Expires:

7-18-14

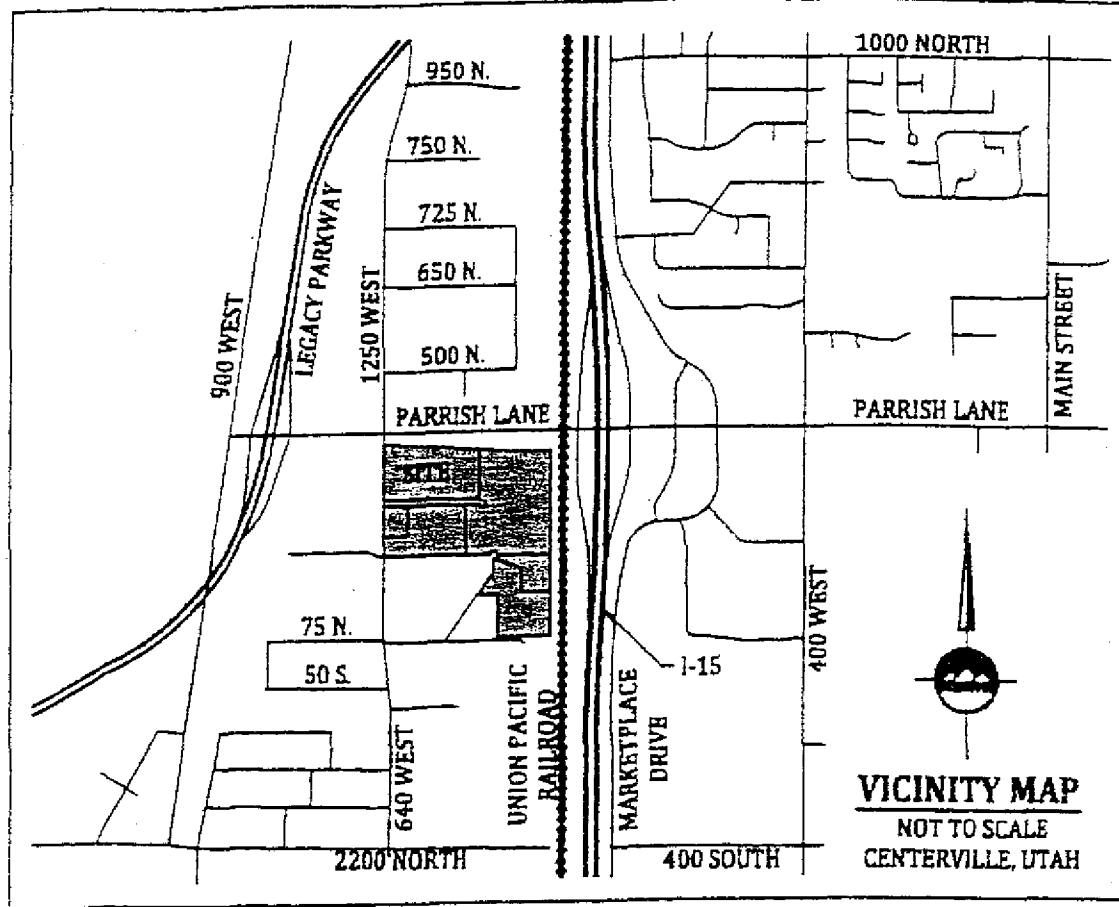
Residing at:

Parish City, UT

LIST OF EXHIBITS

Exhibit A	Property Description
Exhibit B	PDO Zoning
Exhibit C	Master Site Plan
Exhibit D	Phasing Plan
Exhibit E	Landscaping Plan
Exhibit F	Lighting Plan
Exhibit G	Signage and Monuments Plan
Exhibit H	Reciprocal Parking and Cross-Access Easements Plan
Exhibit I	Traffic Mitigation Plan
Exhibit J	Setback Plan
Exhibit K	Sidewalk and Pedestrian Pathways Plan
Exhibit L	Common Areas and Amenities Plan
Exhibit M	Architectural Design Guidelines
Exhibit N	Fencing Plan
Exhibit O	Drive Aisles and Dimensions Plan
Exhibit P	Truck Route Plan

Exhibit A



LEGACY CROSSING LEGAL DESCRIPTION

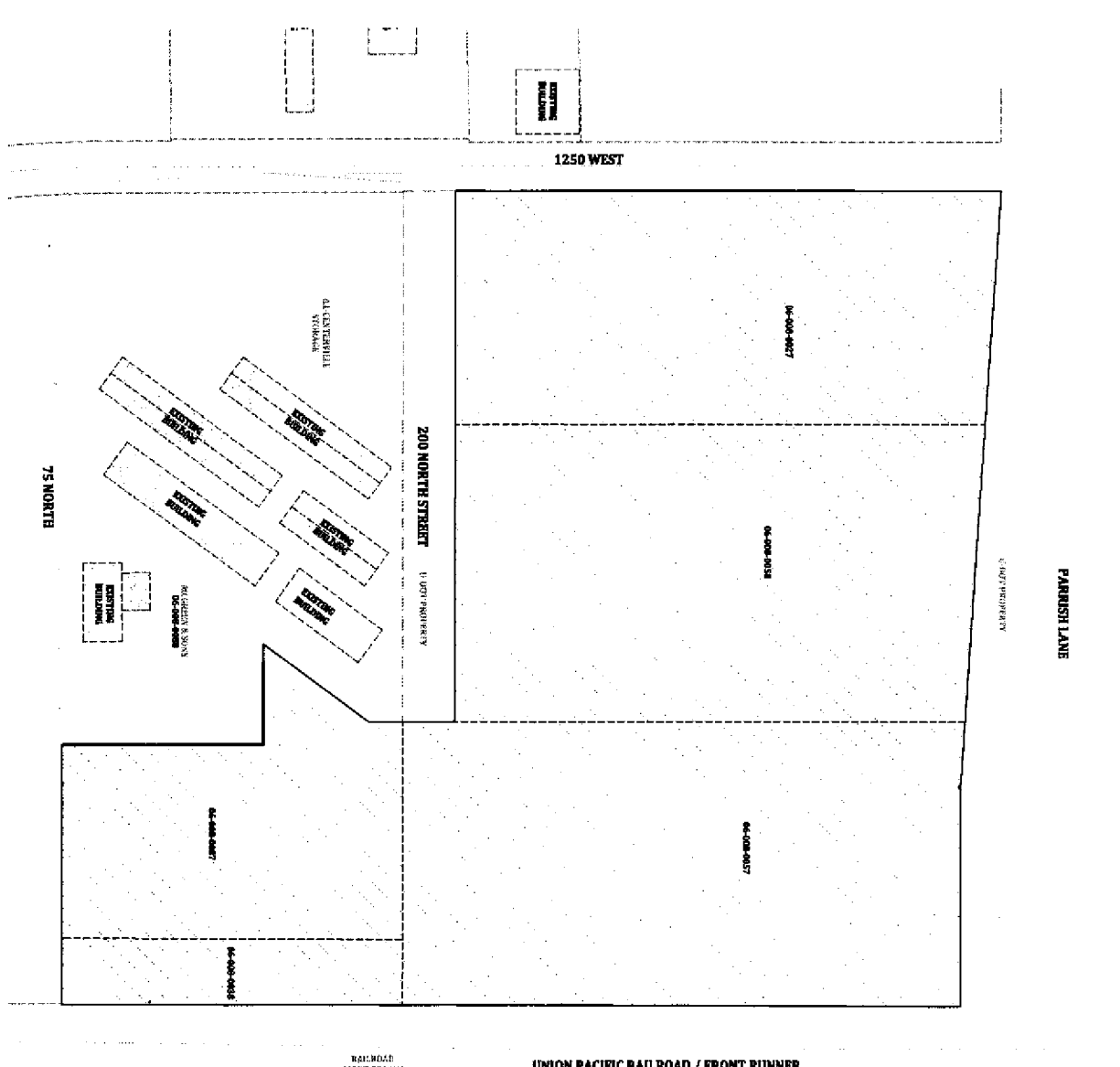
Beginning at a point on the west line of a Union Pacific Railroad Right-of-Way, said point being North $0^{\circ}05'33''$ West 956.36 feet along the section line and West 112.25 feet from the Southeast Corner Section 12, Township 2 North, Range 1 West, Salt Lake Base and Meridian, and running;

thence West 399.55 feet;
 thence North $0^{\circ}03'50''$ East 309.55 feet;
 thence West 153.69 feet;
 thence North $36^{\circ}27'30''$ East 200.82 feet;
 thence North $0^{\circ}03'50''$ East 52.64 feet to the Southeast Corner of a parcel in the ownership of the Utah Department of Transportation, (UDOT);
 thence North $0^{\circ}03'50''$ East 80.00 feet along the east line to the Northeast Corner of said UDOT parcel;
 thence North $89^{\circ}56'12''$ West 811.80 feet along the north line of said UDOT parcel to the east line of 1250 West Street;
 thence North $0^{\circ}03'06''$ East 837.96 feet along the east line of 1250 West Street to the south line of Parrish Lane;
 thence South $86^{\circ}08'42''$ East 915.93 feet along the south line of Parrish Lane to an existing UDOT Right-of-Way Marker;
 thence South $89^{\circ}52'42''$ East 335.75 feet along the south line of Parrish Lane to the west line of a Union Pacific Railroad Right-of-Way;
 thence South $0^{\circ}12'50''$ West 1380.29 feet along the west line of a Union Pacific Railroad Right-of-Way to the point of beginning.

Contains: 1,259,609 square feet. 28.917 acres.

Date

Keith R. Russell
 License no. 164386



The site plan illustrates the proposed 100-unit apartment building at 400 West 15th Street. The building is shown as a large, dark-shaded rectangular area. Surrounding the building are various streets and landmarks: Madison Avenue to the west, Broadway to the east, and West Street to the south. The plan also shows existing structures, parking spaces, and a north arrow in the lower left corner.

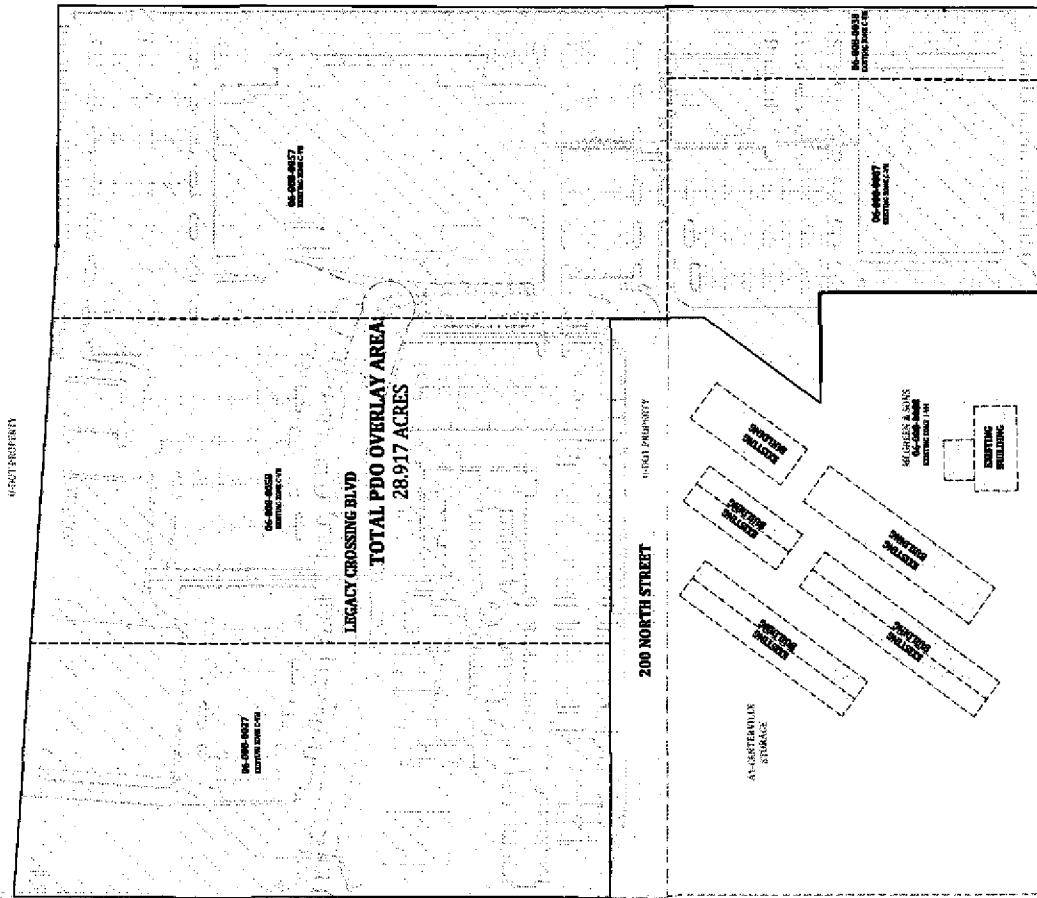




CALL 800-451-1111
FOR A FREE
CONSULTATION
ON ANY
CONSTRUCTION

PARRISH LANE

66-501 PROPERTY



LEGACY CROSSING BLVD
TOTAL PDO OVERLAY AREA
28.917 ACRES

200 NORTH STREET

75 NORTH

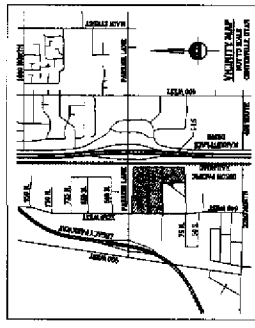
1250 WEST

UNION PACIFIC RAILROAD / FRONT RUNNER

1-15 SOUTH BOUND RAMP
SOUTHBOUND INTERSTATE 15



LEGACY CROSSING BLVD
TOTAL PDO OVERLAY AREA
28.917 ACRES
LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 12
TOWNSHIP 2 NORTH, RANGE 1 WEST
COUNTY OF JAVAS COUNTY, UTAH



LEGACY CROSSING BLVD
TOTAL PDO OVERLAY AREA
28.917 ACRES
LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 12
TOWNSHIP 2 NORTH, RANGE 1 WEST
COUNTY OF JAVAS COUNTY, UTAH

LEGACY CROSSING BLVD
TOTAL PDO OVERLAY AREA
28.917 ACRES
LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 12
TOWNSHIP 2 NORTH, RANGE 1 WEST
COUNTY OF JAVAS COUNTY, UTAH

LEGACY CROSSING
AT PARRISH LANE
1250 WEST STREET
CENTERVILLE CITY, UTAH



PD0
ZONING
PLAN
B-1

ENGIN
1400 N. 1000 E.
SUITE 204
CANYON CITY, UT 84001
PHONE: (801) 493-0315
FAX: (801) 493-0315
WWW.ENGINUTAH.COM

B-2

Rezone C-VH to C-VH/PDO

Parcels

06-008-0027

06-008-0058

06-008-0057

06-008-0087

06-008-0038

ORDINANCE NO. 2010-12

AN ORDINANCE AMENDING THE EXISTING ZONING MAP AND ZONING ORDINANCE OF CENTERVILLE, UTAH, BY CHANGING FROM C-VH (COMMERCIAL-VERY HIGH) TO C-VH/PDO (COMMERCIAL-VERY HIGH/PLANNED DEVELOPMENT OVERLAY) AND THE REAL PROPERTY HEREIN DESCRIBED.

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

Section 1. Amendment. That the following real property located at approximately 1250 West Parrish Lane in Commercial-Very High (C-VH) as shown on the Zoning Map of Centerville City, is hereby changed to (Commercial-Very High/Planned Development Overlay (C-VH/PDO); and that the Centerville City Zoning Map is correspondingly hereby amended as described below:

PARCEL 1 (06-008-0087)

BEG 17.84 CHAINS E & 14.49 CHAINS N & 1235.18 FT E FR SW COR OF SE 1/4 OF SEC 12-T2N-R1W, SLM, SD PT BEING ON THE OLD W LN OF CENTERVILLE TOWN; TH N 7.90 CHAINS ALG SD W LN; TH W 325.97 FT M/L; TH S 0°03'50" W 52.642 FT M/L; TH S 36°27'30" W 210.3 FT M/L; TH S 53°32'30" E 73.18 FT; TH S 0°03'50" W 253.3 FT; TH S 89°24'31" W 130 FT M/L; TH S 12.09 FT M/L TO A PT W OF BEG; TH E 519.55 FT TO POB. CONT. 4.65 ACRES. LESS & EXCEPTING: BEG AT A PT WH IS N 637.54 FT & W 116.46 FT TO AN EXISTING 5/8" REBAR & N 0°08'30" E 318.80 FT TO AN EXISTING 5/8" REBAR & W 397.61 FT FR THE SE COR OF SEC 12-T2N-R1W, SLM; (THE SEC LINE BEARS N 0°05'33" W FR SD SEC COR) & RUN TH N 89°56'12" W 100.00 FT TO AN EXISTING REBAR; TH N 0°03'50" E 266.07 FT TO AN EXISTING REBAR; TH N 53°32'30" W 73.18 FT TO AN EXISTING REBAR; TH E 158.90 FT; TH S 0°03'50" W 309.55 FT TO THE POB. CONT. 0.74 ACRES TOTAL ACREAGE 3.91 ACRES

PARCEL 2 (06-008-0038)

BEG 36.545 CHAINS E, 14.49 CHAINS N FR SW COR OF SE 1/4 OF SEC 12-T2N-R1W, SLM; N 7.9 CHAINS, E 1.515 CHAINS, S 7.90 CHAINS, W 1.515 CHAINS TO BEG. CONT. 1.19 ACRES.

PARCEL 3 (06-008-0027)

BEG AT A PT ON THE N LN OF THE UDOT PPTY, SD PT BEING N 0°05'33" W 1559.48 FT ALG THE SEC LN & N 89°56'12" W 998.76 FT FR THE SE COR OF SEC 12-T2N-R1W, SLM, & RUN TH N 89°56'12" W 357.72 FT TO THE E LN OF 1250 WEST STR; TH N 0°03'06" E 837.96 FT ALG SD LN TO THE S LN OF THE UDOT PPTY; TH S 86°08'42" E 359.04 FT ALG SD LN; TH S 0°05'18" W 814.22 FT TO THE POB. CONT. 6.24 ACRES.

PARCEL 4 (06-008-0058)

BEG AT A PT 22.39 CHAINS N & 1.79 CHAINS W & W 454.08 FT, M/L TO THE SE COR OF PARCEL OF LAND CONVEYED TO THE STATE ROAD COMM OF UTAH BY 418-502; & N 80.0 FT (TO THE NE COR OF SD TRACT OF LAND) FR THE SE COR OF SEC 12-T2N-R1W, SLM; & RUN TH W 454.08 FT; TH N 803.92 FT M/L TO A PT 48.0 FT S OF THE FORMER LN OF PARRISH LANE; TH S 86°04' E 455.15 FT M/L ALG THE S LN OF A HWY R/W; TH S 772.70 FT M/L TO THE POB. CONT. 8.217 ACRES. M/L

PARCEL 5 (06-008-0057)

BEG AT A PT 22.39 CHAINS N & 1.79 CHAINS W FR SE COR OF SEC 12-T2N-R1W, SLM: & RUN TH W 454.08 FT, M/L, TO SE COR OF A PARCEL OF LAND CONV TO ST ROAD COMM. IN 418-502; TH N 80 FT; TH W 454.08 FT; TH N 803.92 FT M/L, TO A PT 48 FT S OF FORMER LN OF PARRISH LANE; TH S 86°04' E 555.91 FT M/L ALG S LN OF A HWY R/W; TH S 89°48' E 353.56 FT, M/L, TO A PT DUE N OF POB; & A PT 130 FT PERP DIST SLY FR CENTER LN OF SD PARRISH LANE; TH S 845.92 FT M/L TO POB. EXCEPT THE WEST 454.08 FT. CONT. 8.43 ACRES.

Section 2. Conditions. This rezone is subject to the following conditions:

1. The properties shall be rezoned to C-VH/PDO limited to the illustrative map shown in Exhibit "B," dated June 03, 2010 of the draft development agreement, with the exception and removal of Parcel 06-008-0088.
2. The PDO approval shall be subject to the City Council approval of the rezone and text amendments, as recommended by the City staff in the June 23, 2020 Staff Report, or as modified by the City Council.
3. As part of and as a condition of the PDO approval, a development agreement, acceptable to the City, shall be prepared and entered into by the parties to memorialize the C-VH/PDO development approval and to define development expectations for the property.
4. The Development Agreement shall, at a minimum, address the following and any other matters deemed necessary by legal counsel, staff, and the City Council:
 - a. Reflect in detail an approved Master PDO Site Plan depicting roadway, building, parking and open space layouts.
 - b. Reflect in conceptual detail an approved master landscaping, irrigation, and open space plan that includes depicting the pedestrian pathways/sidewalk network, open space and courtyard amenities, perimeter fencing, and entry features.
 - c. Reflect in conceptual detail an approved architectural theme, building elevations, semi-private areas and amenities, including the use and colors of architectural materials.
 - d. Describe and establish the overall phasing schedule, the required final site plan and subdivision approvals for developing the project.
5. The property shall be developed in harmony with the submitted Preliminary Site Dimension Plan (Exhibit "E-2"), dated June 02, 2010.
6. As part of the future Subdivision Plat Approval, each lot of the PDO development shall have frontage on a publicly maintained street with a minimum lot width of 80 feet, unless

modified by the City as part of the preliminary subdivision and final plat approvals.

7. The property shall be developed in harmony with the submitted Preliminary Site Phasing Plan (Exhibit "F"), dated June 09, 2010, with the exceptions and modifications to be determined regarding the construction of the needed street and utility improvements to serve the project area.
8. Exhibit "L" of the proposed development agreement shall be revised to include the conceptual building and parking lot layouts and provide dimensional marks and references to better depict the expected minimum distances that are to be used in future site plan, subdivision, and building permit checks and approvals.
9. The project phasing plan shall be reviewed by necessary professionals to receive specific recommendations regarding traffic circulation improvements and the provision of needed utilities prior to the recordation of the development agreement. Such recommendations received shall be included in the applicable exhibits of the development agreement. Additionally, each phase and final site plan approval shall be reviewed and approved with recommendations received.
10. The proposed phasing plan shall, if necessary, be modified to ensure that each phase can truly function independently from one another and that as critical massing develops that there are not undue burdens placed upon existing development, while waiting for a subsequent phase TO become available. Such major improvements involve the following:
 - a. Proper timing and construction of the 1250 West/Parrish Lane Signal.
 - b. Proper timing and construction of the proposed 1250 West Round-about.
 - c. Proper timing and completion of the needed 1250 West improvements.
 - d. Proper timing and construction of the entire 200 North Street with the reconfiguration of the intersection at 1250 West.
11. The PDO Plans and the development agreement shall incorporate or be modified to include the following traffic study recommendations regarding the PDO development area to be completed as necessary and at the time of build out:
 - a. 1250 West/Parrish Lane shall be improved with a signalized intersection.
 - b. When made available, a cross-access drive lane shall be provided to the 75 North Street (currently a private lane).
 - c. 1250 West shall be improved to a three-lane cross section as Master Planned from Parrish Lane to 200 North Streets.
 - d. The off-set intersection at 200 North Street shall be re-aligned with the access directly across 1250 West.
 - e. Parking shall be prohibited along 1250 West Street.
12. If there are traffic circulation or utility engineering plan disputes that cannot be resolved between the City staff and such professionals or the developer, the Phasing Plan along with the various issues and related exhibits shall return to the Planning Commission for recommended resolutions to be forwarded to the City Council.
13. The property shall be developed in accordance with the proposed roadway network depicted on the Preliminary Site Dimensional Plan (Exhibit "E-2"), dated June 02, 2010.
14. All buildings within the PDO area shall be developed with the architectural building, colors, materials, landscaping, entry monument and fencing theme presented by the developer, which reflects a Legacy Parkway/Shorelands style theme using rock, wood, cement fiberboard, and accent stucco as main materials and accenting the buildings with motif elements such as cornices, columns, window elements, lintels, and decorative roof vents.

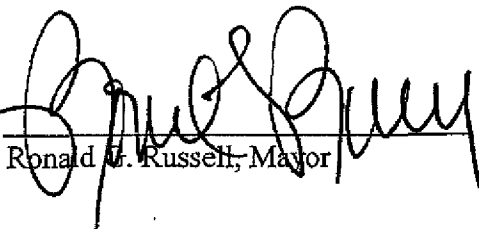
15. The development of all phases and the associated final site plan approvals shall be also subject to Chapter 12-63, Parrish Lane Gateway Design Standards, except where defined or modified by the PDO approval.
16. The commercial and entertainment component of the PDO shall comply, be modified, or incorporate the following:
 - a. The commercial and the residential buildings are limited to a maximum height of 45 feet, except where such heights may be exceeded in accordance with Section 12-55-120(a), or as approved with the issuance of the conditional use permit.
 - b. The residential area shall comply with the maximum cap of 25 units per acre when calculating the residential area. It may be necessary to consider such options as redefining the proposed "residential area" to include the portioned contribution and use of the planned development's circulation and/or redesign the density of the upper floors of the larger residential buildings or a portion of the smaller building to meet the cap requirements. Additionally, the upper floor building redesign may provide greater articulation and interest in the visual appearance of the project.
 - c. The 1250 West round-about shall be installed prior to or at the same time the theater use is placed in operation and issued a permanent certificate of occupancy; or as necessary to maintain a traffic circulation Level of Service "C," as determined by a traffic engineer.
 - d. The development of Phase 6 retail lot shall be limited to an access from the shared Legacy Crossing Lane and not from 1250 West.
 - e. The 20-foot landscaping corridor is planned for the residential area of 200 North using the excess right-of-way and shall be approved by the City and/or UDOT, as applicable.
 - f. The construction quality of the proposed Legacy Crossing Boulevard shall be constructed in a manner that reduces the long term maintenance costs for the entire project. This private circulation lane shall be constructed to a standard equal to that of the street being dedicated to the City.
17. The residential component of the PDO shall provide semi-private areas, consisting of true balconies, patios, and front courts and such elements shall be integrated as part of the building design. Actual building architecture, design elements and site amenities and layout are to be set at final site plan approval of this phase.
18. The property shall be developed with the pedestrian pathways, courtyard, and open space areas that have been depicted on the Conceptual Development Plan Exhibits, with related standards to be set with the required final site plan approvals.
19. A Master PDO ownership association shall be established in accordance with Section 12-41-110 for the proper protection and maintenance of common space, cross access areas, and site features and amenities.
20. A Master Cross-Access Agreement shall be incorporated into the development agreement prior to its recordation, and if necessary all subdivision plat's approvals shall reference the recorded access agreement.
21. Prior to recordation of the development agreement, the developers shall have established to the satisfaction of the City Council, that they have sufficient control over the properties to be developed, have the financial capability to carry out the development of the project, and have the capability to start construction within one (1) year of the site plan approval. However, if

- multiple individuals, entities, property owners, etc., have shared interest in the PDO development area, each interest involved shall review and sign the development agreement.
22. As part of the Development Agreement with the City, the developer shall contribute their fair share to future needed traffic improvements in accordance with the recommendation of the traffic study performed by A-Trans, which shall also be identified with the Preliminary Site Phasing Plan (Exhibit "F"), dated June 09, 2010.
 23. The Development Agreement shall state the Legacy Crossing Development is subject to all applicable City regulations and ordinances, except where such requirements have been specifically modified and approved with the PDO Zone approval.

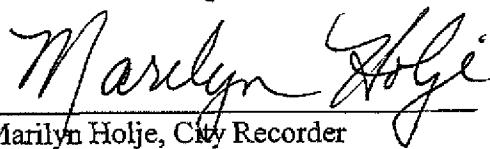
Section 3. This Ordinance shall take effect immediately upon posting or 30 days after final passage by the City Council, whichever is closer to the date of final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 1st DAY OF JULY, 2010.

CENTERVILLE CITY

BY: 
Ronald W. Russell, Mayor

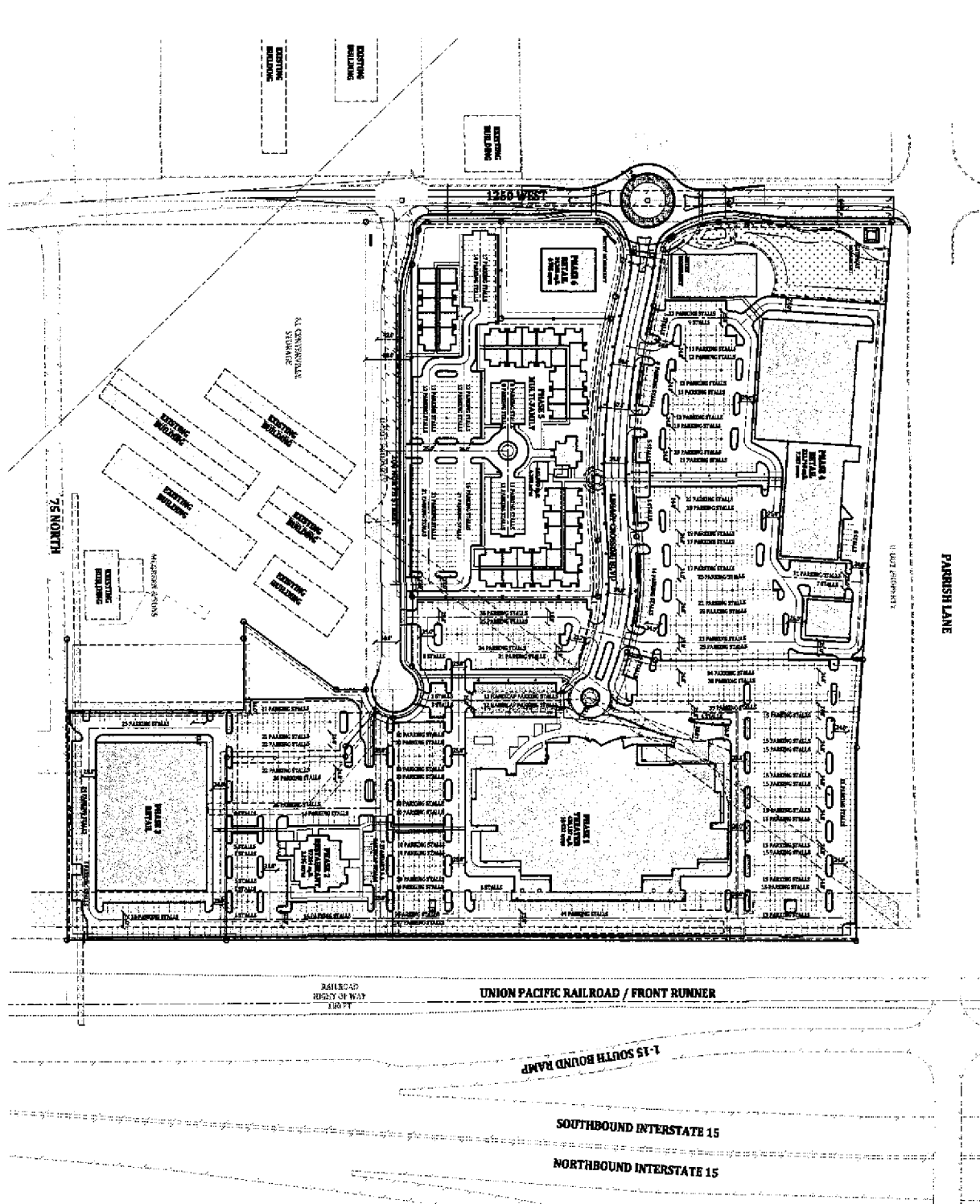
ATTEST:


Marilyn Holje, City Recorder

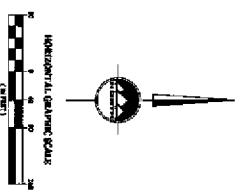
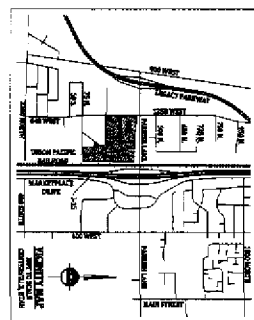


Voting by the City Council:

	"AYE"	"NAY"
Councilmember Allen	<u>X</u>	<u> </u>
Councilmember Averett	<u> </u>	<u>X</u>
Councilmember Cutler	<u>X</u>	<u> </u>
Councilmember Lindstrom	<u>X</u>	<u> </u>
Councilmember Wright	<u>X</u>	<u> </u>



Activity		Frequency	Duration	Intensity	Calories	Heart Rate	Notes
1	Walking	10 min	30 min	Low	100	120	
2	Swimming	10 min	30 min	Low	100	120	
3	Swimming	10 min	30 min	Low	100	120	
4	Swimming	10 min	30 min	Low	100	120	
5	Swimming	10 min	30 min	Low	100	120	
6	Swimming	10 min	30 min	Low	100	120	
7	Swimming	10 min	30 min	Low	100	120	
8	Swimming	10 min	30 min	Low	100	120	
9	Swimming	10 min	30 min	Low	100	120	
10	Swimming	10 min	30 min	Low	100	120	
11	Swimming	10 min	30 min	Low	100	120	
12	Swimming	10 min	30 min	Low	100	120	
13	Swimming	10 min	30 min	Low	100	120	
14	Swimming	10 min	30 min	Low	100	120	
15	Swimming	10 min	30 min	Low	100	120	
16	Swimming	10 min	30 min	Low	100	120	
17	Swimming	10 min	30 min	Low	100	120	
18	Swimming	10 min	30 min	Low	100	120	
19	Swimming	10 min	30 min	Low	100	120	
20	Swimming	10 min	30 min	Low	100	120	
21	Swimming	10 min	30 min	Low	100	120	
22	Swimming	10 min	30 min	Low	100	120	
23	Swimming	10 min	30 min	Low	100	120	
24	Swimming	10 min	30 min	Low	100	120	
25	Swimming	10 min	30 min	Low	100	120	
26	Swimming	10 min	30 min	Low	100	120	
27	Swimming	10 min	30 min	Low	100	120	
28	Swimming	10 min	30 min	Low	100	120	
29	Swimming	10 min	30 min	Low	100	120	
30	Swimming	10 min	30 min	Low	100	120	
31	Swimming	10 min	30 min	Low	100	120	
32	Swimming	10 min	30 min	Low	100	120	
33	Swimming	10 min	30 min	Low	100	120	
34	Swimming	10 min	30 min	Low	100	120	
35	Swimming	10 min	30 min	Low	100	120	
36	Swimming	10 min	30 min	Low	100	120	
37	Swimming	10 min	30 min	Low	100	120	
38	Swimming	10 min	30 min	Low	100	120	
39	Swimming	10 min	30 min	Low	100	120	
40	Swimming	10 min	30 min	Low	100	120	
41	Swimming	10 min	30 min	Low	100	120	
42	Swimming	10 min	30 min	Low	100	120	
43	Swimming	10 min	30 min	Low	100	120	
44	Swimming	10 min	30 min	Low	100	120	
45	Swimming	10 min	30 min	Low	100	120	
46	Swimming	10 min	30 min	Low	100	120	
47	Swimming	10 min	30 min	Low	100	120	
48	Swimming	10 min	30 min	Low	100	120	
49	Swimming	10 min	30 min	Low	100	120	
50	Swimming	10 min	30 min	Low	100	120	
51	Swimming	10 min	30 min	Low	100	120	
52	Swimming	10 min	30 min	Low	100	120	
53	Swimming	10 min	30 min	Low	100	120	
54	Swimming	10 min	30 min	Low	100	120	
55	Swimming	10 min	30 min	Low	100	120	
56	Swimming	10 min	30 min	Low	100	120	
57	Swimming	10 min	30 min	Low	100	120	
58	Swimming	10 min	30 min	Low	100	120	
59	Swimming	10 min	30 min	Low	100	120	
60	Swimming	10 min	30 min	Low	100	120	
61	Swimming	10 min	30 min	Low	100	120	
62	Swimming	10 min	30 min	Low	100	120	
63	Swimming	10 min	30 min	Low	100	120	
64	Swimming	10 min	30 min	Low	100	120	
65	Swimming	10 min	30 min	Low	100	120	
66	Swimming	10 min	30 min	Low	100	120	
67	Swimming	10 min	30 min	Low	100	120	
68	Swimming	10 min	30 min	Low	100	120	
69	Swimming	10 min	30 min	Low	100	120	
70	Swimming	10 min	30 min	Low	100	120	
71	Swimming	10 min	30 min	Low	100	120	
72	Swimming	10 min	30 min	Low	100	120	
73	Swimming	10 min	30 min	Low	100	120	
74	Swimming	10 min	30 min	Low	100	120	
75	Swimming	10 min	30 min	Low	100	120	
76	Swimming	10 min	30 min	Low	100	120	
77	Swimming	10 min	30 min	Low	100	120	
78	Swimming	10 min	30 min	Low	100	120	
79	Swimming	10 min	30 min	Low	100	120	
80	Swimming	10 min	30 min	Low	100	120	
81	Swimming	10 min	30 min	Low	100	120	
82	Swimming	10 min	30 min	Low	100	120	
83	Swimming	10 min	30 min	Low	100	120	
84	Swimming	10 min	30 min	Low	100	120	
85	Swimming	10 min	30 min	Low	100	120	
86	Swimming	10 min	30 min	Low	100	120	
87	Swimming	10 min	30 min	Low	100	120	
88	Swimming	10 min	30 min	Low	100	120	
89	Swimming	10 min	30 min	Low	100	120	
90	Swimming	10 min	30 min	Low	100	120	
91	Swimming	10 min	30 min	Low	100	120	
92	Swimming	10 min	30 min	Low	100	120	
93	Swimming	10 min	30 min	Low	100	120	
94	Swimming	10 min	30 min	Low	100	120	
95	Swimming	10 min	30 min	Low	100	120	
96	Swimming	10 min	30 min	Low	100	120	
97	Swimming	10 min	30 min	Low	100	120	
98	Swimming	10 min	30 min	Low	100	120	
99	Swimming	10 min	30 min	Low	100	120	
100	Swimming	10 min	30 min	Low	100	120	



LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 12
TOWNSHIP 2 NORTH, RANGE 1 WEST
SALT LAKE BASIN AND MERIDIAN
CENTREVILLE CITY, DAVIS COUNTY, UTAH

**LEGACY CROSSING
AT PARRISH LANE**
1250 WEST STREET
CENTERVILLE CITY, UTAH



LAYTON
1405 West Hillwood Rd.
Suite 204
Layton UT 84041
Phone: 801.547.1180
Fax: 801.593.6315

SALT LAKE CITY
Phone: 801.255.0529
www.laytonutah.com


ENSIGN

MASTER	
SITE	
PLAN	
PROJECT NAME L10002	DATE 7/7/2018
DESIGNED BY MATHOTER	CHECKED BY MATHOTER
	

ENSIGN

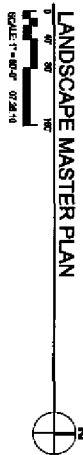
LATTON

1485 West Hillside Rd.
Salt Lake City, UT 84119
Phone: (801) 591-1100
Fax: (801) 591-6315
WALT LAND CITY
Phone: (801) 255-8279
www.waltlandcity.com

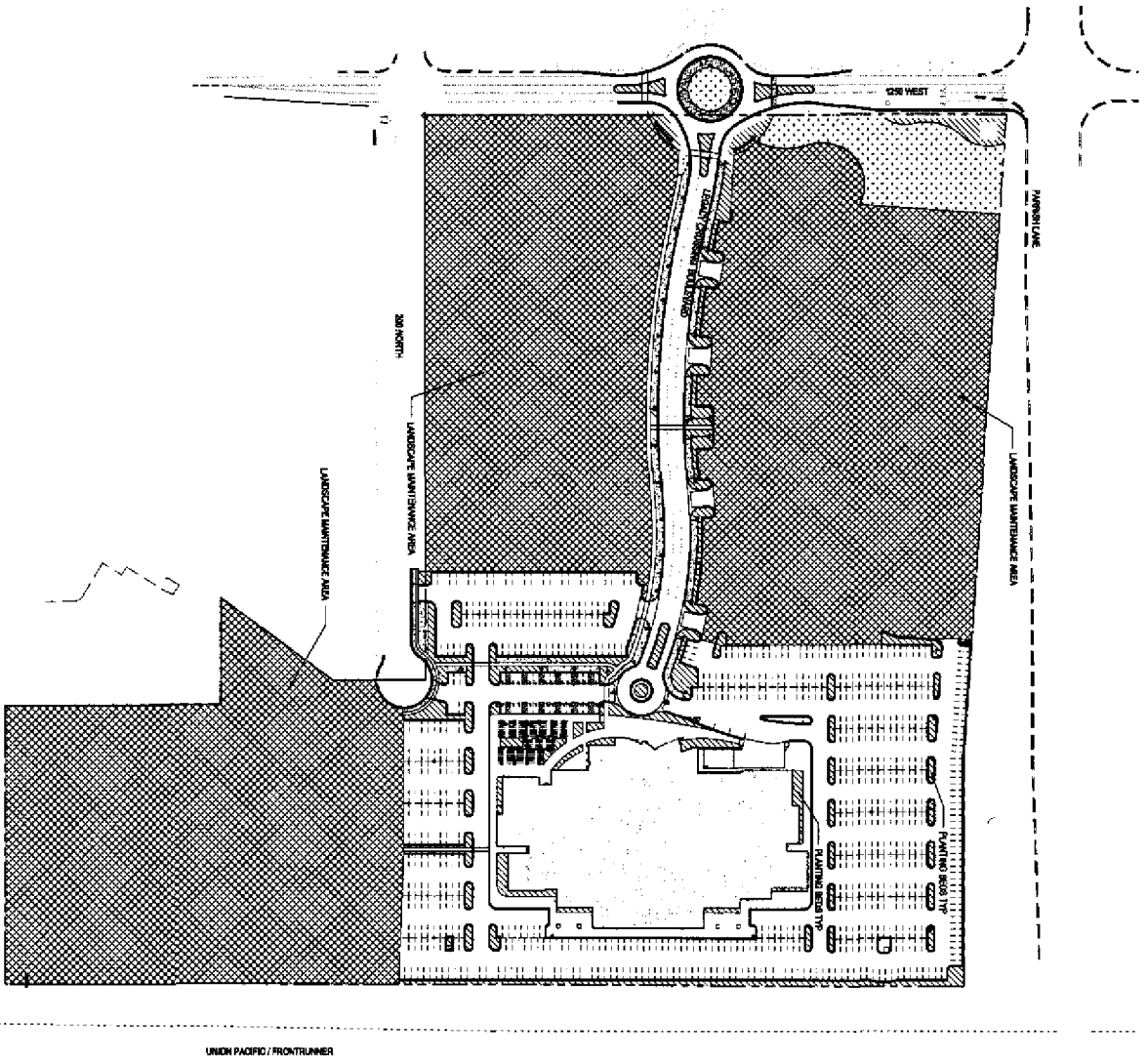
1485 West Hillside Rd.
Salt Lake City, UT 84119
Phone: (801) 591-1100
Fax: (801) 591-6315
WALT LAND CITY
Phone: (801) 255-8279
www.waltlandcity.com

LEGACY CROSSING
AT PARRISH LANE
1250 WEST STREET
CENTERVILLE CITY, UTAH

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390 400 410 420 430 440 450 460 470 480 490 500 510 520 530 540 550 560 570 580 590 600 610 620 630 640 650 660 670 680 690 700 710 720 730 740 750 760 770 780 790 800 810 820 830 840 850 860 870 880 890 900 910 920 930 940 950 960 970 980 990 1000 1010 1020 1030 1040 1050 1060 1070 1080 1090 1100 1110 1120 1130 1140 1150 1160 1170 1180 1190 1200 1210 1220 1230 1240 1250 1260 1270 1280 1290 1300 1310 1320 1330 1340 1350 1360 1370 1380 1390 1400 1410 1420 1430 1440 1450 1460 1470 1480 1490 1500 1510 1520 1530 1540 1550 1560 1570 1580 1590 1600 1610 1620 1630 1640 1650 1660 1670 1680 1690 1700 1710 1720 1730 1740 1750 1760 1770 1780 1790 1800 1810 1820 1830 1840 1850 1860 1870 1880 1890 1900 1910 1920 1930 1940 1950 1960 1970 1980 1990 2000 2010 2020 2030 2040 2050 2060 2070 2080 2090 2100 2110 2120 2130 2140 2150 2160 2170 2180 2190 2200 2210 2220 2230 2240 2250 2260 2270 2280 2290 2300 2310 2320 2330 2340 2350 2360 2370 2380 2390 2400 2410 2420 2430 2440 2450 2460 2470 2480 2490 2500 2510 2520 2530 2540 2550 2560 2570 2580 2590 2600 2610 2620 2630 2640 2650 2660 2670 2680 2690 2700 2710 2720 2730 2740 2750 2760 2770 2780 2790 2800 2810 2820 2830 2840 2850 2860 2870 2880 2890 2900 2910 2920 2930 2940 2950 2960 2970 2980 2990 3000 3010 3020 3030 3040 3050 3060 3070 3080 3090 3100 3110 3120 3130 3140 3150 3160 3170 3180 3190 3200 3210 3220 3230 3240 3250 3260 3270 3280 3290 3300 3310 3320 3330 3340 3350 3360 3370 3380 3390 3400 3410 3420 3430 3440 3450 3460 3470 3480 3490 3500 3510 3520 3530 3540 3550 3560 3570 3580 3590 3600 3610 3620 3630 3640 3650 3660 3670 3680 3690 3700 3710 3720 3730 3740 3750 3760 3770 3780 3790 3800 3810 3820 3830 3840 3850 3860 3870 3880 3890 3900 3910 3920 3930 3940 3950 3960 3970 3980 3990 4000 4010 4020 4030 4040 4050 4060 4070 4080 4090 4100 4110 4120 4130 4140 4150 4160 4170 4180 4190 4200 4210 4220 4230 4240 4250 4260 4270 4280 4290 4300 4310 4320 4330 4340 4350 4360 4370 4380 4390 4400 4410 4420 4430 4440 4450 4460 4470 4480 4490 4500 4510 4520 4530 4540 4550 4560 4570 4580 4590 4600 4610 4620 4630 4640 4650 4660 4670 4680 4690 4700 4710 4720 4730 4740 4750 4760 4770 4780 4790 4800 4810 4820 4830 4840 4850 4860 4870 4880 4890 4900 4910 4920 4930 4940 4950 4960 4970 4980 4990 5000 5010 5020 5030 5040 5050 5060 5070 5080 5090 5100 5110 5120 5130 5140 5150 5160 5170 5180 5190 5200 5210 5220 5230 5240 5250 5260 5270 5280 5290 5300 5310 5320 5330 5340 5350 5360 5370 5380 5390 5400 5410 5420 5430 5440 5450 5460 5470 5480 5490 5500 5510 5520 5530 5540 5550 5560 5570 5580 5590 5600 5610 5620 5630 5640 5650 5660 5670 5680 5690 5700 5710 5720 5730 5740 5750 5760 5770 5780 5790 5800 5810 5820 5830 5840 5850 5860 5870 5880 5890 5900 5910 5920 5930 5940 5950 5960 5970 5980 5990 6000 6010 6020 6030 6040 6050 6060 6070 6080 6090 6100 6110 6120 6130 6140 6150 6160 6170 6180 6190 6200 6210 6220 6230 6240 6250 6260 6270 6280 6290 6300 6310 6320 6330 6340 6350 6360 6370 6380 6390 6400 6410 6420 6430 6440 6450 6460 6470 6480 6490 6500 6510 6520 6530 6540 6550 6560 6570 6580 6590 6600 6610 6620 6630 6640 6650 6660 6670 6680 6690 6700 6710 6720 6730 6740 6750 6760 6770 6780 6790 6800 6810 6820 6830 6840 6850 6860 6870 6880 6890 6900 6910 6920 6930 6940 6950 6960 6970 6980 6990 7000 7010 7020 7030 7040 7050 7060 7070 7080 7090 7100 7110 7120 7130 7140 7150 7160 7170 7180 7190 7200 7210 7220 7230 7240 7250 7260 7270 7280 7290 7300 7310 7320 7330 7340 7350 7360 7370 7380 7390 7400 7410 7420 7430 7440 7450 7460 7470 7480 7490 7500 7510 7520 7530 7540 7550 7560 7570 7580 7590 7600 7610 7620 7630 7640 7650 7660 7670 7680 7690 7700 7710 7720 7730 7740 7750 7760 7770 7780 7790 7800 7810 7820 7830 7840 7850 7860 7870 7880 7890 7900 7910 7920 7930 7940 7950 7960 7970 7980 7990 8000 8010 8020 8030 8040 8050 8060 8070 8080 8090 8100 8110 8120 8130 8140 8150 8160 8170 8180 8190 8200 8210 8220 8230 8240 8250 8260 8270 8280 8290 8300 8310 8320 8330 8340 8350 8360 8370 8380 8390 8400 8410 8420 8430 8440 8450 8460 8470 8480 8490 8500 8510 8520 8530 8540 8550 8560 8570 8580 8590 8600 8610 8620 8630 8640 8650 8660 8670 8680 8690 8700 8710 8720 8730 8740 8750 8760 8770 8780 8790 8800 8810 8820 8830 8840 8850 8860 8870 8880 8890 8900 8910 8920 8930 8940 8950 8960 8970 8980 8990 9000 9010 9020 9030 9040 9050 9060 9070 9080 9090 9100 9110 9120 9130 9140 9150 9160 9170 9180 9190 9200 9210 9220 9230 9240 9250 9260 9270 9280 9290 9300 9310 9320 9330 9340 9350 9360 9370 9380 9390 9400 9410 9420 9430 9440 9450 9460 9470 9480 9490 9500 9510 9520 9530 9540 9550 9560 9570 9580 9590 9600 9610 9620 9630 9640 9650 9660 9670 9680 9690 9700 9710 9720 9730 9740 9750 9760 9770 9780 9790 9800 9810 9820 9830 9840 9850 9860 9870 9880 9890 9900 9910 9920 9930 9940 9950 9960 9970 9980 9990 10000 10010 10020 10030 10040 10050 10060 10070 10080 10090 10100 10110 10120 10130 10140 10150 10160 10170 10180 10190 10200 10210 10220 10230 10240 10250 10260 10270 10280 10290 10300 10310 10320 10330 10340 10350 10360 10370 10380 10390 10400 10410 10420 10430 10440 10450 10460 10470 10480 10490 10500 10510 10520 10530 10540 10550 10560 10570 10580 10590 10600 10610 10620 10630 10640 10650 10660 10670 10680 10690 10700 10710 10720 10730 10740 10750 10760 10770 10780 10790 10800 10810 10820 10830 10840 10850 10860 10870 10880 10890 10900 10910 10920 10930 10940 10950 10960 10970 10980 10990 11000 11010 11020 11030 11040 11050 11060 11070 11080 11090 11100 11110 11120 11130 11140 11150 11160 11170 11180 11190 11200 11210 11220 11230 11240 11250 11260 11270 11280 11290 11300 11310 11320 11330 11340 11350 11360 11370 11380 11390 11400 11410 11420 11430 11440 11450 11460 11470 11480 11490 11500 11510 11520 11530 11540 11550 11560 11570 11580 11590 11600 11610 11620 11630 11640 11650 11660 11670 11680 11690 11700 11710 11720 11730 11740 11750 11760 11770 11780 11790 11800 11810 11820 11830 11840 11850 11860 11870 11880 11890 11900 11910 11920 11930 11940 11950 11960 11970 11980 11990 12000 12010 12020 12030 12040 12050 12060 12070 12080 12090 12100 12110 12120 12130 12140 12150 12160 12170 12180 12190 12200 12210 12220 12230 12240 12250 12260 12270 12280 12290 12300 12310 12320 12330 12340 12350 12360 12370 12380 12390 12400 12410 12420 12430 12440 12450 12460 12470 12480 12490 12500 12510 12520 12530 12540 12550 12560 12570 12580 12590 12600 12610 12620 12630 12640 12650 12660 12670 12680 12690 12700 12710 12720 12730 12740 12750 12760 12770 12780 12790 12800 12810 12820 12830 12840 12850 12860 12870 12880 12890 12900 12910 12920 12930 12940 12950 12960 12970 12980 12990 13000 13010 13020 13030 13040 13050 13060 13070 13080 13090 13100 13110 13120 13130 13140 13150 13160 13170 13180 13190 13200 13210 13220 13230 13240 13250 13260 13270 13280 13290 13300 13310 13320 13330 13340 13350 13360 13370 13380 13390 13400 13410 13420 13430 13440 13450 13460 13470 13480 13490 13500 13510 13520 13530 13540 13550 13560 13570 13580 13590 13600 13610 13620 13630 13640 13650 13660 13670 13680 13690 13700 13710 13720 13730 13740 13750 13760 13770 13780 13790 13800 13810 13820 13830 13840 13850 13860 13870 13880 13890 13900 13910 13920 13930 13940 13950 13960 13970 13980 13990 14000 14010 14020 14030 14040 14050 14060 14070 14080 14090 14100 14110 14120 14130 14140 14150 14160 14170 14180 14190 14200 14210 14220 14230 14240 14250 14260 14270 14280 14290 14300 14310 14320 14330 14340 14350 14360 14370 14380 14390 14400 14410 14420 14430 14440 14450 14460 14470 14480 14490 14500 14510 14520 14530 14540 14550 14560 14570 14580 14590 14600 14610 14620 14630 14640 14650 14660 14670 14680 14690 14700 14710 14720 14730 14740 14750 14760 14770 14780 14790 14800 14810 14820 14830 14840 14850 14860 14870 14880 14890 14900 14910 14920 14930 14940 14950 14960 14970 14980 14990 15000 15010 15020 15030 15040 15050 15060 15070 15080 15090 15100 15110 15120 15130 15140 15150 15160 15170 15180 15190 15200 15210 15220 15230 15240 15250 15260 15270 15280 15290 15300 15310 15320 15330 15340 15350 15360 15370 15380 15390 15400 15410 15420 15430 15440 15450 15460 15470 15480 15490 15500 15510 15520 15530 15540 15550 15560 15570 15580 15590 15600 15610 15620 15630 15640 15650 15660 15670 15680 15690 15700 15710 15720 15730 15740 15750 15760 15770 15780 15790 15800 15810 15820 15830 15840 15850 15860 15870 15880 15890 15900 15910 15920 15930 15940 15950 15960 15970 15980 15990 16000 16010 16020 16030 16040 16050 16060 16070 16080 16090 16100 16110 16120 16130 16140 16150 16160 16170 16180 16190 16200 16210 16220 16230 16240 16250 16260 16270 16280 16290 16300 16310 16320 16330 16340 16350 16360 16370 16380 16390 16400 16410 16420 16430 16440 16450 16460 16470 16480 16490 16500 16510 16520 16530 16540 16550 16560 16570 16580 16590 16600 16610 16620 16630 16640 16650 16660 16670 16680 16690 16700 16710 16720 16730 16740 16750 16760 16770 16780 16790 16800 16810 16820 16830 16840 16850 16860 16870 16880 16890 16900 16910 16920 16930 16940 16950 16960 16970 16980 16990 17000 17010 17020 17030 17040 17050 17060 17070 17080 17090 17100 17110 17120 17130 17140 17150 17160 17170 17180 17190 17200 17210 17220 17230 17240 17250 17260 17270 17280 17290 17300 17310 17320 17330 17340 17350 17360 17370 17380 17390 17400 17410 17420 17430 17440 17450 17460 17470 17480 17490 17500 17510 17520 17530 17540 17550 17560 17570 17580 17590 17600 17610 17620 17630 17640 17650 17660 17670 17680 17690 17700 17710 17720 17730 17740 17750 17760 17770 17780 17790 17800 17810 17820 17830 17840 17850 17860 17870 17880 17890 17900 17910 17920 17930 17940 17950 17960 17970 17980 17990 18000 18010 18020 18030 18040 18050 18060 18070 18080 18090 18100 18110 18120 18130 18140 18150 18160 18170 18180 18190 18200 18210 18220 18230 18240 18250 18260 18270 18280 18290 18300 18310 18320 18330 18340 18350 18360 18370 18380 18390 18400 18410 18420 18430 18440 18450 18460 18470 18480 18490 18500 18510 18520 18530 18540 18550 18560 18570 18580 18590 18600 18610 18620 18630 18640 18650 18660 18670 18680 18690 18700 18710 18720 18730 18740 18750 18760 18770 18780 18790 18800 18810 18820 18830 18840 18850 18860 18870 18880 18890 18900 18910 18920 18930 18940 18950 18960 18970 18980 18990 19000 19010 19020 19030 19040 19050 19060 19070 19080 19090 19100 19110 19120 19130 19140 19150 19160 19170 19180 19190 19200 19210 19220 19230 19240 19250 19260 19270 19280 19290 19300 19310 19320 19330 19340 19350 19360 19370 19380 19390 19400 19410 19420 19430 19440 19450 19460 19470 19480 19490 19500 19510 19520 19530 19540 19550 19560 19570 19580 19590 19600 19610 19620 19630 19640 19650 19660 19670 19680 19690 19700 19710 19720 19730 19740 19750 19760 19770 19780 19790 19800 19810 19820 19830 19840 19850 19860 19870 19880 19890 19900 19910 19920 19930 19940 19950 19960 19970 19980 19990 20000 20010 20020 20030 20040 20050 20060 20070 20080 20090 20100 20110 20120 20130 20140 20150 20160 20170 20180 20190 20200 20210 20220 20230 20240 20250 20260 20270 20280 20290 20300 20310 20320 20330 20340 20350 20360 20370 20380 20390 20400 20410 20420 20430 20440 20450 20460 20470 20480 20490 20500 20510 20520 20530 20540 20550 20560 20570 20580 20590 20600 20610 20620 20630 20640 20650 20660 20670 20680 20690 20700 20710 20720 20730 20740 20750 20760 20770 20780 20790 20800 20810 20820 20830 20840 20850 20860 20870 20880 20890 20900 20910 20920 20930 20940 20950 20960 20970 20980 20990 21000 21010 21020 21030 21040 21050 21060 21070 21080 21090 21100 21110 21120 21130 21140 21150 21160 21170 21180 21190 21200 21210 21220 21230 21240 21250 21260 21270 21280 21290 21300 21310 21320 21330 21340 21350 21360 21370 21380 21390 21400 21410 21420 21430 21440 21450 21460 21470 21480 21490 21500 21510 21520 21530 21540 21550 21560 21570 21580 21590 21600 21610 21620 21630 21640 21650 21660 21670 21680 21690 21700 21710 21720 21730 21740 21750 21760 21770 21780 21790 21800 21810 21820 21830 21840



U.S. Development
1513 North Hillfield Road
Suite 2
Taylors, Utah 84041
Telephone (801) 544-3443
Telefax (801) 544-0651
www.usdevelopment.com



LEGEND

LANDSCAPE MAINTENANCE AREA - 10%
10% TO BE MAINTAINED WITH UTM PRESEV. MNT.

NOTES

1. LANDSCAPE MAINTENANCE AREA SHALL BE MAINTAINED TO REFLECT WETTED GROUND. PLANTING TO BE MAINTAINED SHALL BE MAINTAINED TO A 10% TO BE MAINTAINED WITH UTM PRESEV. MNT.
2. ALL UNDEVELOPED PHASES SHALL BE MAINTAINED WITH UTM PRESEV. MNT. TO BE MAINTAINED WITH UTM PRESEV. MNT.
3. ANY PHASES MAINTAINED TO NEW OWNERS SHALL BE MAINTAINED BY NEW OWNERS IN ACCORDANCE WITH RECOMMENDED COATING.



U.S. Department of Transportation
1513 North Federal Road
Suite 200, Utah 84001
Telephone (801) 544-3443
Fax (801) 544-0651
www.transportation.gov



LEGACY CROSSING AT PARRISH LANE MIXED COMMERCIAL / RESIDENTIAL PLANNED DEVELOPMENT

CENTERVILLE
UTAH

LANDSCAPE
MAINTENANCE
PLAN

DEVELOPMENT
AGREEMENT

EXHIBIT

E-2

E-3

Master Plant List For Legacy Crossing at Parrish Lane July 26, 2010

The following tables are lists of plants that are suitable for much of the high mountain and valleys of Utah. Plants are classified as trees, shrubs, herbaceous perennials, and grasses. Each plant is listed with common and botanical names, and characteristics.

Not all plant material will be used from this list. It is intended to be an approved plant palette to select from.

In these lists, 'zone' refers to the plant hardiness zone, and water refers to relative water requirements for acceptable growth. Put plants with the same water requirements together. Water requirements are based on a scale of 0-3, with the definitions as follows:

0 No supplemental water is required after plants are established.

1 At least 1-inch of supplemental water per month may be required after plants are established.

2 At least 1-inch of supplemental water every two weeks may be required after plants are established.

3 At least 1-inch of supplemental water each week may be required after plants are established.

TREES

***Abies lasiocarpa* -Subalpine Fir** zone 1-5 water 3 Native, evergreen tree occurring at elevations of 6500-10,000 feet. This tree is narrowly pyramidal and grows to 60'-80' tall. Only for cool, moist environments.

***Abies concolor* -White Fir** zone 3-7 water 2-3

Native, evergreen tree occurring at elevations of 6000-8000 feet. Broadly pyramidal, to 80'. The needles have a white or frosty appearance. Currently available in the nursery trade. One of the best firs for landscaping.

***Acer campestre* -Hedge Maple** zone 5. Water 2

Slow growing. Height 20-30'. Likes sun. Dark glossy green leaves in summer turn yellow in fall. Good street tree.

***Acer x freemanii* 'Jeffersred'-Autumn Blaze Maple** zone 3 water ?

Deciduous large tree with medium green foliage in the summer and brilliant orange-red long lasting color in the fall. Moderate growth rate to 50' x 40'.

***Acer ginnala* -Amur or ginnala maple** zone 2-8 water 2 Native to central and northern China, Manchuria, and Japan. Moderately shade tolerant. Many varieties are available commercially that vary from small shrubs to

small trees. The main problem with this species in Utah is occasional chlorosis on high pH soils. Fall color can be excellent.

***Acer glabrum* -Rocky Mountain Maple** zone 3 water 1 Native, deciduous, small tree growing rapidly to 20' x 15'. Green leaf color changing to yellow to orange in fall; does well in sun or shade. Grown easily from seed, but hard to transplant. Stays shrub-like on poor sites.

***Acer grandidentatum* -Big Tooth Maple** zone 3 water 1-2 Native, small, deciduous tree with bright fall colors of yellow to orange and red. Slow growth to 30' x 20'; requires well-drained soils and full sun. Easily grown from seed, transplants well if container-grown. Thought to be a close relative of the sugar maple.

***Acer negundo* -Boxelder** zone 2-9 water 1 A large, native, deciduous tree common to riparian areas throughout Utah. Rapidly growing and weak-wooded. Female trees are susceptible to the boxelder bug. Not the best choice, but in wet sites selected cultivars may be a good option.

***Acer platanoides* -Norway Maple** zone 3-7 water 3 Deciduous; green to purple leaves depending on cultivar; very dense shade; moderate growth rate to 50' x 40'; full sun; tolerant as to soil type if well-drained; pH of 6-8. Tolerant of air pollution. Problems with aphids, *verticillium* wilt, and leaf scorch, somewhat weedy.

***Acer tataricum* -Tatarian Maple** zone 3-8 water 2 Deciduous; small tree (20' x 20'); slow-moderate growth rate; often multi-stemmed; wide range of fall colors; adaptable to a wide range of conditions and somewhat drought tolerant when established. Few disease or insect problems.

***Aesculus hippocastanum* -Horsechestnut** zone 3-8 water 2 Deciduous tree, growing to 50'-70'. Very showy flowers. It has a slow growth rate and is susceptible to leaf scorch.

Aesculus x carnea (Red Horsechestnut) may be more scorch tolerant. Has large, inedible seeds.

***Alnus glutinosa* -European Alder** zone 3-7 water 3 Deciduous tree growing to 40'-60'. Attractive dark, green leaves. Best used as an alternative for moist, poorly drained soils. Has the ability to fix nitrogen.

***Alnus incana* -Mountain Alder** zone 1-6 water 3 A native, deciduous tree or shrub. Occurs in riparian areas in mountainous regions throughout the state. Selected varieties are available. An excellent choice for cold, wet environments.

***Betula occidentalis* -Western River Birch** zone 3 water 3 Deciduous, multi-stemmed small tree which grows rapidly to 35' x 15'. Occurs naturally as a riparian plant. Multiple stems and copper-colored bark provide nice winter appearance. Transplants easily. Should not be confused with *Betula nigra* a non-native River Birch.

***Celtis occidentalis* -Common Hackberry** zone 2-9 water 1 Deciduous; coarse, green leaves with yellow fall color; ridged, corky bark; moderate grower to 40' x 40'; full sun; tolerates a wide range of soils with pH of 6-8. Largely pest free except for leaf nipple gall, a cosmetic insect problem on leaves.

***Cercis canadensis* -Eastern Redbud** zone 3-9 water 2 A small, flowering, deciduous tree growing to 20'-30'. The flowers are a distinct magenta and open before the leaves.

Widely adaptable, though does require well drained soil. A member of the legume family.

***Crataegus douglasii* - Black or Douglas Hawthorn** zone 2-8 Native, small (25'), deciduous tree occurring in riparian areas at elevations of 4000-8400 feet. It has small, white flowers and 1/2-inch black fruit. Like most other hawthorns, it is quite thorny.

***Crataegus crusgalli* -Cockspur Hawthorn** zone 3-8 water 1 A small, flowering, deciduous tree that grows to 20'-30'. Small white flowers followed by persistent red fruit. A slow growing tree. Large thorns are a significant concern in some situations, but a thornless variety exists (var. *inermis*).

***Crataegus phaenopyrum* -Washington Hawthorn** zone 3-8 water 2 A 25'-30' tall flowering tree. Broadly rounded form with dense, thorny branches. White flowers followed by 1/4-inch diameter persistent fruit.

***Ginkgo biloba* -Ginkgo/ Maidenhair tree** zone 3-8 water 2 Deciduous; green leaf with yellow fall color; slow to establish with moderate growth rate to 50' x 30'; full sun; adaptable to soil conditions, air pollution, heat and salts. Does well in urban conditions. Avoid extremely high pH conditions. No insect or disease problems. Use male cultivars (no fruit).

***Gleditsia triacanthos* var. *inermis* -Thornless Honeylocust** zone 3-9 water 1 Deciduous; green compound leaf with small leaflets; fast growth to 40' x 40'; full sun; tolerant to high pH and salt. Provides light shade, no heavy leaf litter. Susceptible to midge pod gall and *thronectria* canker.

***Gymnocladus dioica* -Kentucky Coffeetree** zone 3-8 water 1 Deciduous; large green doubly pinnate leaves; slow to establish and grow to 60' x 40'; full sun; adaptable to soil conditions, but prefers deep loam. Tolerates urban conditions, no serious diseases or insects. Female trees will produce seed pods. Good tough tree.

***Juniperus scopulorum* -Rocky Mtn. Juniper** zone 2-7 water 0 Evergreen native; bluish-green foliage; slow growing to 30' x 3-10'; size dependent on variety; full sun; tolerant to wide range of soil conditions if well drained. Good screen for harsh sites. May suffer root rot if over irrigated. Many cultivars.

***Juniperus virginiana* -Eastern Redcedar** zone 2-9 water 0 Evergreen; moderate growth to 40' x 10'; full sun; soil and pH adaptable if well-drained; salt tolerant. Tough plant for screening and naturalizing. No serious disease or insect problems. Many cultivars.

***Larix decidua* -European larch** zone 2-6 water 3 Native to the mountains of northern and central Europe; does well in Utah with a moderate growth rate and is quite cold-tolerant; prefers moist soils; shade intolerant. This is a beautiful tree with great, golden fall color. Deciduous character is interesting but not everyone likes its winter appearance.

***Malus species* -Crabapple (Prairie Fire)** zone 2-8 water 2 Deciduous; green to red leaves; a wide variety of forms, sizes, flower color; and fruit size and color. Truly one of the hardiest flowering trees available. Adaptable as to soil type if well-drained; full sun. Over 200 cultivars in the trade.

***Picea abies* -Norway Spruce** zone 2-7 water 2 This spruce is distinguished from the more common Colorado spruce by its drooping branchlets, though there are many cultivars with many different forms. Medium to fast growth rate to 40'-60'. Readily

transplanted. Spruce ips bark beetles can be serious pests on water-stressed plants.

***Picea engelmannii* -Engelmann Spruce** zone 2-5 water 1

A native conifer occurring at elevations of 8000-10400 feet. Only use on cool-moist sites. Spruce ips bark beetles can be serious pests on water-stressed plants.

***Picea glauca* -White or Blackhills Spruce** zone 2-6 water 2 Native in Black Hills, northern Lake States, northeastern U. S., and throughout Canada and Alaska; but not in Utah. Slow growing. Prefers moist sites with good soil, but fairly adaptable. Shade tolerant. Seldom planted in Utah (except for dwarf Alberta spruce), but a very desirable landscape tree. Narrow-crown and short needles make it interesting. Dwarf Alberta Spruce (*P. glauca* 'Conica') is a commonly available cultivator that is overused in many landscapes.

***Picea pungens* -Blue Spruce** zone 2-7 water 3

Evergreen native; green to blue foliage; slow growing to 40' x 15'; full sun. Must account for eventual size of this tree when planting in landscape. Spruce gall adelgid is mainly a cosmetic problem. Spruce ips bark beetles can be serious pests on water-stressed plants.

***Pinus edulis* -Pinyon Pine** zone 2 water 0 Evergreen native; gray-green, double needled pine; slow growing to 20' x 15'; full sun; tolerant to well-drained, high pH soils. No serious disease or insect problems. Has edible pine nut.

***Pinus longaeva* -Bristlecone Pine** zone 4-7 water 1 Native, slow growing evergreen. With a maximum height of 8'-20' it is an excellent small pine for use in landscapes as an accent or rock garden plant. Few, if any, pests.

***Pinus nigra* -Austrian Pine** zone 4-7 water 1 Evergreen; dark green, long needles; moderate growth rate to 45' x 25'; full sun. Tolerant of city conditions, soils, heat, and alkalinity. No serious insect or disease problems.

***Pinus sylvestris* -Scotch Pine** zone 2-8 water 1

Evergreen; relatively short needles; moderate growth to 40' x 20'; full sun. Soil tolerant if well-drained. Unique form and color. No serious insect or disease problems.

***Populus alba* 'Bolleana' -Bolleana Poplar** zone 3-8 water 1 Deciduous; green leaves with white underside; columnar in form; fast growing to 40' x 15'; full sun; tolerant to high pH soils, air pollution, and salt spray. Suckers. Good for a rapid growing screen or windbreak, but susceptible to many insects and diseases.

***Populus deltoides* -Eastern Cottonwood** zone 3 water 2 Deciduous; large green leaves with yellow fall color; very fast growing to 70'-90' x 50'; full sun; tolerant to high pH soils. Good for a rapid growing shade tree in areas with ample room. Weak wooded, susceptible to multiple pests.

***Populus tremuloides* -Quaking Aspen** zone 3-7 water 3 A native, deciduous tree occurring in mountain regions throughout the state. Initially fast growing. Not recommended for warmer valleys because of borers, suckers, and failure to produce desired white stems. May be an option for cooler mountain valleys. Yellow fall color.

***Prunus virginiana* 'Canada Red' -Canada Red Chokecherry** zone 2 water 1

Deciduous, small tree, new growth emerges green turning to maroon red foliage; grows to 20'-35' x 18'-25'. Red fruit in mid-summer. Requires well-drained, aerated soils. Will sucker.

***Pyrus calleryana* 'Chanticleer' -Chanticleer Pear** zone 4 water 2

Fast growing. Height 25-30'. Width 10-15". Likes sun. White flowers later in spring & better than Bradford. An ideal street tree. Also known as 'Cleveland Select'.

***Quercus gambelii* -Gambel's Oak** zone 2 water 0

Deciduous, native oak; green leaves with brown fall color; slow growing to 20' x 15'; full sun; tolerant of high soil pH, but must have well-drained soils. Susceptible to a number of native pests including the formation of galls.

***Quercus macrocarpa* - Bur Oak** zone 3-8 water 1 Deciduous, dark green leaves with yellow to brown fall color. Slow growing to 70'-80'. Full sun. Tolerant of high soil pH. Produces large acorns.

***Robinia x ambigua* 'Idaho' -Idaho Flowering Locust** zone 3-8 water 1 Deciduous, green leaves; attractive purple blossoms; fast growing to 50' x 30'; full sun, tolerant to a wide range of soils. Good for use in difficult areas. Susceptible to borers.

***Sorbus aucuparia* -Cardinal Royal Mountain Ash** zone 3 water 2

Medium growing. Height 20-30'. Width 12-18'. Likes sun. Dark green foliage with silver underside. Needs well drained soil. Brilliant red berries borne in August-September. Rust fall colored leaves.

***Syringa reticulata* -Japanese Tree Lilac** zone 3-7 water 2

Deciduous; green foliage; no fall color. Moderate growth to 20' x 15'. Needs well-drained soil and full sun. Is pH tolerant. Resistant to lilac borer and powdery mildew that occur on common lilac. Flowers in May-June.

***Thuja occidentalis* -Northern Whitecedar** zone 2-8 water 2

Native to northeast U. S., Lake States, Appalachian Mountains, and southern Canada. Not a true cedar. Medium to fairly large tree, medium to slow growth. Often found in swampy areas. Intermediate shade tolerance. More commonly planted in Utah in the past than now, though these are very desirable trees. Many different crown forms are available, from shrubby, to large pyramidal, to weeping. Good as hedge, visual screen, windbreak, or as specimen trees. Cold hardy but may need protection on harsh, dry, windy sites. Does not like extreme heat and dry conditions. Few insect or disease problems.

***Tilia americana* -American Linden** zone 2-9 water 2 Large, deciduous tree (60'-80').

Flowers are fragrant and bloom in June. May be too large for many landscapes. 'Redmond' is a common cultivar though broader crowned varieties are better. A good choice for a large, hardy shade tree for park situations.

***Tilia cordata* -Littleleaf Linden** zone 3-7 water 3 Deciduous; often pyramidal-shaped tree; grows to 60' x 30'. Easily transplanted; full

sun; prefers well-drained soil and is soil-pH tolerant. Aphids can be a problem. Excellent shade tree with several nice cultivars.

SHRUBS

***Amorpha canescens* -Leadplant, False Indigo** zone 2 water 1 Deciduous, pinnately compound leaves changing to yellow in fall; purple flower; moderate growth to 2'-4' x 4'-5'. Full sun; tolerant to wide range of soils; pH of 7-8.

***Amorpha fruticosa* - Indigo Bush** *Amorpha* zone 2 water 1

Deciduous, multi-stemmed shrub with a spread to 4'-10'. Blue flowers. Full sun.

***Arctostaphylos patula* - Greenleaf Manzanita** zone 2-6 water 1

Native, evergreen shrub growing to 3'-6' in height. Bright green leaves with red stems. Full sun. Pink flowers in spring.

***Arctostaphylos uva-ursi* "Massachusetts" –Kinnikinnick/ Bearberry** zone 2 water 1

Medium growing 8-15' x 4-6' Needs afternoon shade. White or pinkish flowers in spring. Drought tolerant once established. Red fruit loved by birds.

***Aronia melanocarpa* -Black Chokeberry** zone 3-8 water 2 A small, deciduous shrub growing to 5'-10' in height. Suckers to form large thickets.

Red fall color, purple/ black fruit, adaptable to many conditions. Variety *elata* is best for landscapes. Use as a mass planting.

***Artemisia cana* -Silver Sagebrush** zone 3 water 0 Native, silver-leafed sage; evergreen leaves. Moderate growth of 3'-4' x 5'-10' width.

Full sun; tolerant of most soils. Suckers profusely.

***Artemisia frigida* -Fringed Sage** zone 2 water 0

Native, silver-leafed evergreen; rapid growing to 1' x 1'; full sun; soil tolerant. Used for border or color accent. Flower stalks which may need to be trimmed.

***Berberis thunbergii* –Japanese Barberry** zone 4 water 2, many varieties available, Crimson Pygmy is a compact variety with red foliage grows 2'x2', Rose Glow has variegated red leaves, Aurea has golden leaves. For best leaf color plant in full sun. Flowers occur in late April to May. Grows 3-6' high x 4-7' wide. Branches have spines on branches.

***Caragana arborescens* -Siberian Peashrub** zone 2-7 water 1 Introduced, deciduous shrub with moderate to fast growth up to 15'-20' x 12'-18'.

Yellow flowers; full sun; tolerant of saline soils and sprays, most soils, alkalinity, wind and drought. Good for hedge or windbreak in difficult situations.

***Caragana pygmaea* -Pygmy Peashrub** zone 3-7 water 1 Deciduous; moderate growth rate; height of 2'-3' x 4'-5'; yellow flowers. Full sun.

Tolerant of various soil types, salt, and high pH.

***Caryopteris* –Blue Mist Spirea** zone 4 water 1 Gray-green foliage and light blue August flowers. 2-4' x 2-3'. Blooms when few other shrubs are in bloom. Flowers are a favorite of bees. Cut the shrub back to 6" early spring before growth begins.

***Cercocarpus ledifolius* -Curl-leaf Mtn. Mahogany** zone 2 water 0

Evergreen native; dull green leaf color year-round; slow growing to 15'-20' x 15'. Needs well-drained soils and a pH of 6-7. Withstands shearing.

***Cercocarpus montanus* -Mountain Mahogany** zone 2 water 0 Native, deciduous shrub with pink flowers and white fruit; slow growing to 6' in full sun. Poor tolerance to salts. Grows best in well-drained soils.

***Chamaebatiaria millefolium* -Fernbush zone 4 water 1**

Native, deciduous shrub with finely pinnate foliage; white blooms during the summer; grows to 8' x 8'. Tolerant to high pH soils.

***Cornus alba 'Elegantissima'* –Variegated Red Twig Dogwood zone 3 water 3**

Fast Growing. Height 5-6'. Width 5-6'. Likes afternoon shade. Beautiful, grey-green leaves in summer. Red stems in winter.

***Cornus sericea* -Redstem Dogwood zone 2-8 water 2** Native, deciduous shrub with outstanding red bark; fast growing to 7' x 10'; shade to

full sun; low salt tolerance. Adaptable to a wide range of soils and irrigation levels.

Handsome utilitarian shrub, native to riparian areas. Susceptible to twig canker.

***Cotoneaster dammeri 'Coral Beauty'* –Coral Beauty Cotoneaster zone 4 water 2**

Fast growing. Height 1-2'. Width 3-5'. Likes sun to part shade. Semi-evergreen. White flowers in spring. Brilliant coral berries in fall.

***Euonymus alatus 'Compactus'* –Dwarf Burning Bush zone 5 water 2**

Medium growing. Height 4-6'. Width 4-6'. Likes sun. Green leaves turn a dazzling display of brilliant red in early fall. Compact, rounded shrub.

***Forsythia x intermedia* -Arnold's Dwarf –zone 4 water 2**

Deciduous shrub with medium green foliage. Upright grower. Height 4'. Width 6'.

Profuse tawny-yellow flowers in March-April. Plant in most any soil in full sun.

***Holodiscus dumosus* -Rockspray Spiraea zone 3 water 1** Deciduous native shrub;

green leaves; white/ pink flower in spring; full sun. Slow

growing to variable height and width; requires well drained soils; can tolerate high pH.

No significant pest problems. Largely uncultivated.

***Juniperus chinensis* -Chinese Juniper zone 3-9 water 1** Evergreen shrub; highly

variable in size and color; full sun. Requires well-drained

soils, pH tolerant. Susceptible to root rot when over-irrigated. Many cultivars available, including old Pfitzer types.

***Juniperus communis* -Common Juniper zone 2-6 water 1** Evergreen shrub; slow

growth to 5'-10' x 8'-12'. Gray-green to blue-green in color. Full

sun; wind tolerant. Adaptable to any well-drained soil. Very hardy; several cultivars.

***Juniperus horizontalis* -Creeping Juniper zone 3-9 water 1**

Evergreen; green to blue/ green color; moderate growth to 1'-2' x 4'-8'. Full sun; tolerant

to most soils. More tolerant of heavy soils than other junipers. Many cultivars.

***Juniperus sabina* -Savin Juniper zone 3-7 water 1** Evergreen; green needles;

moderate growth to 4'-6' x 5'-10', depending on cultivar. Full

sun; well-drained, dry soils. Tolerant of urban conditions. Good cultivars are

'Broadmoor', 'Buffalo', Calgary Carpet, and var. *tamariscifolia*.. Potential for root rots.

***Ligustrum x vicaryi* –Golden Privet zone 4** Large oval-rounded shape, medium

growth to 6-8' x 6-8', displays golden yellow leaves for most of the summer

***Mahonia fremontii* -Fremont Barberry/ Utah Holly zone 3 water 0** Native broadleaf

evergreen; gray/ green leaf color; holly-like leaf. Slow growing to 5' x

3'. Full sun; well-drained soil.

***Mahonia repens* -Creeping Mahonia zone 3 water 1**

Native broadleaf evergreen groundcover; green leaves changing to hues of green to red

in fall; holly-like leaf; slow growing to 1' x 1'; partial shade to full sun. Tolerates high pH;

low salt tolerance; requires well drained soils. No major pest problems.

***Picea abies* 'Nidiformis' – Blue Nest Spruce** zone 2 water 3

Medium growing. Height 2-3'. Width 3'. Likes sun to partial shade. Dense evergreen. Spring foliage is soft and light green. Very compact.

***Pinus mugo* -Mugo Pine** zone 2-7 water 1 Evergreen; two-needled pine; slow growing to variable size; full sun. Tolerant to high pH. Excellent alternative to junipers. Few disease or insect problems.

***Potentilla fruticosa* -Potentilla** zone 2-7 water 1

Deciduous native plant with many selected cultivars; slow growth to 1'-4' x 2'-4'; wide range of flower colors; full sun to partial shade. Withstands poor, dry soils if well-drained.

Tolerant of high pH. Few diseases or pests. Good color and blooming period.

***Prunus besseyi* -Sand Cherry** zone 3-6 water 1

Deciduous shrub; shiny gray-green leaves with yellow fall color; white flower; full sun. Moderate growth to 4' tall; suckers. Low salt tolerance, but tolerant to heat and high pH. Few disease or insect problems.

***Prunus virginiana* -Chokecherry** zone 2-6 water 1

Native deciduous shrub; green leaves changing to yellow in fall; unique white flower followed by red-black berries; full sun. Moderate growth rate to 12' x 8'; tolerant to wide range of soils; riparian. Susceptible to black knot; suckers profusely; fruit used for jellies.

***Rhus glabra* -Smooth Sumac** zone 2-9 water 1 Native deciduous shrub; green foliage with bright red fruit and fall leaf color; fast

growing to 9'-15'; full sun. Soil and salt spray tolerant; few pests; suckers.

***Rhus glabra* 'Cismontana' -Dwarf Mountain Sumac** zone 2-9 water 1

Deciduous, dwarf shrub; green foliage with bright red fruit and fall leaf color; fast growing to 2'-5' x 3'-4"; full sun. Suckers and can be invasive.

***Rhus trilobata* -Oakleaf Sumac** zone 2 water 0 Native deciduous shrub; green foliage with red fall color and red berries; full sun.

Moderate growth rate to 6' x 10'; tolerant of most soils. No serious pest problems.

***Rhus typhina* -Staghorn Sumac** zone 3-8 water 1

Deciduous shrub; green leaves with bright red fall color and fruit; full sun. Fast growing to 12' tall; suckers readily and can be invasive; tolerant to high pH and urban conditions. Few disease problems.

***Ribes alpinum* – Alpine Currant** zone 2 water 2

Medium growing. Height 3-5'. Width 5-6'. Likes sun or shade. Suitable for hedges. Greenish flowers in spring. Resistant to fire blight.

***Rosa* x 'Nearly Wild' -Pink Floribunda** zone 4 water 2 Height 2'. Width 4'.

Long and pointed buds open to large single dark pink flowers, blooming late spring to frost on this hardy shrub rose.

***Rosa polyantha* –Red Flower Carpet** zone 3-8 water 2 Deciduous ground cover rose. Single 5 leaf red flower. Plant in full sun to semi-shade. Easy care, no fancy pruning- just cut back with shears to half size in late fall. Established plants can give up to 2000 flowers. Natural disease resistance. Grows to 3' x 3'.

***Rosa rubrifolia* -Redleaf Rose** zone 2-8 water 1

Deciduous; red/ green foliage with pink flowers and orange hips; full sun. Moderate growth to 4' x 4'.

***Rosa rugosa* -Rugosa Rose** zone 2-7 water 1 Deciduous; leaves green to orange/ red in fall; fast growing to 5' x 5'. Tolerant to salt,

pH, most soils if well-drained. Very trouble free for a rose.

***Rosa woodsii* –Bonica Pink** zone 2-8 water 1 Deciduous shrub rose. Double pale pink blossom. Prolific bloomer. Moderate grower to 4' x 4'

***Rosa woodsii* -Woods Rose** zone 2 water 1

Deciduous, native rose; green foliage with pink blooms and orange fruit; full sun.

Moderate growth to 4' x 4'; salt tolerant; requires well-drained soil.

***Salix purpurea* “Nana” – Dwarf Blue Artic Willow** zone 4 water 1 Fast growing. 6-8' x 4-6'. Likes sun. Blue leaves & purple stems in winter. Prune hard every spring.

***Shepherdia argentea* -Silver Buffaloberry** zone 2-6 water 0 Native, deciduous shrub; silver foliage with red/ orange flower and fruit; not showy; full sun. Moderate growth to 10' x 10'; Tolerant to high pH and moderate salinity.

***Shepherdia rotundifolia* - Roundleaf Buffaloberry** zone 3-6 water 0

Native, deciduous shrub. Silver foliage with soft gray hairs on the underneath side. Slow growth rate to 3'-4'. Tolerant of high pH and moderate salinity.

***Spirea japonica* –Goldmound** zone 4 water 2 Likes sun. Outstanding colorful foliage for accent or contrast. Rich gold yellow leaves, pink flowers in June. Fast growing to 2-3' tall and wide. Needs extra water first season to get established.

***Spirea x bumalda* -Bumald Spiraea** zone 3-8 water 3 Deciduous shrub; light green leaves with lavender blooms; full sun. Moderate growth to 2' x 2'; not tolerant to high pH or soil salinity. Susceptible to iron chlorosis. Fruit and spent blossoms rather unsightly.

***Symphoricarpos albus* -Snowberry** zone 3-7 water 2

Deciduous; white flowers with white berry and green leaves; full to partial shade. Fast growth to 4' x 4'; tolerant to high pH but not soil salinity. Suckers. No serious disease or insect problems.

***Symphoricarpos oreophilus* -Mountain Snowberry** zone 2 water 2

Native snowberry; green foliage with white flowers and berries; full sun to partial shade. Fast growing to 5' x 3'; requires well-drained soil, low salinity and neutral pH.

***Syringa meyeri* 'Palibin' -Dwarf Korean Lilac** zone 3-7 water 2 Deciduous, dwarf shrub. Flowers lilac to lavender in color.

***Syringa patula* -Miss Kim Lilac** zone 3-7 water 2 Deciduous dwarf shrub growing to 3'-5' x 3'-5'; glossy green leaves turn burgundy red in fall; pale, lilac colored flowers.

***Syringa vulgaris* -Common Lilac** zone 3-7 water 1

Deciduous shrub; green foliage with white to purple flowers; fragrant; full sun. Moderate growth to 10' x 10'; tolerant of high pH and salt spray. Affected by powdery mildew and ash borer, but not seriously. Very tough, traditional plant. Many cultivars available.

GRASSES

Yearly, cut all grasses back to 3" above crown in early spring before new growth appears (approx. March) Do not fertilize your grasses.

***Calamagrostis x acutiflora* –Karl Forester Reed Grass** zone 2 water 2 Vigorous upright narrow clump ornamental grass. 18" W x 4' H Full sun to part shade. Thrives in any soil. Cut back faded grass before new growth starts in spring.

***Festuca arundinacea* -Tall Fescue** cool season water 2 Turf-type; bunch grass; dark green color; tall; partial shade to full sun; requires well drained soil.

***Festuca glauca* -Elijah Blue** zone 4 water 1 Arching silvery- blue blades. Mounding form 12" x12" Full sun to part shade. Color holds well all summer.

***Festuca ovina* -Sheep Fescue** cool season water 0

Ornamental/ ground cover; bunch grass; blue/ green color; low-moderate height; full sun; requires low salinity and well drained soil.

***Festuca rubra* -Red Fescue** cool season water 3 Turf-type; rhizomatous; green color.

***Lolium perenne* -Perennial Rye** cool season water 3 Turf-type; bunch grass; green color; partial shade to full sun

***Oryzopsis hymenoides* -Indian Ricegrass** cool season water 0 Native; ornamental; bunch grass; green color; moderate height; moderately salt tolerant; requires well-drained soil.

***Poa pratensis* -Kentucky Bluegrass** cool season water 3

Native; turf-type; rhizomatous; green color; moderate height; low salinity tolerance; needs well drained soils.

HERBACEOUS PERENNIALS

***Achillea millefolium* -Yarrow** zone 3 water 0 Native; pink, red, white, and yellow flowers over green dissected leaf; mid to late season bloomer; height 12"-36"; use for borders or naturalized areas. Needs well-drained soils, full sun. Susceptible to mildew.

***Aegopodium podagraria* 'Variegatum' -Bishop's Weed** zone 4-8 water 3 Leaves light green with white margins; height 8"-10"; vigorously growing and spreading. Full sun or shade, with shade best in warmer areas. No soil preference. Used as a ground cover. Can be invasive. Tends to scorch and look unsightly in heat of summer. May become invasive.

***Anaphalis margaritacea* -Pearly Everlasting** zone 4 water 1 Native; white flower with gray foliage; mid to late season bloom; height 24"-36"; use for borders. Needs well drained soils and partial shade. Can be invasive.

***Antennaria rosea* -Field Pussytoes** zone 4 water 2 Native; white to pink flowers with white/ gray foliage; blooms early in season; height 3"-12"; use for rock gardens. Tolerant to wide range of soil types; full sun.

***Arabis* -Rock Cress** zone 4 water 1 Abundant, fragrant evergreen flowers and attractive silvery foliage make this a wonderful small scale ground cover. Grows 6" H x 18" W. Flowers bloom in white, pink and purple. Blooms mid to late spring. Full sun.

***Armeria maritima* -Sea Pink** zone 4 water 2 Evergreen leaves in clumps with pink or white flowers; leaves 3"-4" with flowers to 12" tall. Blooms in mid to late spring. Full sun; dry soils. Very salt tolerant; use for edges and rock gardens.

***Artemisia frigida* -Fringed Sage** zone 3 water 0 Native; gray foliage with inconspicuous flowers; height 16"; used for foliage effects. Tolerant to various soil types; full sun. Requires trimming.

***Artemisia schmidtiana* -Silver Mound** zone 3 water 0 Gray foliage with inconspicuous flowers; height 12"; used for foliage and as a border. Requires well-drained soils and full sun. Susceptible to rust; can become rather rank growing.

***Asclepias tuberosa* -Butterfly Weed** zone 3 water 1 Native; multiple flower colors with green foliage; blooms mid to late season; height 24"-36"; used for border or naturalized areas. Tolerant to most soils; full sun. Pest free.

Aster 'Monch' -Frikartii zone 4 water 1 Lavender blue flowers. Height 24". Width 36". Mounding or open habit perennials with colorful daisy flowers. Encourage branching by pinching new growth in spring and early summer. Blooms for an extraordinarily long time.

***Aubrieta deltoidea* -Purple Rock Cress** zone 4 water 1 Purple flowers; blooms early to mid-season; height 6"; use in bed, edging or rock garden. Use in full sun with well-drained soil. Should be trimmed to maintain compact form. No serious diseases or insects.

***Aurinia saxatile compactum* -Dwarf Basket of Gold** zone 4 water 2 Yellow blooms with gray foliage; early season bloomer; height 4"-6"; best use is for rock gardens. Requires a well-drained soil and full sun.

***Baptisia australis* -Blue False Indigo** zone 4 water 2

Blue flowers. Good as a border plant. Full sun, well-drained soil. A member of the legume family. Easy to grow and pest free.

***Callirhoe involucrata* -Poppy Mallow** zone 3 water 0 White or purple blooms with green foliage; blooms all season long; height 6"-12"; use in border or rock garden. Tolerant of soil extremes; full sun.

***Campanula rotundifolia* -Bluebells of Scotland** zone 3 water 3

Bright blue 1-inch flowers in early to late summer; self seeding. Grows 1'-2' high; requires well drained soils and full sun.

***Centaurea montana* -Bachelor Button** zone 3 water 1 Blue or white flowers with green to gray foliage; blooms early to mid-season; height 12"-18"; use for border. Requires well-drained soil; partial shade to full sun. Invasive.

***Centranthus ruber* -Jupiter's Beard** zone 4 water 1

Pink, white, or red flowers with green foliage; blooms in mid-season; height 24"-36"; used for borders and naturalized areas. Requires well drained soils, tolerant to high pH; partial shade to full sun.

***Cerastium tomentosum* -Snow-in-Summer** zone 3 water 2

White blooms on green to gray foliage; blooms early to mid-season; height 3"-10"; used for borders, rock gardens and as a ground cover. Requires well drained soils and full sun.

***Chrysanthemum x superbum* -Shasta Daisy** zone 4 water 1

Free flowing summer daisy. 24-30" H x 24" W White flowers single or double. Best in full sun.

***Dianthus barbatus* -Sweet William** zone 2 water 2 A self-sowing biennial, 6"-10" tall, with a flat cluster of flowers. Used in borders or rock gardens. No scent.

***Dianthus gratianopolitanus* - Tiny Rubies** zone 2 water 2 double deep pink flowers Compact ground cover. Remove faded flowers to extend season. 5" H x 20" W Tolerates partial shade.

***Dianthus 'Zing Rose'* -Zing Rose Dianthus** zone 2 water 2

Grows to 6" tall, blooms from June to summer with rose red flowers. Dense green foliage.

***Dicentra eximia* -Fringed Bleeding-heart** zone 3 water 3 Finely dissected gray-blue evergreen leaves, 12"-18" tall with pink to purple flowers.

Partial shade with well-drained soil. Excellent for borders and rock gardens.

***Dicentra spectabilis* -Bleeding-heart** zone 2 water 3

Pink, white, and red flowers with green foliage; blooms in mid-season; height 6"-36". Used for borders, requires well drained loam, partial shade. Suscept to stem rot.

***Echinacea purpurea* -Purple Coneflower** zone 3 water 0 Purple flowers with green foliage; blooms in mid-to late season; height 30"-40"; use in borders or naturalized areas. Requires a well-drained soil; full sun. Leaf spot disease.

***Gaillardia aristata* -Indian Blanket Flower** zone 3 water 0

Native; flowers are a mix of orange, red, and yellow; blooms mid-to late season; height 12"-30"; use for cutting, border or naturalized areas. Tolerant to most soils; full sun. Few serious problems.

***Hemerocallis Hybrids* -Daylily zone 3 water 1**

Multiple flower colors with green, grassy foliage; blooms mid-late season; height 15" - 30"; use for borders or naturalized areas. Tolerant to most soils; partial shade to full sun. Very few problems.

***Stella De Oro* – compact long blooming variety**

***Heuchera sanguinea* –Coral Bells zone 4 water 2**

Low mounds of distinctive foliage. Leaves in many colors, burgundy, lime green, orange, and variegated. Sun to shade 14" x 14" Topped by airy clusters of small bell like flowers.

***Iberis sempervirens* -Candytuft zone 3 water 2**

Forms a mound 6"-12" by 24" with linear, evergreen leaves. White flowers in spring cover the whole plant. Needs full sun and well-drained soils. Best for rock gardens and edging. Should be cut back after blooming to keep full.

***Iris Hybrids* -Iris zone 3 water 1**

Multiple flower colors with green, grassy foliage; early blooming; height 6"-48"; use for borders and cut flowers. Tolerant to most soils, should be well-drained; full sun. Can be minor problems with borers and rots.

***Linum perenne* -Flax zone 3 water 0**

Blue or white flowers with green foliage; blooms in mid-late season; height 12"-24"; use for naturalized areas or borders. Well drained soils, no serious problems.

***Lupinus 'Russell Hybrid'* -Lupine zone 3 water 3** Multiple flower colors with green foliage; blooms in mid-season; height 18"-36"; use in borders. Requires well-drained soils, quite tolerant to other soil factors; partial shade to full sun.

***Monarda didyma* -Bee Balm zone 3 water 3** Multiple flower colors in white/ red/ purple; blooms in mid-late season; height 18"-42";

use in mass plantings and naturalized areas. Full sun to partial shade. Few pests, but may be invasive.

***Narcissus species* -Daffodil zone 3 water 2** Flowers of white, orange, or yellow;

blooms early; height 6"-24"; use in mass plantings or naturalized areas. Loam soil; full sun. Best of spring flowering bulbs for naturalizing.

***Nepeta* – Catmint zone 3 water 2** Spreading aromatic herb with gray-green leaves topped with spikes of clustering late spring flowers. Height 24". Width 36". Grows rapidly in rich, moist soils. Mint family.

***Oenothera elata* -Showy Primrose zone 2 water 2** Native primrose with yellow, orange, or red flowers; blooms from July to September; height 24"-48"; use as a border or naturalized areas. Full sun. 15

***Oenothera missouriensis* -Missouri Primrose zone 3 water 1** Yellow, 3"-4" wide blossoms that open in summer evenings. Tolerant of poor soils and full sun. Works well in rock gardens, edges, and raised beds.

***Origanum laevigatum* –'Hopley's Purple' Showy Oregano zone 3 water 0** Useful plants for difficult garden situations. Thrives on dry slopes. Very long lasting purple flowers. 18" H x 12" W. Full Sun

***Papaver orientale* -Oriental Poppy** zone 3 water 2

Red, orange or pink flowers with green foliage; blooms early to mid-season; height 24"-48"; use as border or cut flowers. Needs well-drained soils and partial shade to full sun.

***Penstemon* species -Penstemon** zone 2 water 0

Native group of several species with a wide range of flower colors; blooms in mid-season; height 12"-36"; use as border or naturalized. Requires well-drained soils; full sun. Over irrigation causes root rot.

Barbatus (Beardlip Penstemon) is an excellent species.

***Perovskia* -Russian Sage** zone 4 water 0

Shrubby, aromatic, gray-green sage with pale blue summer flowers. Height and width 24-36". Cut back to 12" after first hard frost in fall or spring.

***Phlox subulata* -Creeping Phlox** zone 3 water 1 Purple, pink or white flowers with green foliage form a carpet-like mass of color in the spring; blooms in mid-season; height 3"-9"; use as a rock garden plant or as a ground cover. Needs well drained soils and full sun for best performance.

***Physostegia virginiana* -Obedient Plant** zone 3 water 3 Rose-purple or white flowers on spikes to 2'-4' tall. Grows well in full sun or partial shade; may require staking if in fertile soils. An aggressive spreader, it is good for back grounds and cut flowers.

***Ratibida columnifera* -Prairie Coneflower** zone 4 water 1 Native with yellow and purple flower and green foliage; blooms in mid-to late season; height 12"-20" use in naturalized areas. Needs well-drained soils and full sun.

***Rudbeckia hirta* -Black Eyed Susan/Gloriosa Daisy** zone 3 water 1

Flowers in shades of red/ yellow with green foliage; blooms mid-to late season; height 24"-36"; use as a border plant. Tolerant of most soils; full sun to partial shade. Susceptible to mildew and sawfly damage.

***Salvia greggii* -Furman's Red Sage** zone 4 water 0-1 Hardy selection of ever blooming sage. 18-24" H x 12-14" W Crimson flowers. Best cut back in spring. Woody perennial. Full sun to partial shade.

***Salvia x superba* -Purple Salvia** zone 3 water 1 Dense spikes of violet-blue summer flowers. Tolerate heat and drought. Remove spent flowers to promote second blooming. 16" x 16". Full sun.

***Saponaria ocymoides* -Soap Wort** zone 3 water 2

A 4"-10" trailing plant with a pink flower in late spring. Does well in full sun with well drained, even poor quality soils. Good for rock gardens and stone walls. Should be cut back annually.

***Sedum* species -Sedum** zone 4 water 0

Multiple flower colors with succulent foliage in shades of green to red; blooms early; height 8"-18"; use as ground cover or rock garden plant. Well drained soils and full sun.

***Solidago hybrids* -Goldenrod** zone 2 water 2

Native with yellow flowers and green foliage; height 36"-60"; use in borders or naturalized areas. Requires well-drained soils and partial shade to full sun. Susceptible to rust.

***Stachys bysantia* -Lamb's Ear** zone 4 water 1

Lavendar blossom with gray foliage; blooms mid-late season; height 8"-24"; use in border. Does best in well-drained soils and full sun. Used as a ground cover.

***Thymus species* -Thyme** zone 3 water 3 Pink, red or white flowers with gray foliage; blooms in mid-season; height 3"-8"; use as a rock garden plant. Tolerant to most soils; requires full sun.

***Veronica spicata* -Spike Speedwell** zone 3 water 1 Blue, pink, or red flowers; blooms early to mid-season; height 6"-24"; use in border or rock gardens. Best performance in well-drained loams with partial shade to full sun.

***Vinca minor* -Periwinkle** zone 4 water 3

Evergreen groundcover with blue blossoms; blooms early; height 6"-8"; use as a ground cover in full sun to full shade.

Bulbs

Alliums – Ornamental Onion zone 4 water 2

Prized for their handsome foliage and spherical purple flowers. Dense rounded 3-4" flower heads held high on strong straight stems. Bloom May-June. Need water during growing season. Blooms last for weeks.

Anemone blanda –Grecian Windflowers zone 5 water 1

Hardy daisy like flowers create a colorful carpet. Height 3-6"

Chindoxa -Early Snow Glories zone 3 water 1

Early blooming Feb-March Height 4-10" Star shaped flower that naturalizes easily.

Colchicum –Meadow Saffron/Autumn Crocus zone 4 water

Fall bloomer. Leaves form and die off in summer. Rosey pink goblet shaped flowers rise out of nowhere in Aug-Sept. 6-8" tall

Crocus –Snow Crocus zone 3 water 1

Bloom before the Jumbo variety, very hardy, multiply rapidly and bloom early Feb-March. Height 4-6"

Crocus –Pickwick Crocus zone 3 water 1

Jumbo sized bulbs height 5-7". Good for naturalizing in grass or woodlands. Bloom late Feb- March

Hyacinths –Large Hyacinths zone 4 water 1

Produce large, uniform 8-10" stems lavishly bedecked with fragrant, bell-like florets in early to mid-spring.

Muscari armeniacum –Blue Grape Hyacinths zone 3 water 1

Scented flower clusters of rich, cobalt-blue. Makes an excellent under planting for taller bulbs. Multiply rapidly. Height 6-8" Blooms April – May.

Narcissus –Hybrid Daffodil zone 3 water 1

Prefer cooler and moister areas of the garden and endure drought in the summer. Deer resistant. Height 6-18" Good for naturalizing

Narcissus -Minnow Daffodils zone 4 water 1

Very small creamy white blooms have a petite contrasting bright yellow cup. Very fragrant with 3-5 blooms on each stem. Height 1-8"

Puschkinia libanotica -Early Stardrift zone 3 water 1

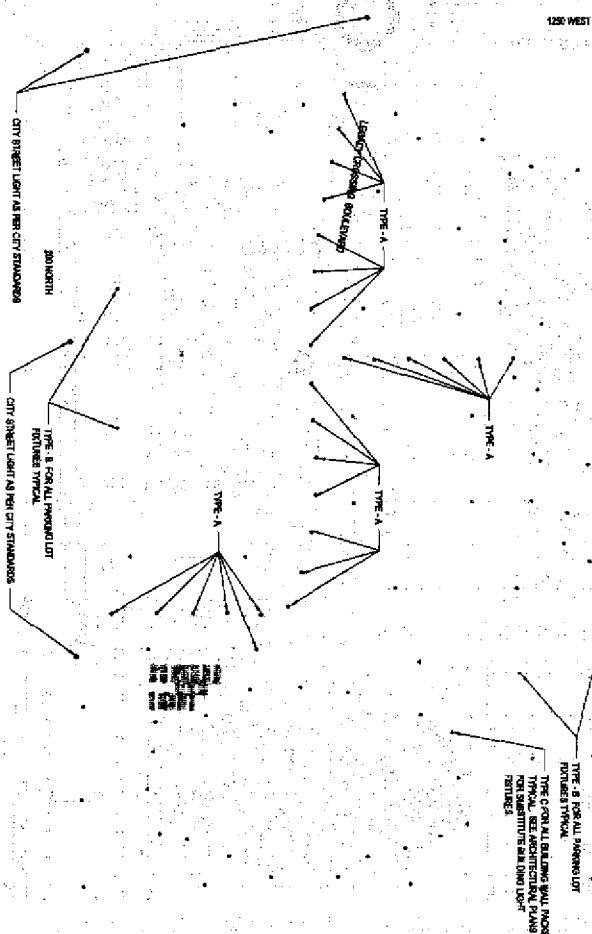
Very easy to grow, deer resistant, flowers April-May

Tulipa Hybrids -Tulip zone 2 water 1

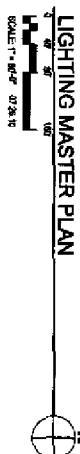
Multiple flower colors and forms with green foliage; blooms early; height 8"-24"; use naturalized or as a border plant. Must have well-drained soils and full sun for good performance and prevention of bulb rots.

PARRISH LANE

1250 WEST



UNION PACIFIC / FRONT RUNNER



LIGHTING MASTER PLAN

NOTES

SEE F-1 LIGHTING FIXTURE SCHEDULE FOR SPEC. LAMP, TYPE, AND MOUNTING HEIGHT. SEE ARCHITECTURAL PLANS FOR SUBMITTALS AND DIMENSIONS FOR EACH BUILDING.



U.S. Department of Transportation
1515 North Federal Road
Suite 200, Utah 84401
Telephone: (801) 544-3443
Telex: (801) 544-0651
www.transportation.gov



LEGACY CROSSING AT PARRISH LANE MIXED COMMERCIAL / RESIDENTIAL PLANNED DEVELOPMENT

CENTERVILLE
UTAH

LIGHTING
MASTER
PLAN

DEVELOPMENT
AGREEMENT
EXHIBIT

F-1

F-2

Lighting Exhibits

LA6133-H (Formerly: LA1783-H)
Catalog:

TYPE A

Description:
Pendant w/Segmented Horizontal Reflector

Cast Aluminum Construction w/ Heavy Duty Aluminum
Spinings, Refractive Lens
Standard w/clear tempered flat glass door assembly and
segmented optics
Horizontal Lamp Placement
Standard w/clear tempered flat glass door assembly and
segmented optics
Hinged Hood
Dark Sky Compliant

General Specification:

Cast aluminum parts shall be cast from 356 aluminum alloy.
Porcelain medium base 4kv pulse rated socket. Typical
hardware will be stainless steel.

Available Lens Panels:

Ballast Information:

If required voltage cannot be determined, only the 277v lead
will be pulled out of the fixture. All other line voltage wires will
be left inside the fixture in order to prevent damage to the
ballast due to incorrect power connections.

All H.I.D. ballast will be high power factor except as noted.
Typical H.I.D ballast will be multitap.

Phillips Induction System	Available Voltages
Available Temperatures	
2100K	100-120 volts
3000K	200-277 volts
4000K	

Fluorescent:
Multitap 120 volts - 277 volts electronic

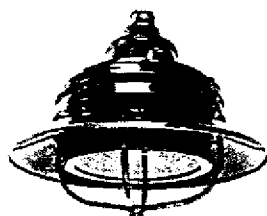
Paint:

Standard Powder Coating Process

A polyester powder coat is used for superior gloss and color
retention. -State of the art 20 PSI pressure power wash at
140° incorporates five step iron phosphate process with sealer
and DI water to cleanse and pre-treat the metal surface for
maximum paint adhesion. Electrostatically applied ranging
from texture to smooth glossy polyester powder topcoat and
baked at 430° for maximum hardness and exterior durability.

Marine Grade Paint:

For objects exposed to extreme conditions as is found in
coastal regions or industrial atmospheres we offer, at an
additional charge, a highly weather and UV resistant powder
coating that withstands up to 3000 hours of continuous salt
spray and comes with a 5 year warranty Consult Factory for
additional paint cost and availability.



18 1/4"

24"

	Inc (Incandescent)	WPL (Fluorescent)	HID High Pressure Sodium/Metal Halide	HID High Pressure Sodium/Metal Halide
Max Wattages	300W	42W	100W	175W

	HID High Pressure Sodium/Metal Halide	Induction	Induction
Max Wattages	250W	55W	85W

**HID refers to Metal Halide (MH), or High Pressure Sodium (HPS). Please
specify preference

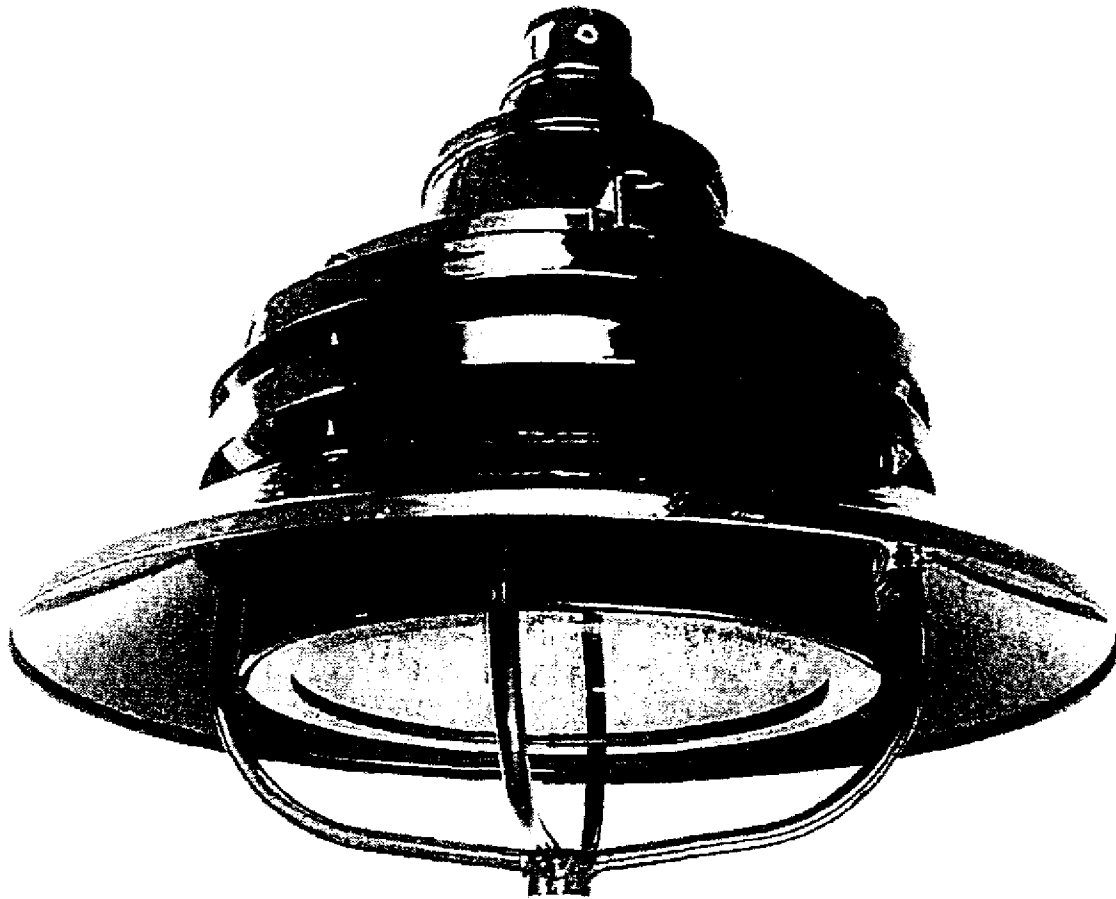
Available Colors

Color plates below represent available colors for this product.
If photograph not available in selected color, color back plate will be shown

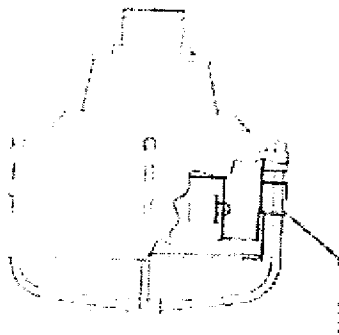
40	41	42	43	44	45	46	47
49	50	51	52	53	56	61	64
65	66	67	68	69	70	71	72
76	99						



TYPE A



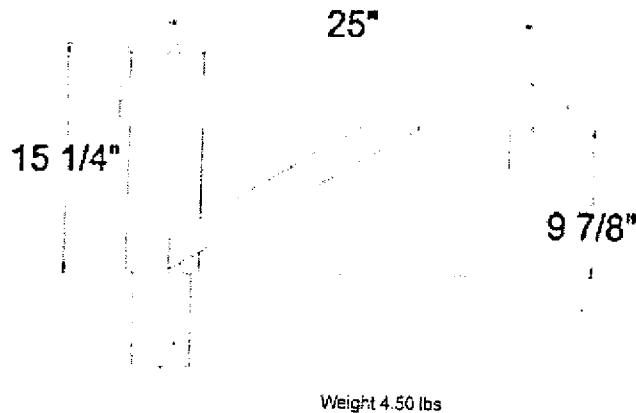
18 1/4"



24"

PA311-1 (Formerly: PA129-1)
Catalog: 12

TYPE F ARM



Description:

1 Arm Post Arm

Center column to match pole design and diameter
Extruded round and square aluminum tubing
Add post height measurement to pole for overall height.
This arm style can accommodate 1 luminaire
Add post height measurement to pole for overall height.

Typical Specification:

Mounts shall be cast from 355 aluminum alloy

Paint:

Standard Powder Coating Process

A polyester powder coat is used for superior gloss and color retention. -State of the art 20 PSI pressure power wash at 140° Incorporates five step iron phosphate process with sealer and DI water to cleanse and pre-treat the metal surface for maximum paint adhesion. Electrostatically applied ranging from texture to smooth glossy polyester powder topcoat and baked at 430° for maximum hardness and exterior durability.

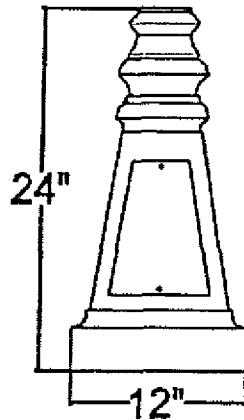
Marine Grade Paint:

For objects exposed to extreme conditions as is found in coastal regions or industrial atmospheres we offer, at an additional charge, a highly weather and UV resistant powder coating that withstands up to 3000 hours of continuous salt spray and comes with a 5 year warranty. Consult Factory for additional paint cost and availability.

Available Colors							
Color plates below represent available colors for this product. If photograph not available in selected color, color back plate will be shown							
							
40	41	42	43	44	45	46	47
							
48	50	51	52	53	56	61	64
							
65	66	67	68	69	70	71	72
							
76	99						

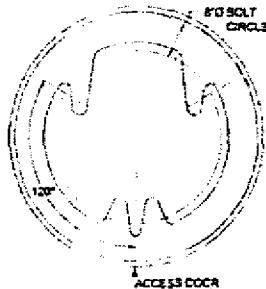
TYPE F
POST

CB0207 (Formerly: CB52)

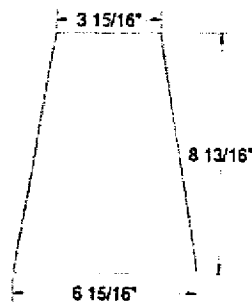


Anchor Bolts 3" Cast Base Weight 22.00 lbs

Bolt Circle Drawing



Door Size Pattern



Description:

Complete cast aluminum construction

Typical Specification:

Pole bases and base plates shall be cast from 356 aluminum alloy. *Round straight or tapered smooth shafts shall be seamless extruded 6061-T6 aluminum *Round Straight fluted shafts shall be extruded 6063-T6 aluminum. *Round straight fluted shafts shall be formed from spun seamless 6063 aluminum or 356 cast aluminum.

Anchor Bolts:

Standard anchor bolt sizes are: 1/2" x 18" x 4" L bolt and/or 3/4" x 18" x 4" L bolt. Anchor bolts nuts and washer shall be hot dipped galvanized steel. Bolt circle templates will be provided upon request.

Hand Hole:

All poles shall be provided with hand access opening and cover. *Hand hole cover shall be secured by (2) stainless steel machine screws. (Tamper-proof screws provided upon request.)

Grounding:

All poles shall be provided with aluminum grounding lug integrated to inner wall of shaft, 180 degrees to hand hole. Grounding lug will be drilled and tapped to accommodate 1/4-20 stainless steel machine screw

Paint:

Standard Powder Coating Process

A polyester powder coat is used for superior gloss and color retention. -State of the art 20 PSI pressure power wash at 140° Incorporates five step iron phosphate process with sealer and DI water to cleanse and pre-treat the metal surface for maximum paint adhesion. Electrostatically applied ranging from texture to smooth glossy polyester powder topcoat and baked at 430° for maximum hardness and exterior durability.

Marine Grade Paint:

For objects exposed to extreme conditions as is found in coastal regions or industrial atmospheres we offer, at an additional charge, a highly weather and UV resistant powder coating that withstands up to 3000 hours of continuous salt spray and comes with a 5 year warranty. Consult Factory for additional paint cost and availability.

Pole Disclaimer:

Pole heights, wall thickness, and bases are designed to withstand nominal luminaries and cross arm configurations. Consult factory for your specific requirements.

Pole Foundation:

ANP does not provide designs or recommendations of foundations for poles.

AVAILABLE COLORS							
Color plates below represent available colors for this product. If photograph not available in selected color, color back plate will be shown							
40	41	42	43	44	45	46	47
49	50	51	52	53	54	55	56
57	58	59	60	61	62	63	64
65	66	67	68	69	70	71	72
73	74	75	76	77	78	79	80



FEATURES & SPECIFICATIONS

CONSTRUCTION — Weldable-grade hot-rolled, commercial-quality carbon steel tubing with a minimum yield of 55,000 psi. Uniform wall thickness of 11-gauge (0.1196") or 7-gauge (0.1793"). Shafts are one-piece construction with a full-length longitudinal high-frequency electric resistance weld. Round in cross-section having a uniform taper of approximately .14" per foot.

Anchor base is fabricated from hot-rolled carbon steel plate that conforms to ASTM A36 that meets or exceeds a minimum yield of 36,000 psi. Base plate and shaft are circumferentially welded top and bottom.

Rectangular reinforced handhole having nominal dimensions of 3 x 5' for 5.9' shaft and oval shaped 4 x 6.5' for all other shafts. Cover with attachment screws included. Handhole is located 18" above the base.

Weatherproof, removable top cap provided with all drill-mount poles.

Fasteners are high-strength galvanized, zinc-plated or stainless steel.

FINISH — Must specify finish.

GROUNDING — Provision located inside handhole rim. Grounding hardware is not included (provided by others).

ANCHOR BOLTS — Top portion of anchor bolt is galvanized per ASTM A-153. Made of steel rod having a minimum yield strength of 55,000 psi.

TYPE B

Catalog Number	RTS 39 7-8B DM19
Notes	Type POLE



Anchor Base Poles

RTS

ROUND TAPERED STEEL

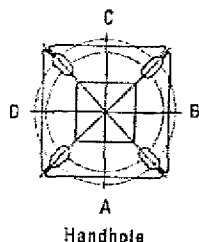
ORDERING INFORMATION

Lead times will vary depending on options selected. Consult with your sales representative.

Example: RTS 30 6-6B DM19 DDB

RTS	39	7-8B	DM19	Options	Finish
Series RTS	Nominal fixture mounting height 20 — 50 feet (see back page.)	Nominal shaft base size/wall thickness (See back page.)	Mounting ¹		
			Tenon mounting	Shipped installed	Standard colors
			PT Open top	L/AB Less anchor bolts	DDB Dark bronze
			T20 2-3/8" O.D. (2" NPS) ²	FBC Full base cover	DWH White
			T25 2-7/8" O.D. (2-1/2" NPS) ²	VD Vibration damper	DBL Black
			T30 3-1/2" O.D. (3" NPS) ¹	TP Tamper proof	DMB Medium bronze
			T35 4" O.D. (3-1/2" NPS) ²	HI-135xx Horizontal arm bracket (1 fixture) ^{4,5}	DNA Natural aluminum
			Drill mounting ¹	FDLxx Festoon outlet less electrical ⁴	GALV Galvanized finish
			DM19 1 at 90°	CPL12 xx 1/2" coupling ⁴	Classic colors
			DM29 2 at 180°	CPL34 xx 3/4" coupling ⁴	DSS Sandstone
			DM28PL 2 at 180° with one side plugged	CPL1 xx 1" coupling ⁴	DGC Charcoal gray
			DM29 2 at 90° ²	NPL12 xx 1/2" threaded nipple ⁴	DTG Tennis green
			DM32 3 at 120° ²	NPL34 xx 3/4" threaded nipple ⁴	DBR Bright red
			DM39 3 at 90° ²	NPL1 xx 1" threaded nipple ⁴	DSB Steel blue
			DM49 4 at 90° ²	EHFxx Extra handhole ^{4,5}	Architectural colors (powder finish) ⁸
			AERIS™/OMERO™ Drill mounting ³		
			DM19AS 1 at 90°		
			DM29AS 2 at 180°		
			DM29AS 2 at 90°		
			DM32AS 2 at 120°		
			DM39AS 3 at 90°		
			DM49AS 4 at 90°		
			AERIS™ Suspend drill mounting ^{3,7}		
			DMxxAST_		
			OMERO™ Suspend drill mounting ^{3,7}		
			DMxxMAT_		

HANDHOLE ORIENTATION



IMPORTANT INSTALLATION NOTES:

- Do not erect poles without having fixtures installed.
- Factory-supplied templates must be used when setting anchor bolts. Lithonia will not accept claim for incorrect anchorage placement due to failure to use Lithonia Lighting factory templates.
- If poles are stored outside, all protective wrapping must be removed immediately upon delivery to prevent finish damage.

NOTES:

- When ordering tenon mounting and drill mounting for the same pole, follow this example: DM29/T20. The combination includes a required extra handhole.
- N/A with RTS 25 5-9B, RTS 30 6-6B, RTS 35 7-3B, RTS 39 7-8B because pole top is too small.
- The drilling template to be used for a particular luminaire depends on the luminaire that is used. Refer to the Technical Data Section of the Outdoor Binder for Drilling Templates.
- Specify location and orientation when ordering option.
For 1st "x": Specify the height in feet above base of pole.
Example: 5ft = 5 and 20ft = 20
For 2nd "x": Specify orientation from handhole (A,B,C,D).
Refer to the Handhole Orientation diagram above.
- Horizontal arm is 18" x 2-3/8" O.D., tenon standard.
- Combination of tenon-top and drill mount includes extra handhole.
- Insert "1" or "2" to designate fixture size; e.g. DM19AST2.
- Additional colors available; see www.lithonia.com/archcolors or Architectural Colors brochure (Form No. 794.3). Powder finish standard.



FEATURES & SPECIFICATIONS

INTENDED USE — Outdoor storage areas, warehouse and factory perimeters and loading docks.

CONSTRUCTION — Rugged, corrosion-resistant, die-cast aluminum. Corrosion-resistant external hardware includes slotted hex-head fasteners.

FINISH — Standard finish is electrostatically applied, oven-cured, dark bronze (DBB) corrosion-resistant polyester powder paint.

OPTICAL SYSTEM — Reflector is specular anodized aluminum. Refractor is prismatic borosilicate glass which is sealed and gasketed to inhibit the entrance of outside contaminants.

ELECTRICAL SYSTEM — Electrical components are mounted in hinged front cover that includes primary and secondary electrical disconnect.

Ballast: High pressure sodium: 70-150W is high reactance, high power factor. Constant wattage autotransformer for 200-400W. Metal halide: 70-150W is high reactance, high power factor and is standard with pulse-start ignitor technology. "SCWA" not required. Constant wattage autotransformer for 175-400W. Super CWA (pulse start ballast), 86% efficient and EISA legislation compliant, is required for metal halide 151-400W (SCWA option) for US shipments only. CSA, NDM or INTL required for probe start shipments outside of the US. Pulse-start ballast (SCWA) required for 200W, 320W, or 350W. Ballast is 100% factory-tested.

Socket: Porcelain, horizontally oriented, single-ended bayonet base socket for 35W low pressure sodium; medium base socket for 70-150W; and mogul base socket for 175W and above, with copper alloy, nickel-plated screw shell and center contact. UL listed 1500W, 600V.

INSTALLATION — Back housing is separated from front housing, eliminating ballast weight and promoting easy handling. Top 3/4" threaded wiring access. Back access through removable 3/4" knockout. Feed-thru wiring can be achieved by using a conduit (see Mount on any vertical surface. **Not recommended** in applications where a sprayed stream of water can come in direct contact with glass lens.

LISTING — UL Listed (standard), CSA or NOM Certified (see Options). UL listed for 25°C ambient and suitable for wet locations. IP65 rated (250 watt and below) or IP54 rated (400 watt) in accordance with IEC Standard 529.

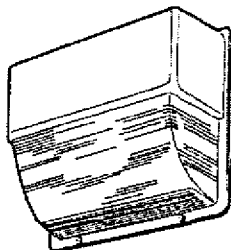
Specifications subject to change without notice.

TYPE C

Catalog Number	TWH 250M TB SCWA	
Notes		Type W1

Wall-Packs

TWH



METAL HALIDE

70W -- 400W

HIGH PRESSURE SODIUM

70W -- 400W

LOW PRESSURE SODIUM

35W

6 to 25 Mounting

Specifications

Height: 15-3/4" (40cm)

Width: 16-1/4" (42.6cm)

Depth: 6" (20.3cm)

*Weight: 29.95 (13.58kg)

*Weight as configured in example below.

ORDERING INFORMATION

For shortest lead times, configure product using **standard options** (shown in bold).

Example: TWH 100M TB LPI

TWH	250M	TB	SCWA	Options		Finish ¹³	Lamp ¹³
Series		Voltage	Ballast				
TWH		120	(blank) Magnetic ballast	Shipped, installed in fixture		(blank) Dark bronze	LPI Lamp included
Wattage		208 ¹	CWI Constant wattage isolated	SF Single fuse (120, 277, 347V)		DNA Natural aluminum	L/LP Less lamp
Low pressure sodium ¹	Metal halide	240 ⁵		DF Double fuse (208, 240, 480V)		DBL Black	
35L	70M ^{1,2}	277		EC Emergency circuit ³		DMB Medium bronze	
High pressure sodium ¹	100M ¹	347	Pulse Start 	QRS Quartz restrike system ³		DWH White	
150M	175M ^{1,7}	480 ⁵	SCWA Super CWA ballast	QRSTD Quartz restrike with time delay ^{4,1}		CR Enhanced corrosion resistance	
200M ¹	200M ¹	TB ²	NOTE: For shipments to U.S. territories, SCWA must be specified to comply with EISA.	PE Photoelectric cell - button type ^{1,12}		CRT Non-stick protective coating ¹⁴	
70S	250M ^{1,8}	230/50HZ ⁹		PER NEMA twist-lock receptacle ¹¹			
100S	320M ¹			FS Full shield			
150S ¹	350M ^{1,11}			TP Tamper proof screws			
200S	400M ^{1,9}			CSA Listed and labeled to comply with Canadian Standards			
250S				NOM NOM Certified (consult factory)			
400S	Ceramic metal halide			INTL Available for MH probe start shipping outside the U.S.			
	70MHC ¹			REGC1 California Title 20 effective 1/1/2010			
	100MHC ¹						
	150MHC						

NOTES:

1 Not available with SCWA.

2 Operates 55V lamp.

3 Not available with 480V.

4 Must be ordered with SCWA.

5 Requires T-15, ED or B728 reduced jacket lamp.

6 Must specify CWI for use in Canada.

7 Optional multi-tap ballast (120, 208, 240, 277V) in Canada (120, 277, 347V).

8 Consult factory for available wattages.

9 Max allowable wattage lamp included.

10 Not available with 347V.

11 Photocell not included.

12 May be ordered as an accessory.

13 See www.lithonia.com/architects for additional color options.

14 Black finish only.

15 Must be specified.

16 Requires field modification when ordered as an accessory.

17 These wattages do not comply with California Title 20 regulations.

18 These wattages require the REGC1 option to be chosen for shipments into California for Title 20 compliance. 250M REGC1 not available in 347 or 480V.

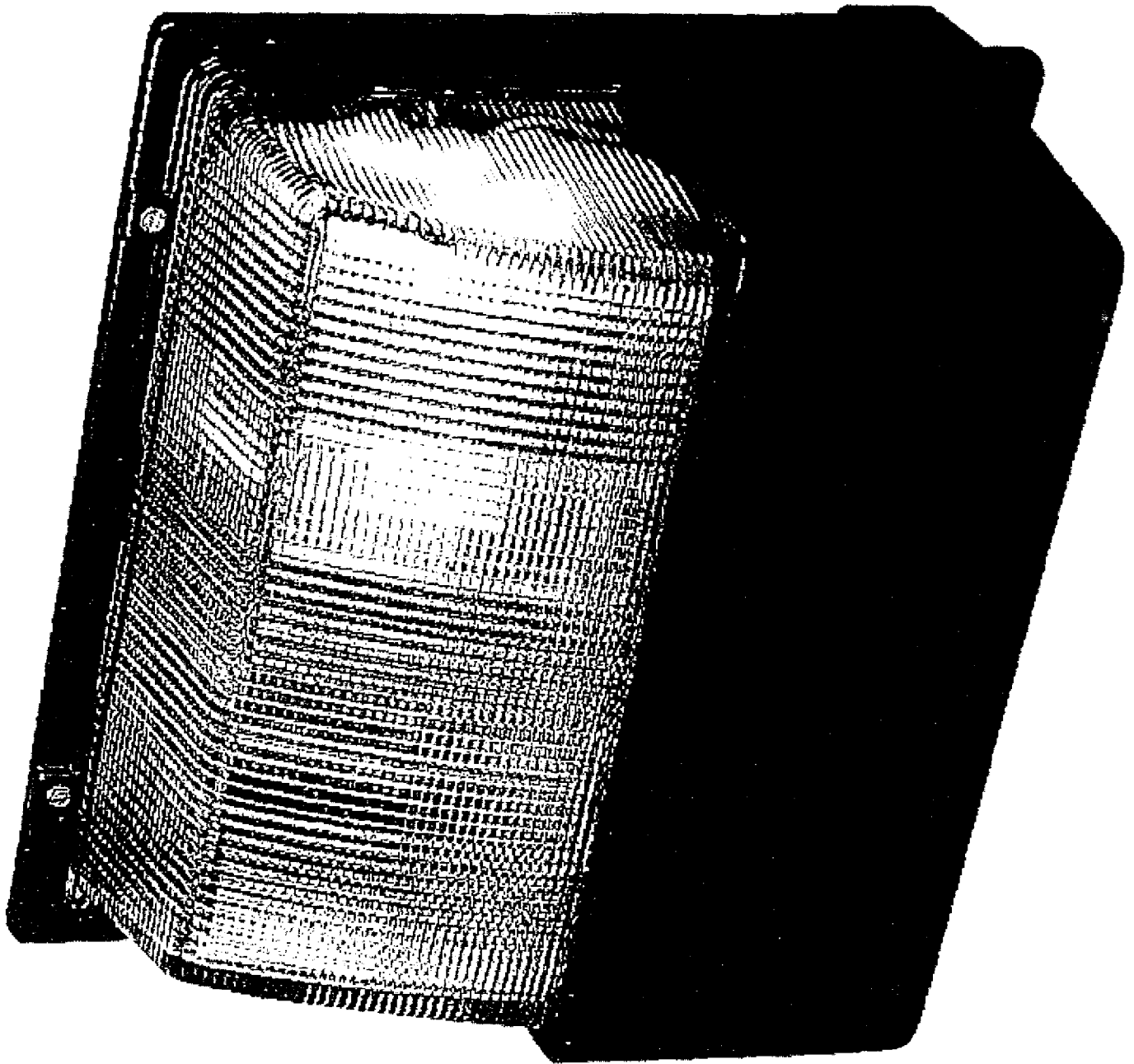
Accessories

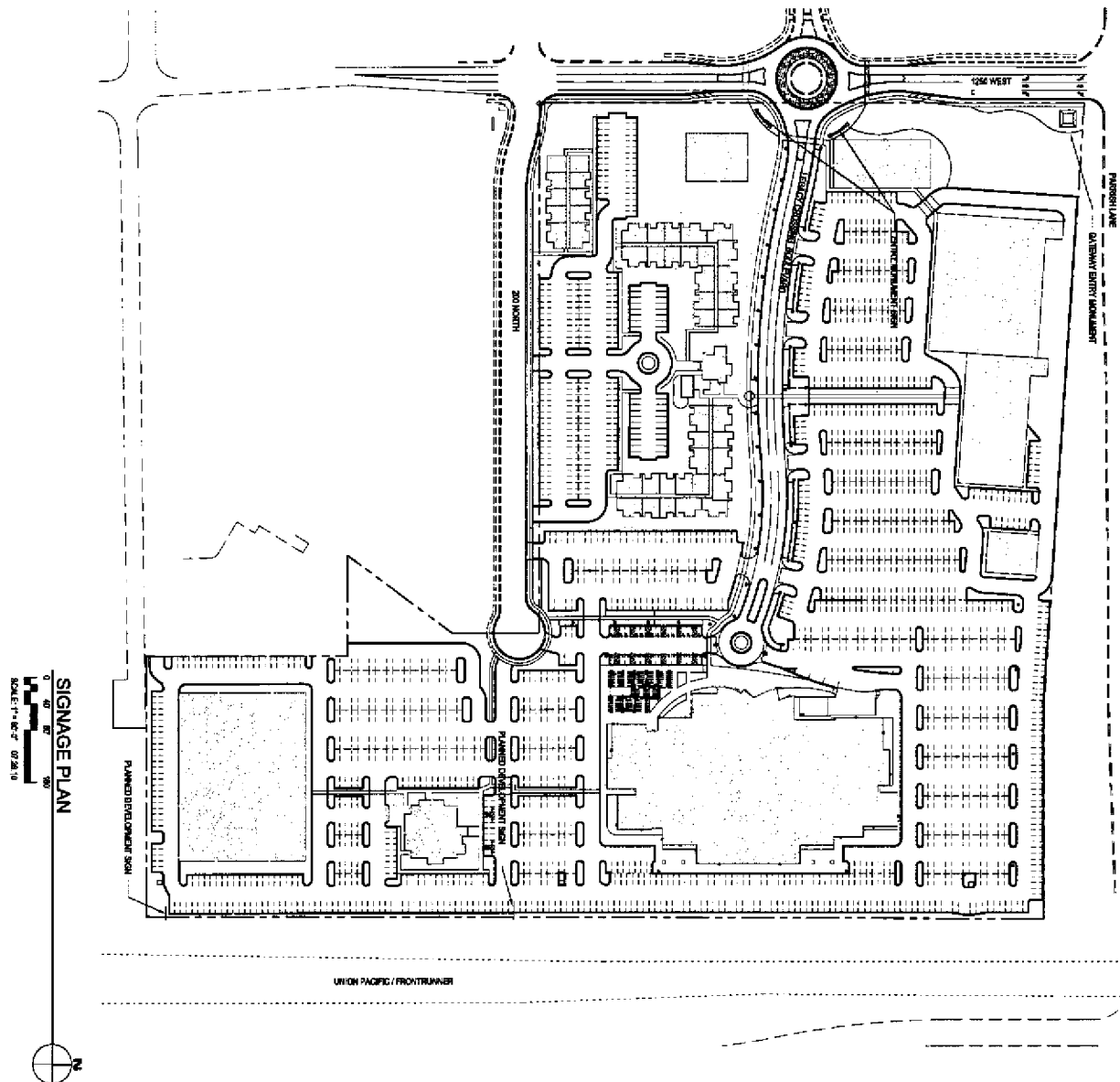
Order as separate catalog number

TWHVG Vandal guard¹⁵

TWHWG Wire guard¹⁵

TYPE C





NOTES

1. SEE EXHIBIT G-2 FOR ENTRY MONUMENT SIGN AND CERTAIN MONUMENT SIGN. MONUMENT SIGN TO BE PLACED AT CITY CORNER.
2. SEE EXHIBIT G-3 FOR ENTRY MONUMENT SIGN. MONUMENT SIGN TO BE PLACED AT CITY CORNER.
3. BUILDING SIGN TO BE APPROVED AT BUILDING PERMIT FOR EACH BUILDING.


 U.S. Development
 1515 North Ellsfield Road
 Suite 200, Utah 84041
 Telephone (801) 544-0551
 Fax (801) 544-0551
 www.usdevelopment.com

LEGACY CROSSING AT PARRISH LANE MIXED COMMERCIAL / RESIDENTIAL PLANNED DEVELOPMENT

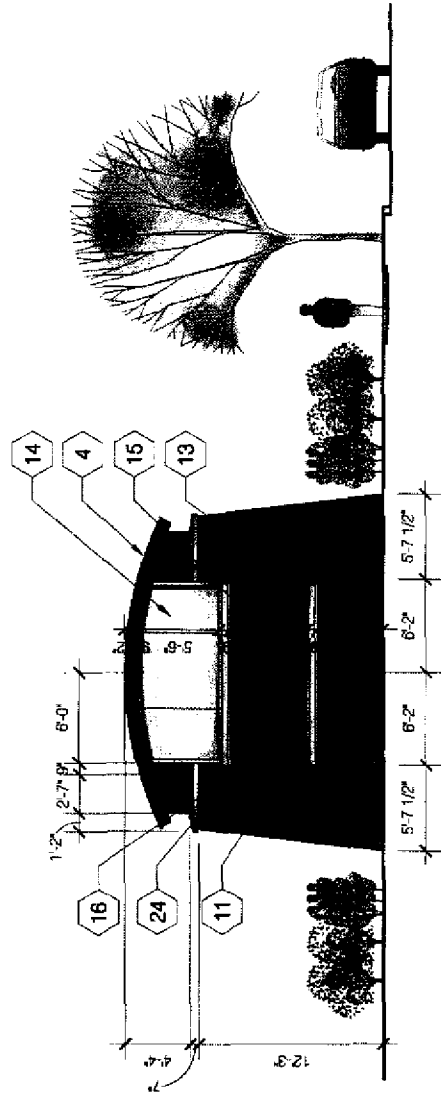
CENTERVILLE
 UTAH

SIGNAGE
 PLAN

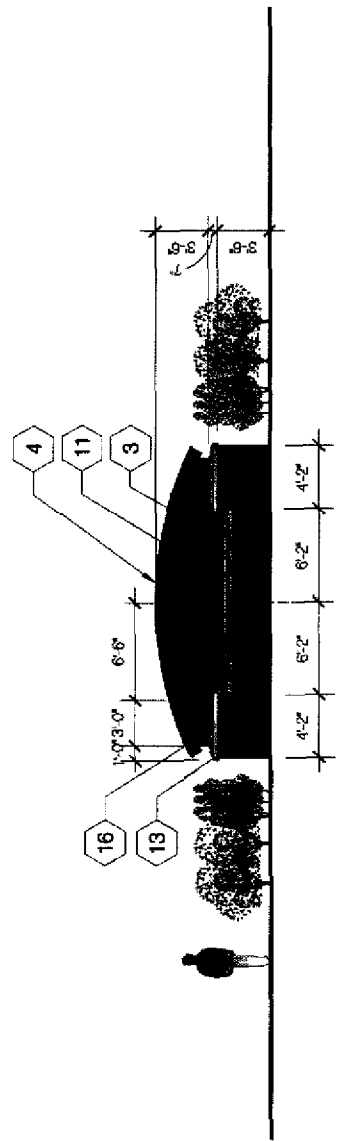
DEVELOPMENT
 AGREEMENT
 EXHIBIT

G-1

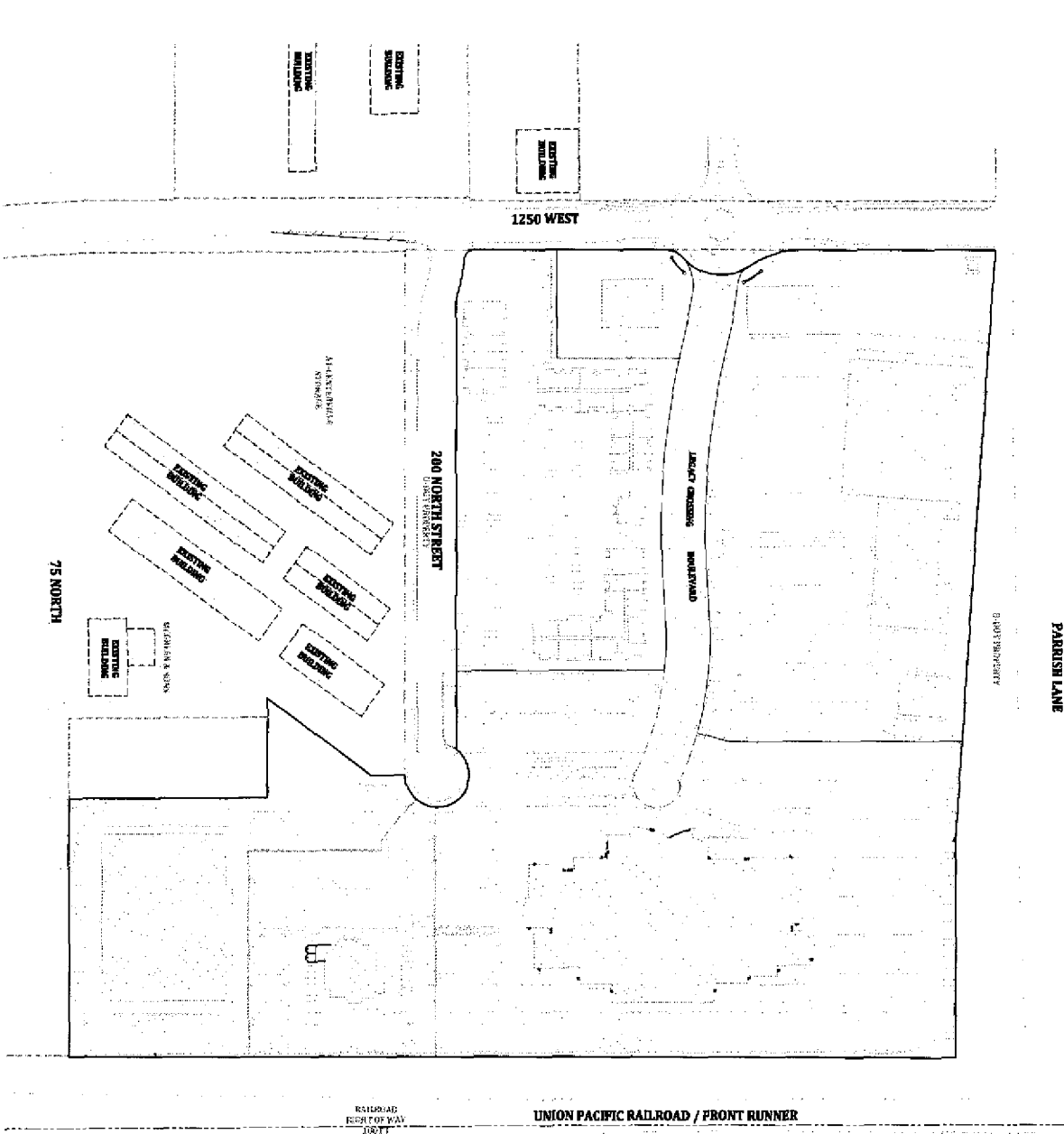
FFKR	ARCHITECTURAL DESIGN GUIDELINES LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.	07/08/10	1/8" = 1'-0"	G-2	REFERENCE NOTES 1. METAL ROOF CANOPY 2. EIFS 3. STUCCO 4. METAL ROOF 5. METAL COPPING 6. STEEL COLUMNS 7. GLAZING 8. METAL TRELLIS 9. FULL GLAZING FOR COMMERCIAL DISPLAY 10. CULTURED STONE WEINSCOTT 11. EIFS, STUCCO, OR ALTERNATIVE 12. COMMERCIAL STOREFRONT ACCESS 13. CULTURE STONE PILLARS 14. TRANSLUCENT GLASS WITH LIGHTING BEHIND 15. CITY SIGNAGE 16. CONCRETE COPPING 17. ORNAMENTAL METAL FENCE 18. ORNAMENTAL METAL PICKET FENCE 19. TRELLIS (WOOD OR STEEL) 20. 18" AM (WOOD OR STEEL) 21. COLUMN 22. BENCH 23. PLANTER 24. ORNAMENTAL METAL LETTERING NOTE ALL COLORS TO MEET WITH ARTICLE 6 REGULATION CHAPTER 12-88-070
-------------	--	-----------------	---------------------	------------	---



GATEWAY MONUMENT SIGN
1/8" = 1'-0"



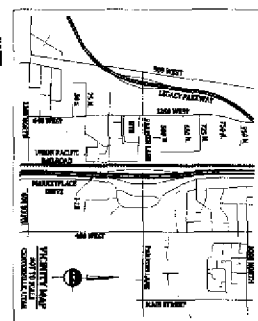
ENTRY MONUMENT SIGN
1/8" = 1'-0"



1-15 SOUTH BOUND RAMP

SOUTHBOUND INTERSTATE 15

NORTHBOUND INTERSTATE 15

[illegible]

CROSS-SECTIONAL AREA GRADING TABLE

Sl. No.	Name of Claimant	Date of Claim	Type of Claim	Status of Claim	Remarks
1	...	...	...	...	...
2	...	...	...	...	...
3	...	...	...	...	...
4	...	...	...	...	...
5	...	...	...	...	...
6	...	...	...	...	...
7	...	...	...	...	...
8	...	...	...	...	...
9	...	...	...	...	...
10	...	...	...	...	...
11	...	...	...	...	...
12	...	...	...	...	...
13	...	...	...	...	...
14	...	...	...	...	...
15	...	...	...	...	...
16	...	...	...	...	...
17	...	...	...	...	...
18	...	...	...	...	...
19	...	...	...	...	...
20	...	...	...	...	...
21	...	...	...	...	...
22	...	...	...	...	...
23	...	...	...	...	...
24	...	...	...	...	...
25	...	...	...	...	...
26	...	...	...	...	...
27	...	...	...	...	...
28	...	...	...	...	...
29	...	...	...	...	...
30	...	...	...	...	...
31	...	...	...	...	...
32	...	...	...	...	...
33	...	...	...	...	...
34	...	...	...	...	...
35	...	...	...	...	...
36	...	...	...	...	...
37	...	...	...	...	...
38	...	...	...	...	...
39	...	...	...	...	...
40	...	...	...	...	...
41	...	...	...	...	...
42	...	...	...	...	...
43	...	...	...	...	...
44	...	...	...	...	...
45	...	...	...	...	...
46	...	...	...	...	...
47	...	...	...	...	...
48	...	...	...	...	...
49	...	...	...	...	...
50	...	...	...	...	...
51	...	...	...	...	...
52	...	...	...	...	...
53	...	...	...	...	...
54	...	...	...	...	...
55	...	...	...	...	...
56	...	...	...	...	...
57	...	...	...	...	...
58	...	...	...	...	...
59	...	...	...	...	...
60	...	...	...	...	...
61	...	...	...	...	...
62	...	...	...	...	...
63	...	...	...	...	...
64	...	...	...	...	...
65	...	...	...	...	...
66	...	...	...	...	...
67	...	...	...	...	...
68	...	...	...	...	...
69	...	...	...	...	...
70	...	...	...	...	...
71	...	...	...	...	...
72	...	...	...	...	...
73	...	...	...	...	...
74	...	...	...	...	...
75	...	...	...	...	...
76	...	...	...	...	...
77	...	...	...	...	...
78	...	...	...	...	...
79	...	...	...	...	...
80	...	...	...	...	...
81	...	...	...	...	...
82	...	...	...	...	...
83	...	...	...	...	...
84	...	...	...	...	...
85	...	...	...	...	...
86	...	...	...	...	...
87	...	...	...	...	...
88	...	...	...	...	...
89	...	...	...	...	...
90	...	...	...	...	...
91	...	...	...	...	...
92	...	...	...	...	...
93	...	...	...	...	...
94	...	...	...	...	...
95	...	...	...	...	...
96	...	...	...	...	...
97	...	...	...	...	...
98	...	...	...	...	...
99	...	...	...	...	...
100	...	...	...	...	...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

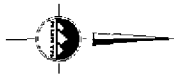
...

...

...

...

...

[illegible]

LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 12
TOWNSHIP 2 NORTH, RANGE 1 WEST
SQUAT LAKE BASIN AND MERIDIAN
CENTREVILLE CITY, DAVIS COUNTY, UTAH



**LEGACY CROSSING
AT PARRISH LANE**
1250 WEST STREET
CENTERVILLE CITY, UTAH



LAYTON
2485 West Highland Dr.
Suite 204
Layton UT 84041
Phone: 801.542.1100
Fax: 801.591.6315

ENSIGN

**RECIPROCAL,
PARKING &
CROSS ACCESS
EASEMENTS PLAN**

H-1

H-2

Cross Access Agreement

When recorded return to:

Legacy Crossing LLC
Attn: Dan Bridenstine
1513 North Hillfield Rd. Ste 2
Layton, Utah 84041

**DECLARATION OF PARKING AND CROSS-ACCESS EASEMENT
AND OTHER EASEMENTS AND RESTRICTIONS AFFECTING LAND**

This Declaration of Parking and Cross-Access Easement and Other Easements and Restrictions Affecting Land (the "Declaration") is made as of this, 27th day of Sept., 2010, by **PARRISH LAND HOLDINGS, LLC**, a Utah limited liability company, and **LEGACY CROSSING LLC.**, a Utah limited liability company (collectively referred to herein as "Declarant").

W I T N E S S E T H

WHEREAS, Declarant is the owner of that certain real property located within the Centerville Legacy Crossing at Parrish Lane Subdivision, Davis County, State of Utah, as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference (the "Property").

WHEREAS, the Property consists of six (6) lots within the Centerville Legacy Crossing at Parrish Lane Subdivision identified therein as Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6.

WHEREAS, Declarant wishes to impose upon the Property mutually beneficial easements and restrictions for the benefit of each of Lot 1, Lot 2 and Lot 3, Lot 4, Lot 5, and Lot 6 and the successor owners thereof.

NOW, THEREFORE, Declarant, for itself and its successors and assigns, hereby declares that all of the Property shall be owned, held, conveyed, encumbered, leased, improved, used, occupied and enjoyed subject to the easements and restrictions and other provisions set forth in this Declaration.

DECLARATIONS

1. Accuracy of Recitals. Declarant hereby acknowledges the accuracy of the Recitals which are incorporated herein by this reference.

2. Common Areas. Common Areas for purposes of this Declaration means those portions of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 which are not from time to time improved with building or structural improvements.

3. Grant of Cross-Access Easement. Declarant, as grantor, hereby establishes, grants and conveys to and for the benefit of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 and each owner of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 and for the agents, customers, invitees, licensees, tenants and employees of said owners, a non-exclusive easement over, across, through and around the Common Areas of each of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 for purpose of providing and permitting pedestrian and vehicular ingress, egress, and cross-access to adjacent lots, parcels and public rights-of-way, including without limitation, ingress, egress, and cross-access for commercial delivery vehicles in accordance with truck route and pedestrian and vehicular circulation patterns as approved by Centerville City, Utah, for the subject Property. The owner of each lot shall have the right to reconfigure the Common Areas located on their respective lots, provided however, any such reconfiguration must be made pursuant to a site plan (or modified site plan) approved by Centerville City, Utah, in accordance with applicable Centerville City Ordinances and that certain Development Agreement dated _____, 2010, as amended from time to time, regarding development of the Property as recorded at the Davis County Recorder's Office ("Development Agreement"). Notwithstanding the grant of access contained above, in no event shall vehicular ingress, egress, and cross-access be provided or permitted from Lot 1, Lot 2, Lot 3, Lot 4, or Lot 6 onto, over, across or through Lot 5.

4. Utility and Service Easements. Declarant, as grantor, hereby establishes for the benefit of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 and the owners of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 a non-exclusive easement over the Common Areas on, across and under the Common Areas to install, use, maintain and repair utility services and distribution systems. The party installing any such utility shall use reasonable efforts to cause the installation of such lines prior to paving of the Common Areas. Any such installed utility services may be requested to be relocated by the owner of the lot over which they are located subject to compliance with applicable laws, at the expense of the requesting lot owner, provided that such relocation shall not interfere with, increase the cost of or diminish utility services for any of the other lots.

5. Water Flow Easements. Declarant hereby establishes a nonexclusive easement in favor of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 and the owners of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 for the use, maintenance and repair of stormwater drainage system, together with the right to discharge surface water runoff onto detention facilities which are located on or within the Property. The location of any stormwater drainage facilities located on or within the Property shall comply with Centerville City Ordinances and applicable terms and conditions of the Development Agreement.

6. Parking Easement. Notwithstanding anything to the contrary, each lot shall at all times maintain the minimum number of parking spaces required for the lot and use thereof pursuant to Centerville City Ordinances and the Development Agreement. The owners of the lots may provide parking in excess of that required by Centerville City Ordinances, provided that all other landscaping and site related improvements required by Centerville City Ordinances have been satisfied and approved by Centerville City. Except as otherwise provided herein regarding Lot 5, Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 shall have the right to utilize the parking spaces within the Common Areas for overflow parking purposes. Notwithstanding the grant of parking spaces, in no event shall cross-access for parking be provided or permitted from Lot 1, Lot 2, Lot 3, Lot 4, or Lot 6 onto, over, across or through Lot 5. No private agreements or arrangements shall be entered into or made by any lot owners, their agents, successors or assigns, that would encumber or restrict available parking for any given lot to less than the minimum number of parking spaces required for such Lot and use of the Lot in accordance with applicable Centerville City Ordinances.

7. Modification. This Declaration may be modified by an instrument executed by the owners of Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 provided however, in no event may this Declaration be modified in a fashion which is inconsistent with the approved site plans (as amended from time to time) on record with the City of Centerville, and the Development Agreement. Any such modifications may require amendment to approved site plans and/or the Development Agreement and shall comply with applicable Centerville City Ordinances.

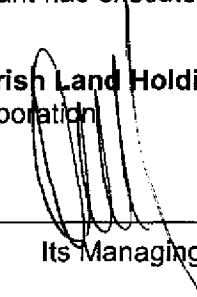
8. Binding Effect. This Declaration shall run with the Property at law as an equitable servitude and shall be binding upon the Property, the owners of the Property and their respective successors and assigns. This Declaration shall inure to the benefit and be binding upon every part of the Property and every interest therein.

9. Counterparts. This Declaration may be executed in one or more counterparts, each of which in the aggregate shall constitute one and the same instrument.

10. Subordination. This Declaration shall be subject and subordinate to any and all public utility easements, rights-of-way, and other easements of record.

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the day and year first set forth above.

Parrish Land Holdings, LLC, a Utah Limited Liability Corporation

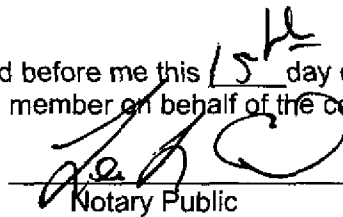
By: 
Its Managing Member

State of Utah

County of Davis

The foregoing instrument was acknowledged before me this 15th day of September, 2010 by Craig Mogel, the managing member on behalf of the corporation.

(Seal and Expiration Date)


Notary Public

7-18-14

Legacy Crossing LLC., a Utah Limited Liability Corporation

By: _____

Its Managing Member

Danny C. Bridenstine
Danny C. Bridenstine

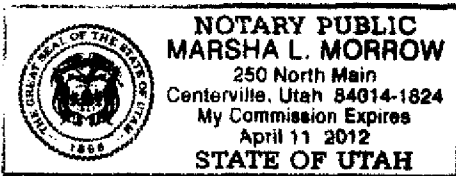
State of Utah

County of Davis

The foregoing instrument was acknowledged before me this 27th day of September, 2010 by Kevin S. Gern and Danny C. Bridenstine the managing member on behalf of the corporation.

(Seal and Expiration Date)

Marsha L. Morrow
Notary Public



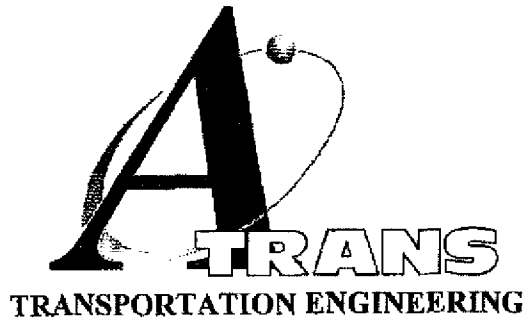
Approved for Recording:

Marilyn Hoge
Centerville City Recorder

Traffic Mitigation Summary

August 2, 2010

Centerville
250 North Main Street
Centerville, UT 84014



Re: Summary of Legacy Crossing Circulation Study

Below are the summary of the findings for the Legacy Crossing Circulation Study.

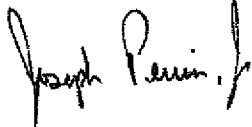
Study Recommendations

- 1250 West needs to have a center turn lane constructed from Parrish Lane to Legacy Crossing and then proper tapers from Legacy Crossing to the south to tie back to the 26 foot cross-section if a T-intersection is built. The Roundabout in Phase I is still the preferred intersection control for delay, queue and future site impact of building a roundabout after the commercial area opens.
- 200 North needs to be a minimum of 26 feet of asphalt and needs to align in Phase I as we do believe it will be utilized. Two possible win-win ideas for 200 North are discussed but it will require the City to consider a variance not only on the cul-de-sac but also half road ordinance. A 26-foot roadway in the proper location is preferred over the wasteful partial should improvements with the need to completely rebuild the roadway in the future. It is always preferred to complete the major roadway improvements before you put traffic on the roads and then attempt to control it through work zones.
- "No Parking" is recommended on 200 North and Legacy Crossing.
- The Minor Collector Street with a 60 -foot cross-section provides sufficient flexibility to accommodate the future needs for the area. Therefore, the 20-foot landscaping to the north should not be needed for roadway functions. Also, as this is the truck circulation route, radii should be increased to accommodate the truck. The site civil should provide a truck turning template for the truck circulation of the site to ensure proper radius sizing.
- A roundabout at 1250 West and Legacy Crossing has been recommended because it provides the best operational characteristics for controlling the intersection. A two-way stop will require all commercial traffic exiting the site to stop regardless of traffic on 1250 West and therefore will lead to queuing and delays. It was asked if a roundabout is needed and the answer is No it is not required but as the development grows, we expect delays at high as over 1 minute to exit the site increasing on Saturdays and holidays.
- While the typical queue will be a couple cars for Phase I, during movie exiting times, we would expect for 5-10 minutes a queue pulse of 6-10 vehicles at Legacy Crossing and therefore some vehicles will divert to 200 North and that is why the alignment is recommended in Phase I.
- While it is unlikely the signal at Parrish and 1250 West will officially meet one of the MUTCD Signal Warrants, it should be requested that UDOT review the intersection for warrants once the theatres are opened. It is likely that an increase in accidents will be

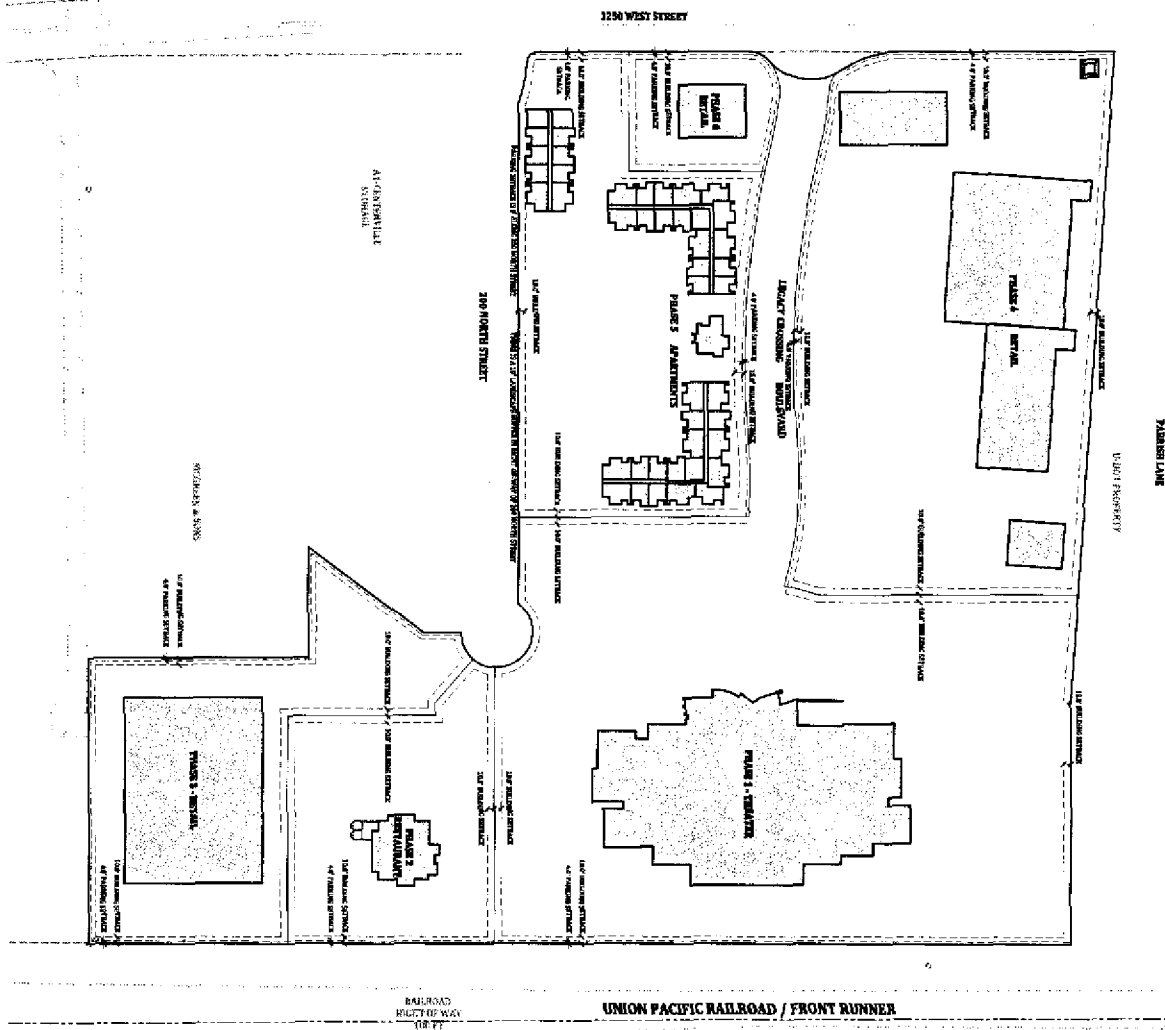
experienced at the intersection and delay for southbound left turn vehicles will increase. It's recommended that Centerville review the accidents at this intersection since Legacy opened.

Please contact me with any questions.

Sincerely,
A-Trans Engineering

A handwritten signature in black ink, appearing to read "Joseph Perrin, Jr.", with a stylized flourish at the end.

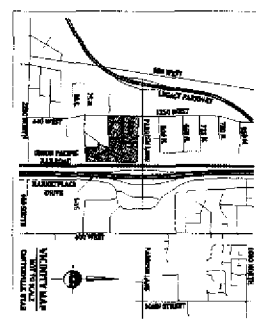
Joseph Perrin, PhD, PE, PTOE
Principal



1-15 SOUTH BOUND RAMP

SOUTHBOUND INTERSTATE 15

NORTHBOUND INTERSTATE 15



NOTES:
1. ALL DIMENSIONS ARE IN FEET.
2. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD OR RAILROAD.
3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD OR RAILROAD.
4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD OR RAILROAD.
5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD OR RAILROAD.

LEGACY CROSSING AT PARRISH LANE
1250 WEST STREET
CENTERVILLE CITY, UTAH

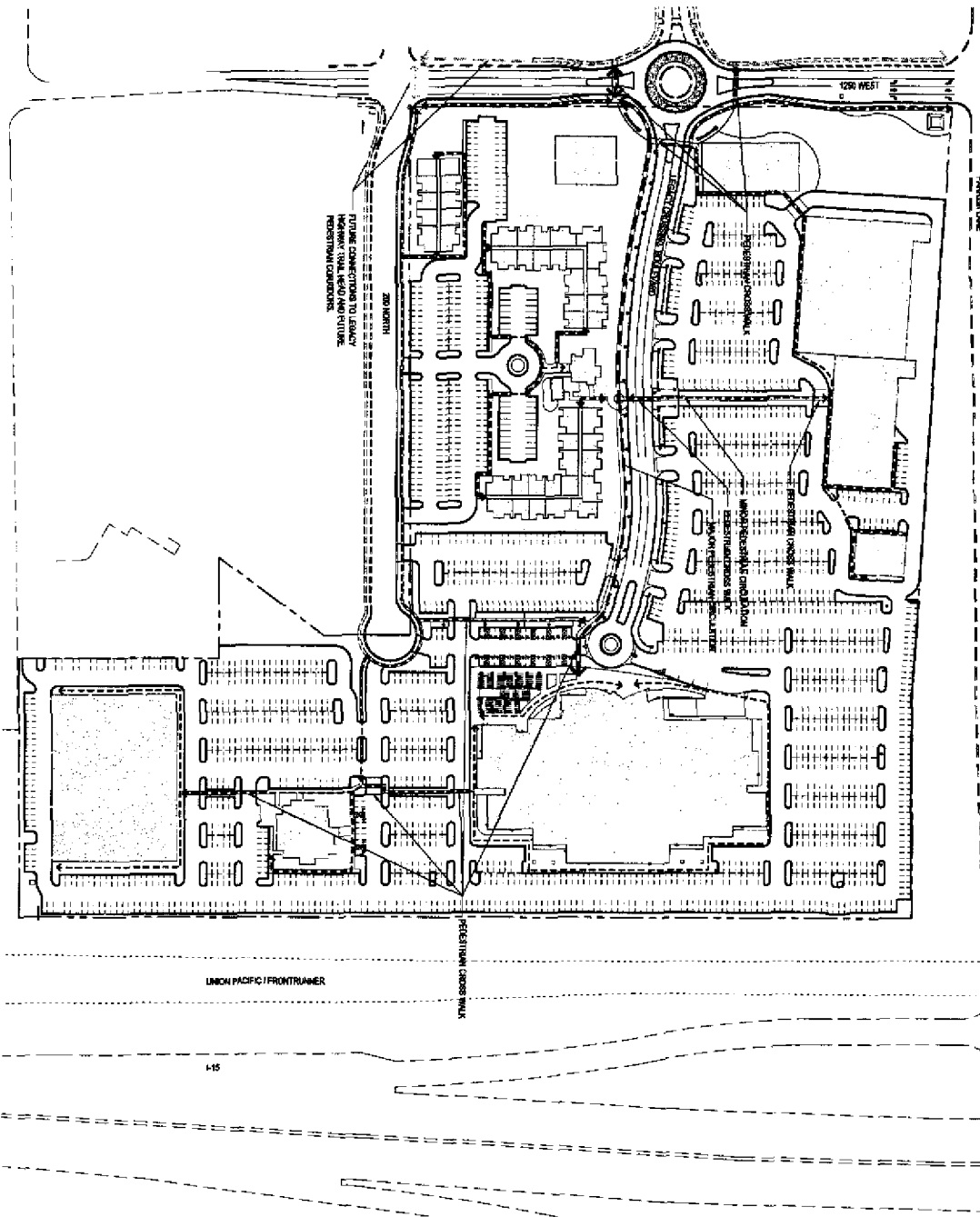
LEGACY CROSSING AT PARRISH LANE
1250 WEST STREET
CENTERVILLE CITY, UTAH

LEGACY CROSSING AT PARRISH LANE
1250 WEST STREET
CENTERVILLE CITY, UTAH

LEGACY CROSSING AT PARRISH LANE
1250 WEST STREET
CENTERVILLE CITY, UTAH

PEDESTRIAN CIRCULATION PLAN

SCALE: 1" = 50' 0"



- MAIN PEDESTRIAN CIRCULATION
- PEDESTRIAN CROSS WALK

NOTES

PEDESTRIAN CROSS WALKS TO BE ACCENTED WITH STAINED COLORED CONCRETE, BRICK PAVING, OR STAINED COLORED ASPHALT.

LEGACY CROSSING AT PARRISH LANE
MIXED COMMERCIAL / RESIDENTIAL
PLANNED DEVELOPMENT

CENTERVILLE
UTAH

PEDESTRIAN
CIRCULATION
PLAN
DEVELOPMENT
AGREEMENT
EXHIBIT

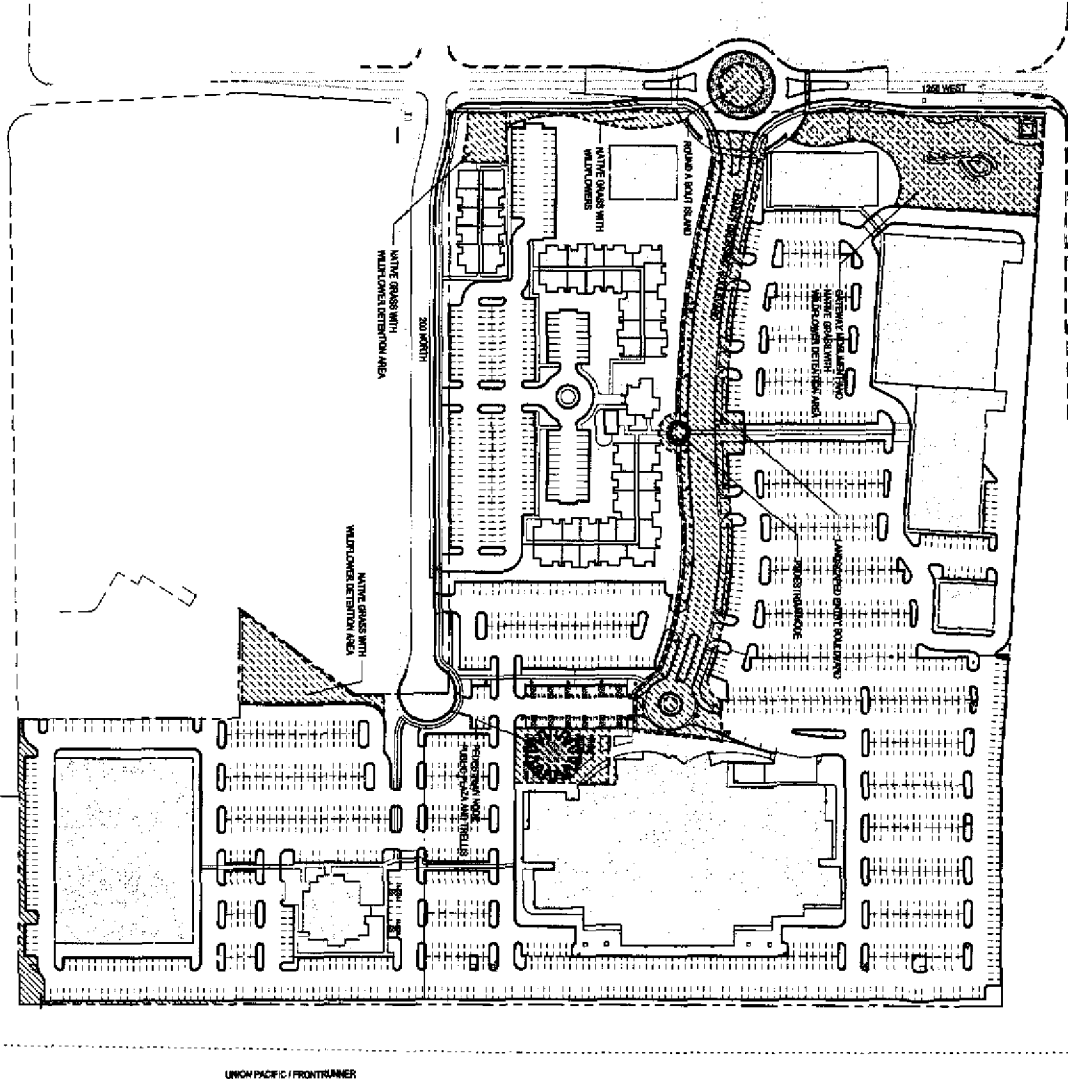
K



U.S. Development
1513 North Hubbard Road
Suite 200
P.O. Box 1000
Salt Lake City, UT 84143
Tel: (801) 544-0011
Fax: (801) 544-0011
www.usdevelopment.com

COMMON AREAS AND AMENITIES PLAN

SCALE: 1" = 80' 0" (22.9M)



LEGACY CROSSING AT PARRISH LANE MIXED COMMERCIAL / RESIDENTIAL PLANNED DEVELOPMENT

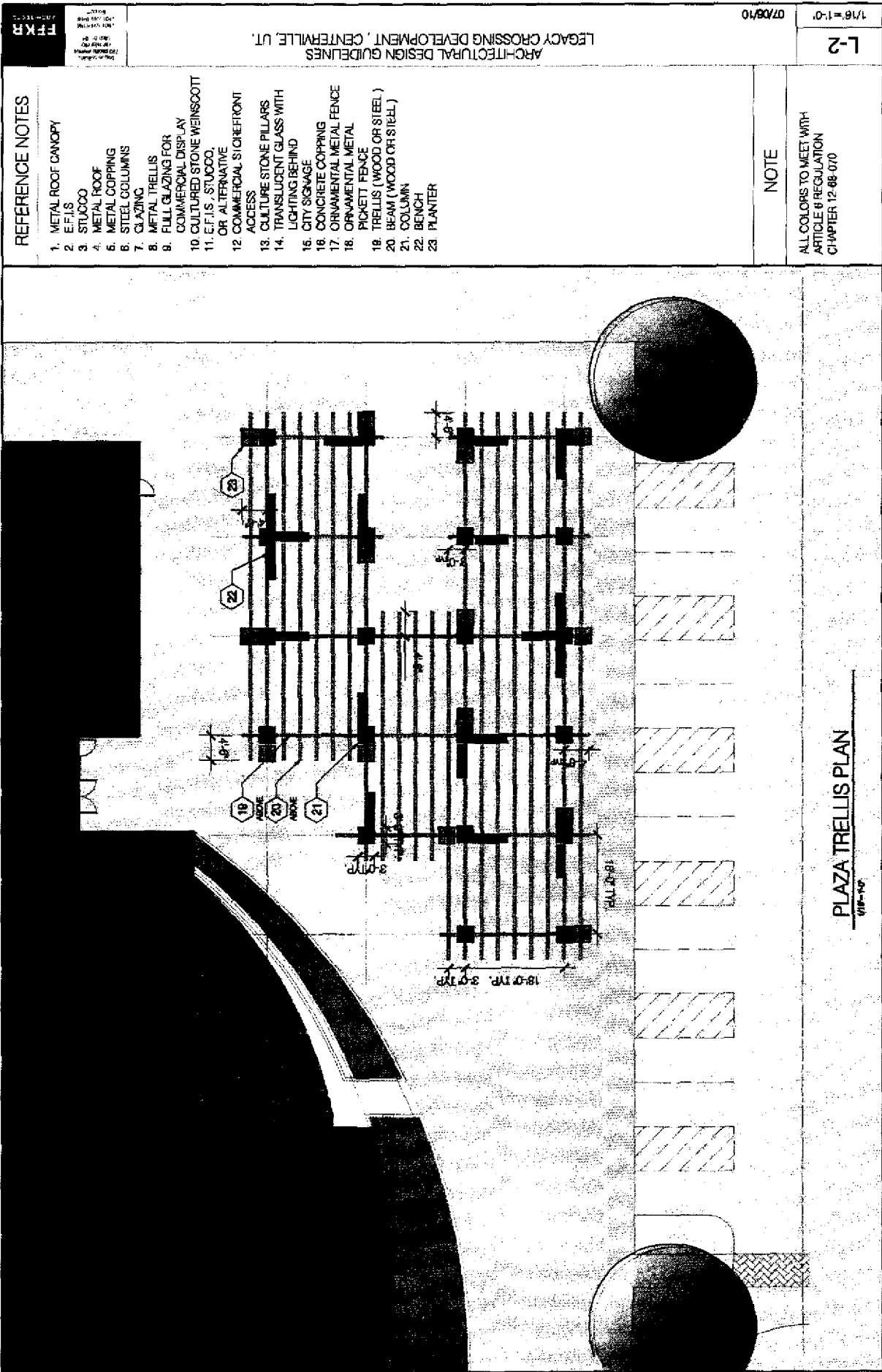
CENTERVILLE
UTAH

COMMON AREAS
AND AMENITIES
PLAN
DEVELOPMENT
AGREEMENT
SHEET

L-1

U.S. Development
1515 North Hillfield Road
Suite 200, Lehi, UT 84043
Telephone (801) 444-3443
Fax (801) 444-0651
www.usdevelopment.com





PLAZA TRELLIS PLAN
018-1-10

NOTE

ALL COLORS TO MEET WITH
ARTICLE 8 REGULATION
CHAPTER 12-68-070

L-2

1/16" = 1'-0"

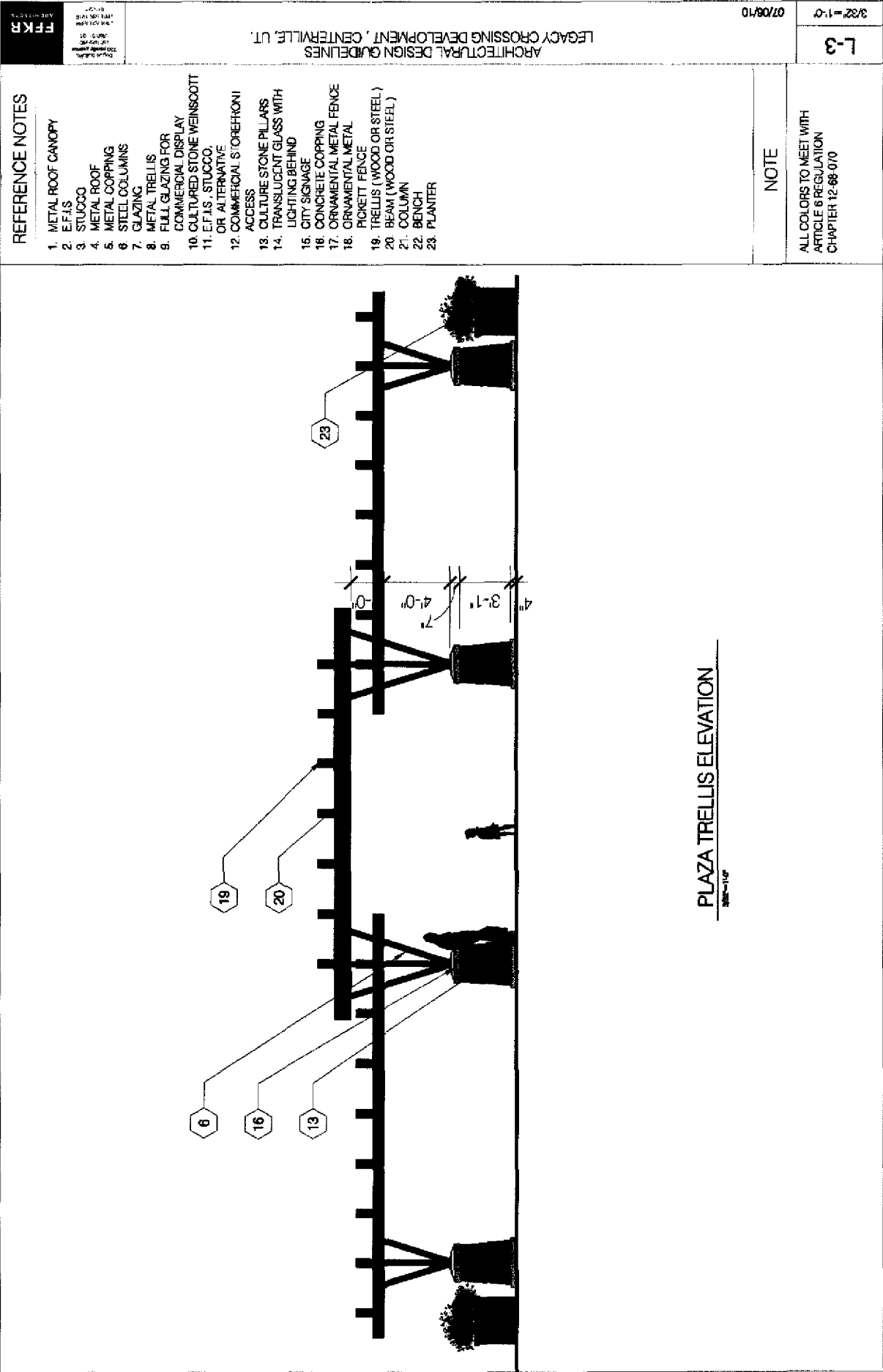
07/06/10

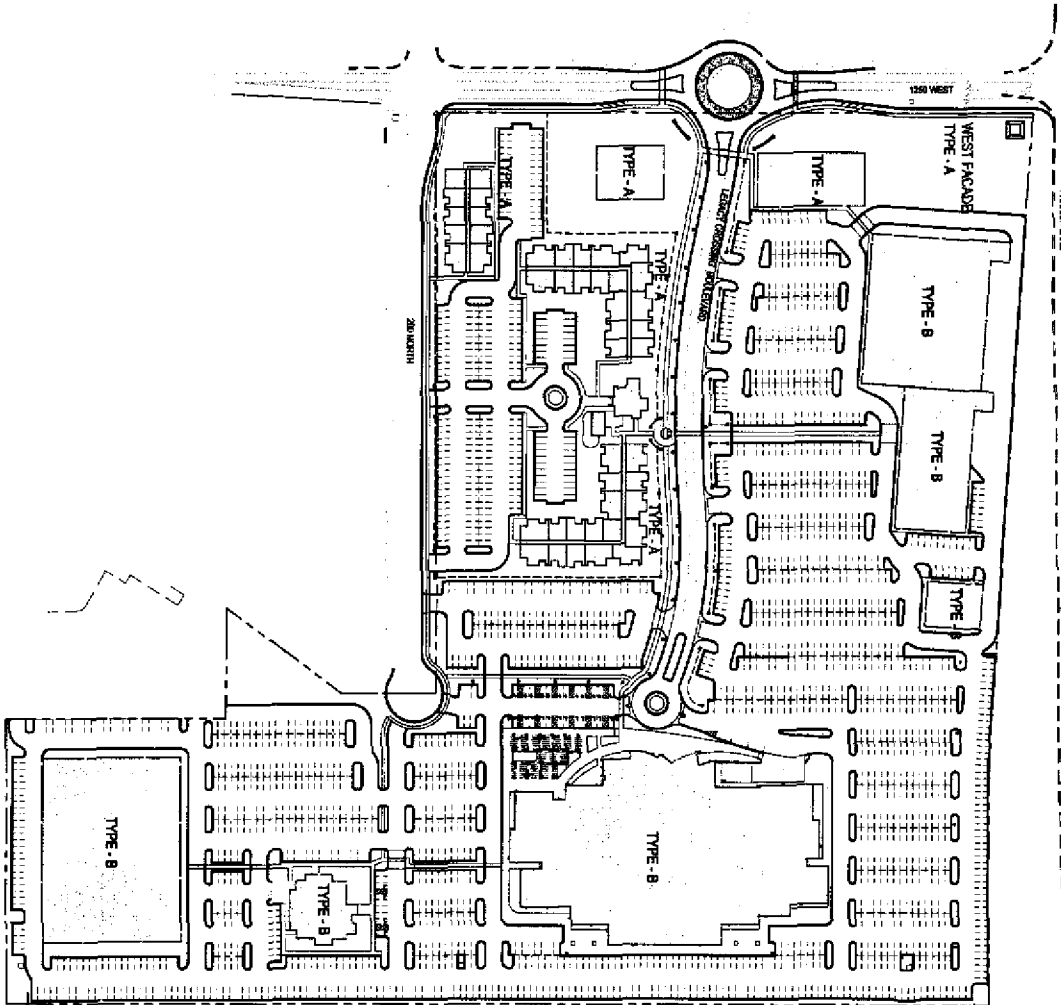
ARCHITECTURAL DESIGN GUIDELINES
LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.

REFERENCE NOTES

1. METAL ROOF CANOPY
2. EIFS
3. STUCCO
4. METAL ROOF
5. METAL COPPING
6. STEEL COLUMNS
7. GLAZING
8. METAL TRELLIS
9. FULL GLAZING FOR COMMERCIAL DISPLAY
10. CULTURED STONE WEINSCOTT
11. EIFS, STUCCO, OR ALTERNATIVE
12. COMMERCIAL STOREFRONT ACCESS
13. CULTURE STONE PILLARS
14. TRANSLUCENT GLASS WITH LIGHTING BEHIND
15. CITY SIGNAGE
16. CONCRETE COPPING
17. ORNAMENTAL METAL FENCE
18. ORNAMENTAL METAL PICKETT FENCE
19. TRELLIS (WOOD OR STEEL)
20. BEAM (WOOD OR STEEL)
21. COLUMN
22. BENCH
23. PLANTER

FFKR
ARCHITECTS
200 WEST 100 SOUTH
SUITE 200
SALT LAKE CITY, UT 84119
TEL: 313.441.1000
WWW.FFKRARCHITECTS.COM





ARCHITECTURAL BUILDING THEME PLAN
N
SCALE: 1" = 50' 0.25" 10'

BUILDING THEMES

TYPE-A BUILDINGS WILL HAVE ARCHITECTURAL ELEMENTS AS
DEPICTED IN THE FOLLOWING EXHIBIT INCLUDING ENHANCED
ARCHITECTURAL CHIMNEYS/ROOFLINES TO DEFINE THE
PRINCIPAL VERTICAL PROFILES. ORNATE
ROOFLINES AND CHIMNEYS WILL BE PROVIDED. EXTERIOR
MATERIALS SHOULD BE PROVIDED. ADDITIONAL
ARCHITECTURAL ELEMENTS WILL BE INCORPORATED. COLOR
PALETTE WILL FOLLOW THESE DIRECTED IN THE
SPRINKLED CHARTER FROM COLOR PALETTE

TYPE-B BUILDINGS WILL HAVE ARCHITECTURAL ELEMENTS AS
DEPICTED IN THE FOLLOWING EXHIBIT INCLUDING ENHANCED
ARCHITECTURAL CHIMNEYS/ROOFLINES TO DEFINE THE
PRINCIPAL VERTICAL PROFILES. ORNATE
ROOFLINES AND CHIMNEYS WILL BE PROVIDED. EXTERIOR
MATERIALS SHOULD BE PROVIDED. ADDITIONAL
ARCHITECTURAL ELEMENTS WILL BE INCORPORATED. COLOR
PALETTE WILL FOLLOW THESE DIRECTED IN THE
SPRINKLED CHARTER FROM COLOR PALETTE



U.S. Development
1513 North Hillside Road
Suite 2, Utah 84404
Tel: (801) 744-4444
Fax: (801) 744-4444
www.usdevelopment.com



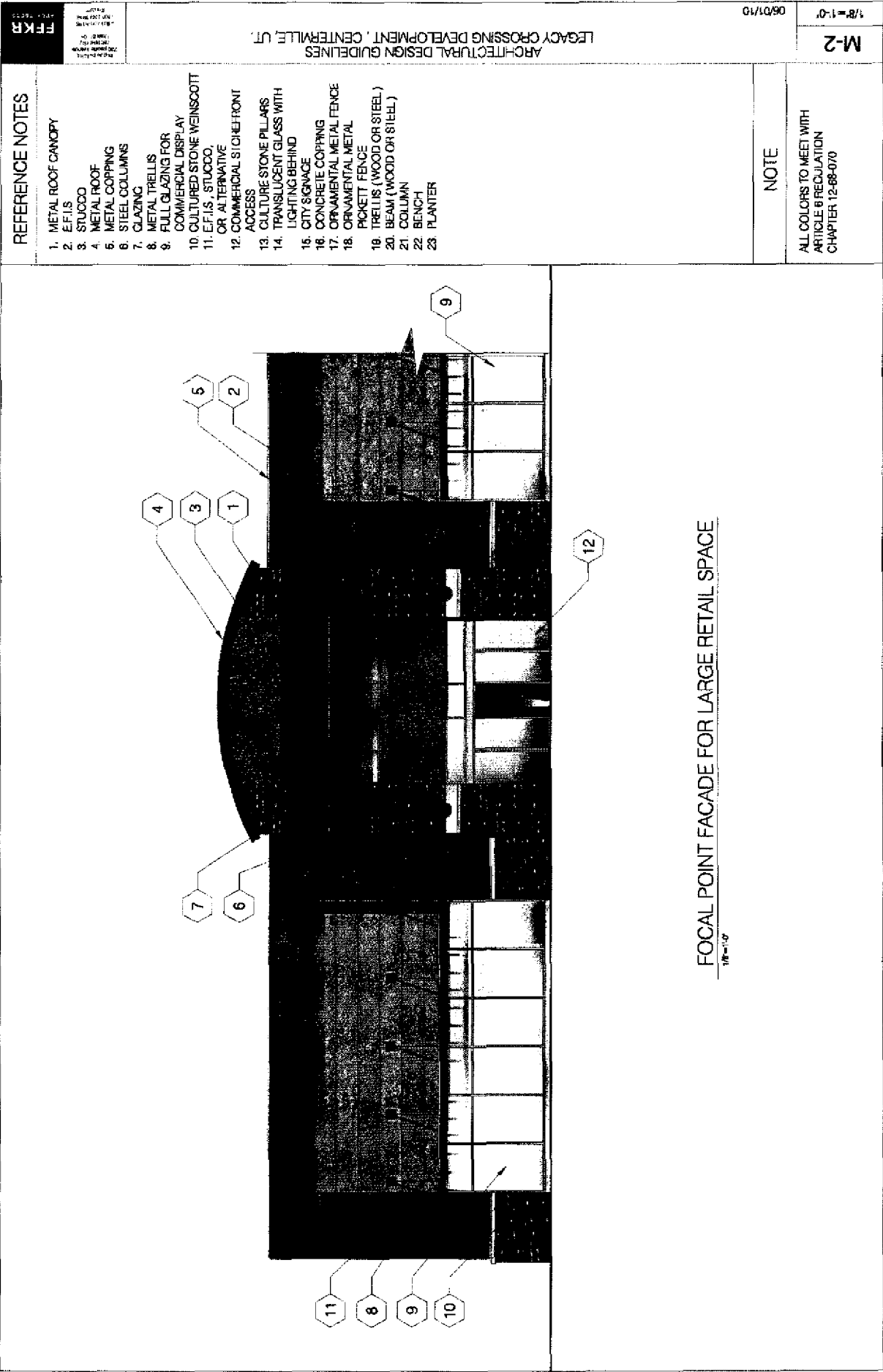
LEGACY CROSSING AT PARRISH LANE MIXED COMMERCIAL / RESIDENTIAL PLANNED DEVELOPMENT

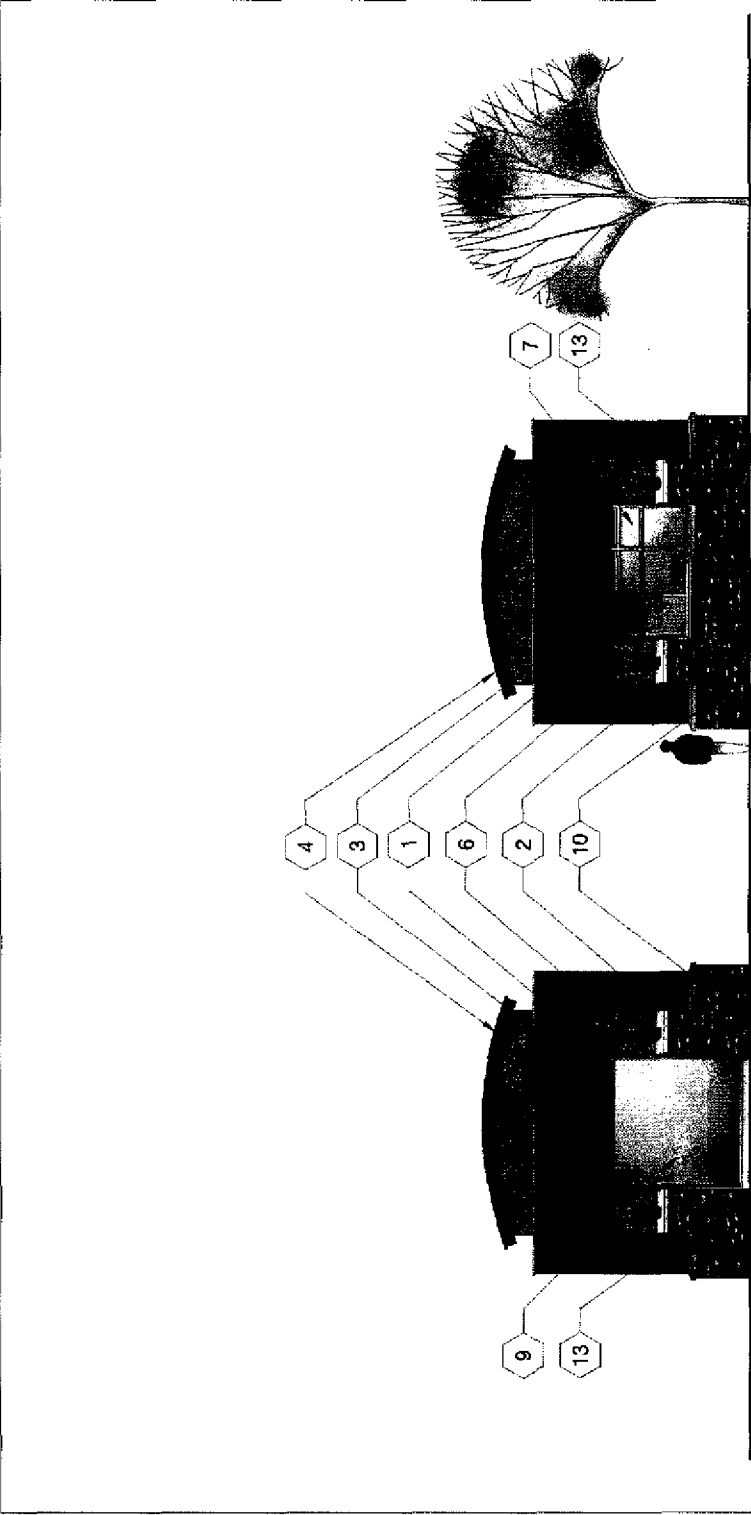
CENTERVILLE
UTAH

ARCHITECTURAL
BUILDING THEME
PLAN

DEVELOPMENT
AGREEMENT
EXHIBIT

M-1



FFKR	ARCHITECTURAL DESIGN GUIDELINES LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.	1/8" = 1'-0"	06/01/10
	REFERENCE NOTES 1. METAL ROOF CANOPY 2. EIFS 3. STUCCO 4. METAL ROOF 5. METAL COPPING 6. STEEL COLUMNS 7. GLAZING 8. METAL TRELLIS 9. FULL GLAZING FOR COMMERCIAL DISPLAY 10. CULTURED STONE WEINSCOTT 11. EIFS, STUCCO, OR ALTERNATIVE 12. COMMERCIAL STOREFRONT ACCESS 13. CULTURE STONE PILLARS 14. TRANSLUCENT GLASS WITH LIGHTING BEHIND 15. CITY SIGNAGE 16. CONCRETE COPPING 17. ORNAMENTAL METAL FENCE 18. ORNAMENTAL METAL PICKET FENCE 19. TRELLIS (WOOD OR STEEL) 20. BEAM (WOOD OR STEEL) 21. COLUMN 22. BENCH 23. PLANTER	M-3	1/8" = 1'-0"
CORNER FACADE @ BUILDINGS EACH SIDE OF COMMERCIAL DR.	NOTE	ALL COLORS TO MEET WITH ARTICLE 8 REGULATION CHAPTER 12 6B-070	1/8" = 1'-0"

ARCHITECTURAL DESIGN GUIDELINES
LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.

FFKR

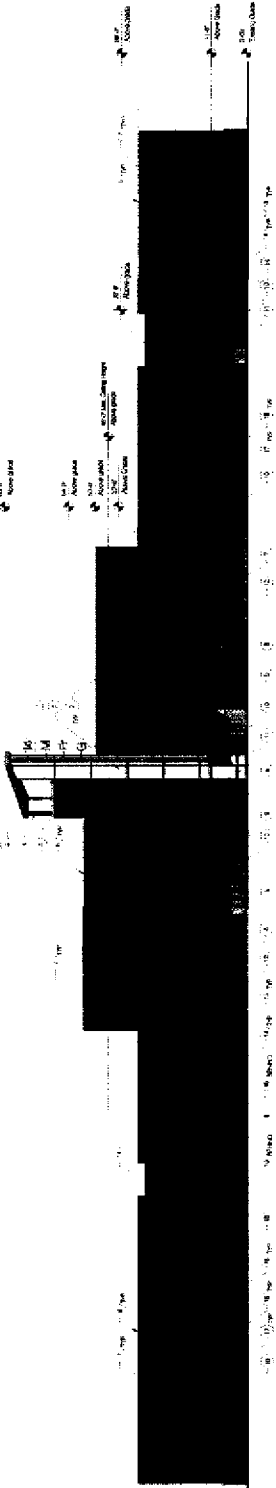
NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES (F'-INCHES).
2. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO FACE.

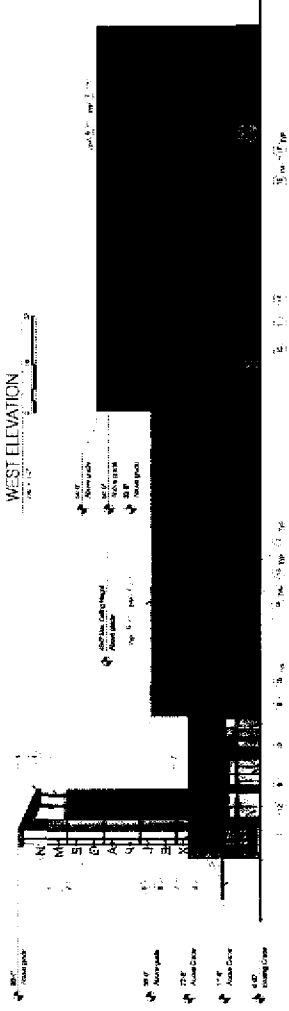
06/01/10 Project Meeting

REFERENCE NOTES

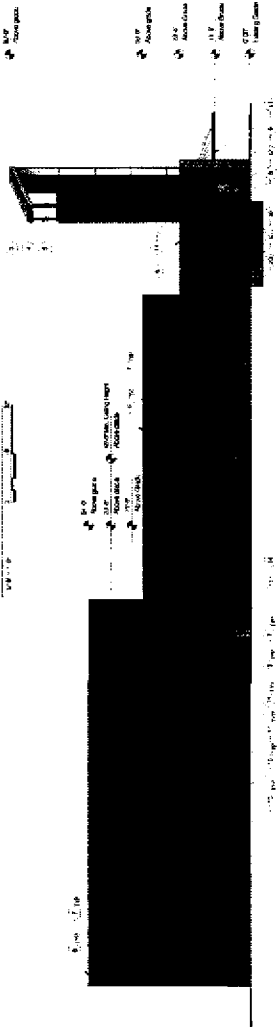
1. ARCHITECTURAL DESIGN GUIDELINES
2. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
3. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
4. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
5. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
6. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
7. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
8. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
9. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
10. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
11. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
12. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
13. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
14. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
15. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
16. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
17. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
18. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
19. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.
20. LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.



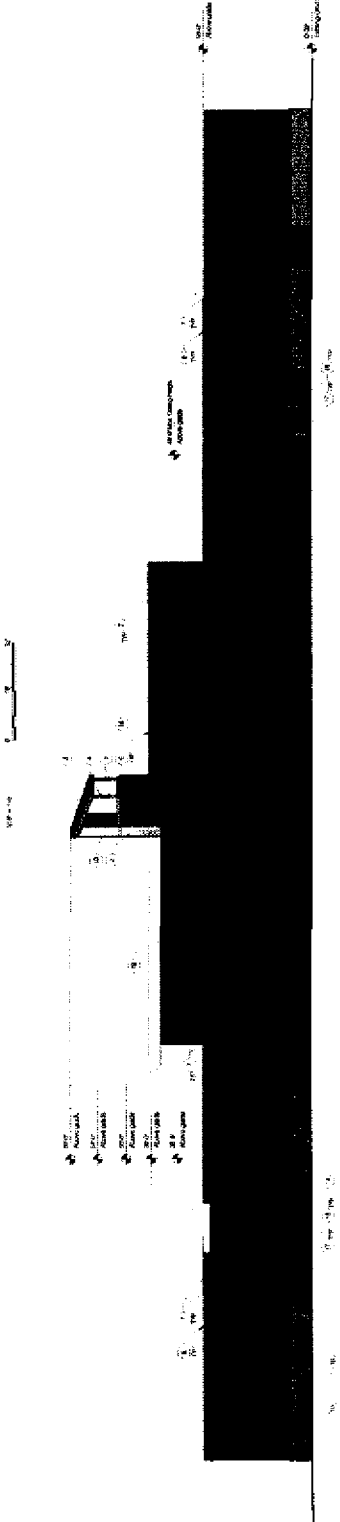
WEST ELEVATION
VP = 1'-0"



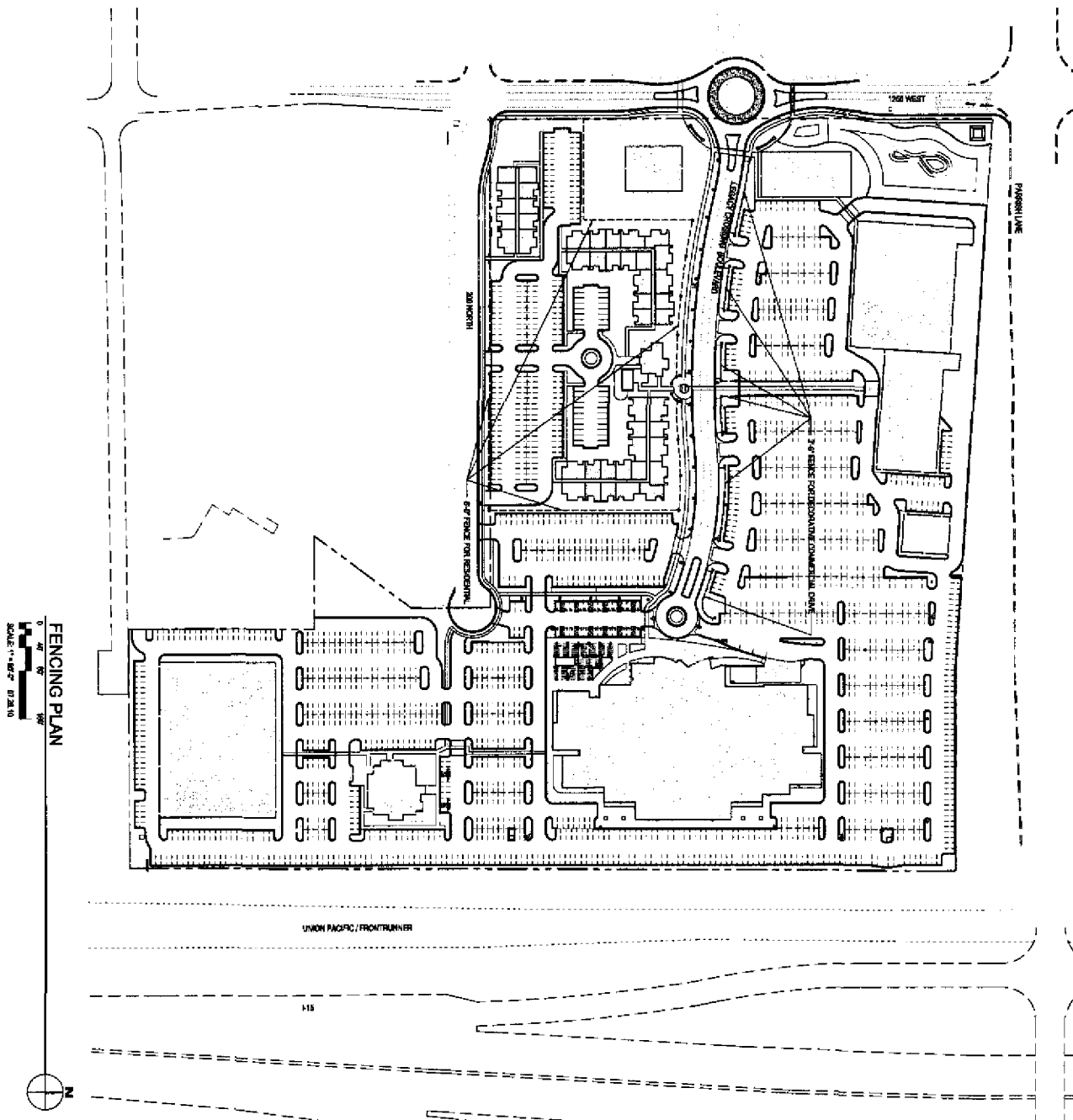
SOUTH ELEVATION
VP = 1'-0"



NORTH ELEVATION
VP = 1'-0"



EAST ELEVATION
VP = 1'-0"



FENCING PLAN
 0 20 40 60 80 100
 FEET
 SCALE: 1" = 40' 0" 20' 10"

FENCING PLAN
DEVELOPMENT AGREEMENT
 EXHIBIT
N-1

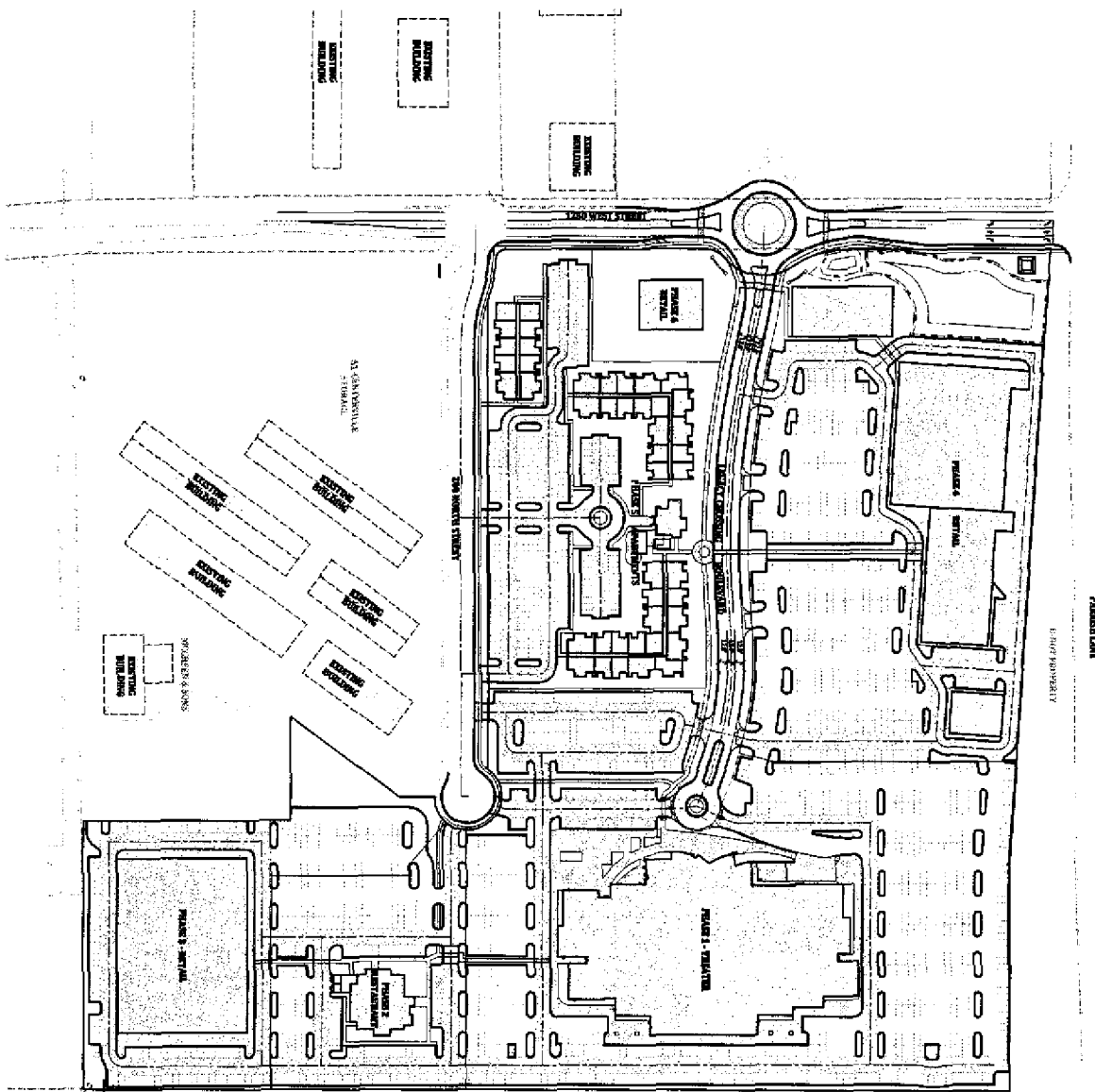
LEGACY CROSSING AT PARRISH LANE
MIXED COMMERCIAL / RESIDENTIAL
PLANNED DEVELOPMENT
 CENTERVILLE
 UTAH



U.S. Development
 1513 South Highland Road
 Suite 200
 Lehi, Utah 84043
 Telephone: (801) 464-3443
 Telefax: (801) 464-3651
 www.usdevelopment.com

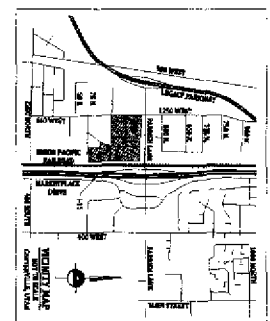


ARCHITECTURAL DESIGN GUIDELINES LEGACY CROSSING DEVELOPMENT, CENTERVILLE, UT.		08/01/10	1/8"=1'-0"	N-2
REFERENCE NOTES		NOTE		
1. METAL ROOF CANOPY 2. E.F.I.S 3. STUCCO 4. METAL ROOF 5. METAL COPPING 6. STEEL COLUMNS 7. GLAZING 8. METAL TRELLIS 9. FULL GLAZING FOR COMMERCIAL DISPLAY 10. CULTURED STONE WEINSCOTT 11. E.F.I.S. STUCCO. OR ALTERNATIVE 12. COMMERCIAL STOREFRONT ACCESS 13. CULTURE STONE PILLARS 14. TRANSLUCENT GLASS WITH LIGHTING BEHIND 15. CITY SIGNAGE 16. CONCRETE COPPING 17. ORNAMENTAL METAL FENCE 18. ORNAMENTAL METAL PICKETT FENCE 19. TRELLIS (WOOD OR STEEL) 20. BEAM (WOOD OR STEEL) 21. COLUMN 22. BENCH 23. PLANTER		ALL COLORS TO MEET WITH ARTICLE 9 REGULATION CHAPTER 12-88-070		
17 6'-0" TYPICAL FENCE ELEVATION FOR RESIDENTIAL 1/8"=1'-0" 18 3'-6" TYPICAL FENCE ELEVATION FOR DECORATIVE COMMERCIAL DR. 1/8"=1'-0"				



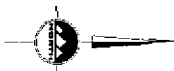
1-15 SOUTH BOUND RAMP

NORTHBOUND INTERSTATE 15



HORIZONTAL EARTHQUAKE SLABS

LOCATED IN THE SOUTHEAST QUANTAL
OF SECTION 12
TOWNSHIP 3 NORTH, RANGE 3 WEST
S.1/7 LARS HORN AND PERMAN
CANTONVILLE CITY, DAVIS COUNTY, 37°44'



NOTE _____
THIS CLASSIFIED BY CLASS WORK
ALL OTHER SUBJECTS AND BY CLASS WORK, ON THE
DISTRIBUTION NOTE.

[illegible]

**LEGACY CROSSING
AT PARRISH LANE**
1250 WEST STREET
CENTERVILLE CITY, UTAH

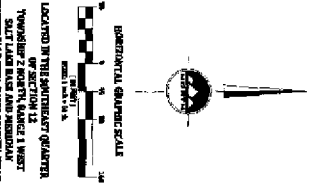
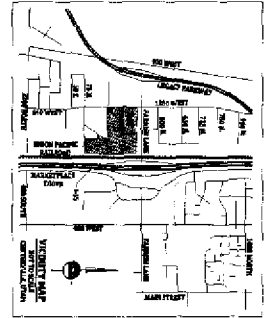
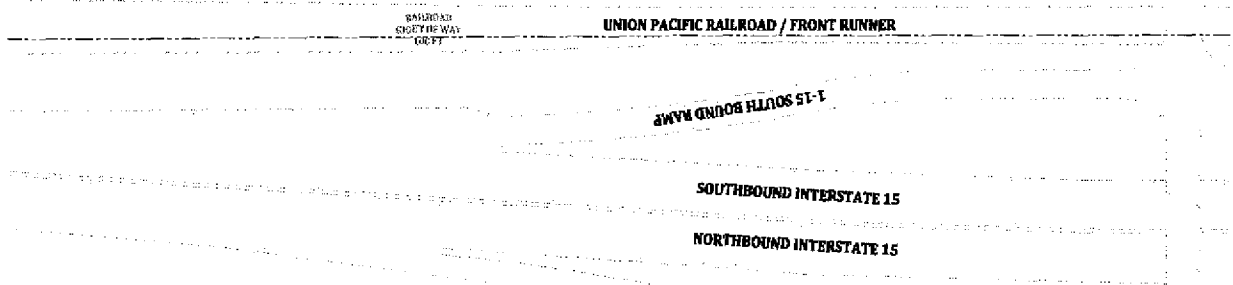
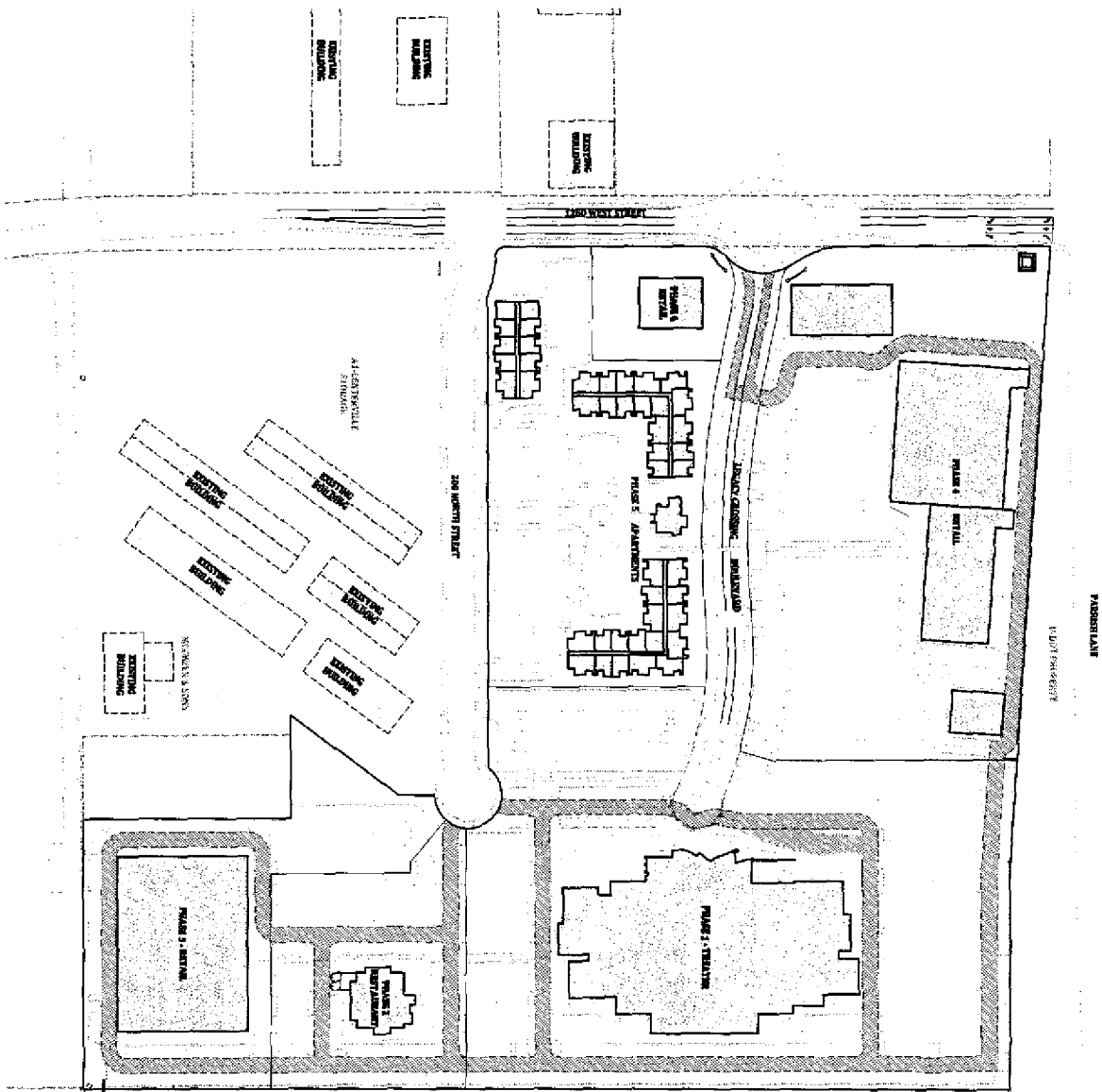


LAYTON
1405 West Emerald Rd
Suite 204
Layton, UT 84041
Phone: 801.547.1100
Fax: 801.593.6315

SALT LAKE CITY
Phone: 801.255.8529
Web: LAWSONLAW.COM

AISLE
PLAN

52



ENSIGN

1250 WEST STREET
CENTERVILLE CITY, UTAH

**LEGACY CROSSING
AT PARRISH LANE**

1250 WEST STREET
CENTERVILLE CITY, UTAH

**LEGACY CROSSING
AT PARRISH LANE**

1250 WEST STREET
CENTERVILLE CITY, UTAH

When recorded, return to:

Centerville City
ATTN: City Recorder
250 North Main Street
Centerville, Utah 84014

E 3075701 B 6951 P 930-952
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
02/13/2018 02:37 PM
FEE \$0.00 Pgs: 23
DEF RTT REC'D FOR CENTERFIELD CITY

Affects Parcels: 06-336-0001, 06-336-0002, 06-336-0003, 06-336-0007, 06-336-0011,
06-368-0401, 06-368-0403, 06-368-0404, 06-368-0406, 06-368-0407,
06-368-0408

**FOURTH AMENDMENT TO
DEVELOPMENT AGREEMENT BETWEEN CENTERVILLE
CITY, JF LEGACY LAND, LLC, HCR LEGACY, LLC, KEM HOLDINGS, LLC,
LEGACY CROSSING THEATRE, LLC, LEGACY CROSSING APARTMENTS, L.C.,
LEGACY CROSSING OWNERS ASSOCIATION, INC., JENSNT LEGACY, LLC,
TETON OFFICE VENTURES, LLC, LEGACY OFFICE BUILDING, LLC,
AND S & J 5, LLC**

THIS FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT ("Fourth Amendment") is made and entered into as of the 13 day of February, 2018, by and between **CENTERVILLE CITY**, a Utah municipal corporation ("City"), **JF LEGACY LAND, LLC**, a Utah limited liability company, **HCR LEGACY, LLC**, a Utah limited liability company, **KEM HOLDINGS, LLC**, a Utah limited liability corporation, **LEGACY CROSSING THEATRE, LLC**, a Utah limited liability company, **LEGACY CROSSING APARTMENTS, L.C.**, a Utah limited liability company, **LEGACY CROSSING OWNERS ASSOCIATION, INC.**, a Utah nonprofit corporation, **JENSNT LEGACY, LLC**, a Utah limited liability company, **TETON OFFICE VENTURES LLC**, a Utah limited liability company, **LEGACY OFFICE BUILDING, LLC**, a Utah limited liability company, **S & J 5, LLC**, a Utah limited liability company (collectively referred to herein as "Developer").

RECITALS:

WHEREAS, the City, Parrish Land Holdings, LLC and Legacy Crossing, LLC, previously entered into that certain Development Agreement dated September 21, 2010 and recorded at the Davis County Recorder's Office on September 28, 2010, Entry No. 2555652, Book No. 5118, Pages 526-622 ("Development Agreement"), regarding the development of the Legacy Crossing at Parrish Lane project consisting of approximately 28.70 acres of real property located at the southeast corner of 1250 West and Parrish Lane in Centerville City, Davis County,

State of Utah, as more particularly described in Exhibit 1, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the other parties to this Fourth Amendment became parties to the Development Agreement by such certain Assignment and Assumption Agreements subsequently entered into and recorded against the Property at the Davis County Recorder's Office; and

WHEREAS, the parties desire to amend the Development Agreement to revise the parking layout and related requirements in connection with the opinion of a commissioned parking study (the "Parking Study") attached as Exhibit 2, which Parking Study supports a shared parking arrangement (the "Shared Parking Arrangement") between the property subject to the Development Agreement and the amended Master Site Plan for the Planned Development.

WHEREAS, the City is willing to amend the Development Agreement to make the requested changes to the Development Agreement and related exhibits;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Incorporation of Recitals**. The above Recitals are hereby incorporated into this Amendment.

2. **Amendment**. Section 22 of the Agreement is hereby amended and shall be read in its entirety as follows:

Except as otherwise set forth herein, all parking for the Planned Development shall be provided in accordance with the Master Site Plan set forth in **Exhibit C**. All parking for the Planned Development shall comply with the parking, parking lot, traffic circulation, landscaping, design, and lighting provisions of the Parrish Lane Gateway Design Standards and applicable City Ordinances. Pursuant to the findings of the Parking Study, Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 are hereby authorized to utilize the excess parking spaces located on each respective Lot as indicated in the Parking Study, which Shared Parking Arrangement will satisfy the Developer's obligations for the minimum number of required parking spaces for each Lot and each Lot's use, provided however, in no event shall cross-access for parking be provided or permitted from Lot 1, Lot 2, Lot 3, or Lot 4 onto, over, or across or through Lot 5 or Lot 6. Lot 2 and Lot 3 have not been included in the time-dependent analysis of parking required for Lots 1 and 4-6, but are included in the shared parking and cross-access obligations for the Planned Development. Lot 2 and Lot 3 shall be required to comply with and provide the minimum off-street parking stalls in accordance with City Ordinances applicable for the development of Lot 2 and Lot 3 to be analyzed with final site

plan approval for such lots. Lot 2 and Lot 3 must preserve the drive aisle and circulation patterns as shown on the Master Site Plan set forth in **Exhibit C**.

3. **Amendment.** Section 23 of the Agreement is hereby amended insofar as all parking ratios for individual phases, or lots, within the Planned Development shall be calculated in a manner consistent with the Parking Study. Accordingly, Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6 are hereby authorized to utilize the excess parking spaces located on each respective Lot as indicated in the Parking Study, which Shared Parking Arrangement will satisfy the Developer's obligations for the minimum number of required parking spaces for each Lot and each Lot's use, provided however, in no event shall cross-access for parking be provided or permitted from Lot 1, Lot 2, Lot 3, or Lot 4 onto, over, or across or through Lot 5 or Lot 6. Concurrent herewith, the parties hereto have executed and recorded, or will soon record, that certain third amendment to declaration of parking and cross-access easement and other easements and restrictions affecting land, which amendment will allow for the Shared Parking Arrangement described herein. Notwithstanding the foregoing, it is acknowledged that Lot 2 and Lot 3 have not been included in the time-dependent analysis of parking required for Lots 1 and 4-6, but are included in the shared parking and cross-access obligations for the Planned Development. Lot 2 and Lot 3 shall be required to comply with and provide the minimum off-street parking stalls in accordance with City Ordinances applicable for the development of Lot 2 and Lot 3 to be analyzed with final site plan approval for such lots. Lot 2 and Lot 3 must preserve the drive aisle and circulation patterns as shown on the Master Site Plan set forth in **Exhibit C**.

4. **Amendment.** Exhibit C to the Development Agreement regarding the Master Site Plan and internal parking and building locations within the Planned Development is hereby amended to read in its entirety set forth in **Exhibit 3**, attached hereto and incorporated by this reference.

5. **Amendment.** Exhibit H to the Development Agreement regarding the Reciprocal Parking and Cross-Access Easements Plan for the Planned Development is hereby amended to read in its entirety set forth in **Exhibit 4**, attached hereto and incorporated by this reference.

6. **Counterparts.** This Fourth Amendment may be executed in counterparts each of which shall be deemed an original and all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendment by and through their respective, duly authorized representatives as of the day and year first above written.

[SIGNATURE PAGE FOLLOWS]

ATTEST:

Mackenzie Wood
City Recorder

"CITY"

CENTERVILLE CITY

By: Clark A. Wilkinson
Mayor

"DEVELOPER"

JF LEGACY LAND, LLC

By: JF Capital, LLC

By: Jack Fisher Group, LLC

By: [Signature]
Its: manager

HCR LEGACY, LLC

By: [Signature]
Its: OWNER

KEM HOLDINGS, LLC

By: [Signature]
Its: Owner

LEGACY CROSSING THEATRE, LLC

By: [Signature]
Its: manager

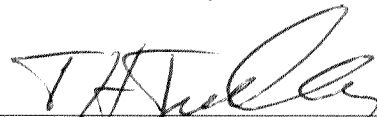
LEGACY CROSSING APARTMENTS, LC

By: 
Its: 

**LEGACY CROSSING OWNERS
ASSOCIATION, INC.**

By: 
Its: 

JENSNT LEGACY, LLC

By: 
Its: MANAGING MEMBER

TETON OFFICE VENTURES, LLC

By: 
Its: Manager

LEGACY OFFICE BUILDING, LLC

By: 
Its: Manager

S & J 5, LLC

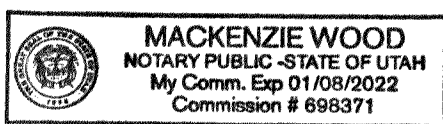
By: 
Its: Manager

[ACKNOWLEDGEMENT NOTARY SIGNATURES FOLLOW]

CENTERVILLE CITY ACKNOWLEDGEMENT

STATE OF UTAH)
:SS.
COUNTY OF DAVIS)

On the 13 day of February, 2018, personally appeared before me _____, who being duly sworn, did say that he is the Mayor of **CENTERVILLE CITY**, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said Mayor acknowledged to me that the City executed the same.



Mackenzie Wood
Notary Public

My Commission Expires:

01/08/2022

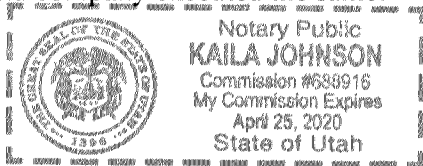
Residing at:

Davis County, Utah

JF LEGACY LAND ACKNOWLEDGEMENT

STATE OF Utah)
:SS.
COUNTY OF Davis)

On the 13th day of September, 2017 personally appeared before me Owen Fisher who being by me duly sworn did say that (s)he is the Manager of **JF LEGACY LAND, LLC**, and that the foregoing instrument was signed in behalf of said company by authority of its members and they acknowledged to me that said company executed the same.



My Commission Expires:

4.25.20

Kaila Johnson
Notary Public

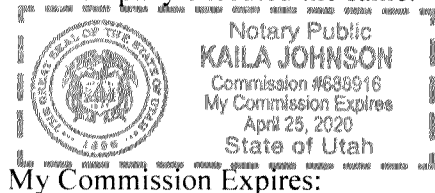
Residing at:

Davis County, Utah

HCR LEGACY, LLC ACKNOWLEDGEMENT

STATE OF UTAH)
)
:SS.
COUNTY OF DAVIS)

On the 15th day of September, 2017 personally appeared before me
John Toone who being by me duly sworn did say that (s)he is the
Owner of **HCR LEGACY, LLC**, and that the foregoing instrument was
signed in behalf of said company by authority of its members and they acknowledged to me that
said company executed the same.



My Commission Expires:

4.25.20

Kaila Johnson
Notary Public

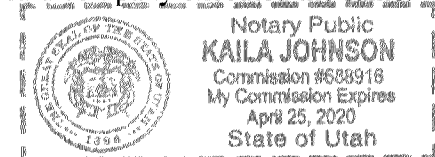
Residing at:

Davis County, Utah

KEM HOLDINGS ACKNOWLEDGEMENT

STATE OF Utah)
)
:SS.
COUNTY OF Davis)

On the 14th day of September, 2017 personally appeared before me
Amy Curtis who being by me duly sworn did say that (s)he is the
Owner of **KEM HOLDINGS, LLC**, and that the foregoing instrument was
signed in behalf of said company by authority of its members and they acknowledged to me that
said company executed the same.



My Commission Expires:

4.25.20

Kaila Johnson
Notary Public

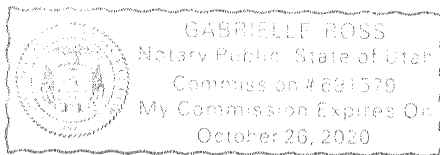
Residing at:

Davis County, UT

LEGACY CROSSING THEATRE ACKNOWLEDGEMENT

STATE OF Utah)
)
:SS.
COUNTY OF DAVIS)

On the 2 day of November, 2017 personally appeared before me
Kevin S. Barn who being by me duly sworn did say that (s)he is the
Manager of **LEGACY CROSSING THEATRE, LLC**, and that the foregoing
instrument was signed in behalf of said company by authority of its members and they
acknowledged to me that said company executed the same.



My Commission Expires:

10/26/2020

Gabrielle Ross
Notary Public

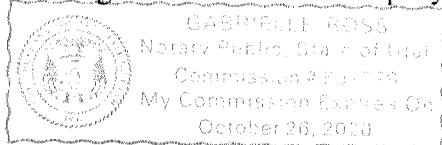
Residing at:

DAVIS county

LEGACY CROSSING APARTMENT ACKNOWLEDGEMENT

STATE OF Utah)
)
:SS.
COUNTY OF DAVIS)

On the 2 day of November, 2017 personally appeared before me
Kevin S. Barn who being by me duly sworn did say that (s)he is the
Manager of **LEGACY CROSSING APARTMENT, LC**, and that the foregoing
instrument was signed in behalf of said company by authority of its members and they
acknowledged to me that said company executed the same.



My Commission Expires:

10/26/2020

Gabrielle Ross
Notary Public

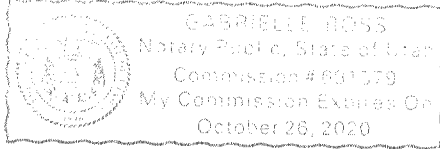
Residing at:

DAVIS county

LEGACY CROSSING OWNERS ASSOCIATION ACKNOWLEDGEMENT

STATE OF Utah)
)
:SS.
COUNTY OF DAVIS)

On the 2 day of November, 2017 personally appeared before me
Kevin S. Gurn who being by me duly sworn did say that (s)he is the
Manager of **LEGACY CROSSING OWNERS ASSOCIATION, INC.**, a Utah
corporation, and that the foregoing instrument was signed in behalf of said corporation by
authority of its Board and they acknowledged to me that said corporation executed the same.



Gabrielle Ross
Notary Public

My Commission Expires:

10/26/2020

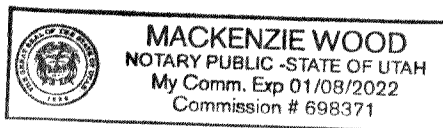
Residing at:

Davis County

JENSNT LEGACY ACKNOWLEDGEMENT

STATE OF Utah)
)
:SS.
COUNTY OF Davis)

On the 13 day of February, 2018 personally appeared before me
Ted A. Tueller who being by me duly sworn did say that (s)he is the
Managing Member of **JENSNT LEGACY, LLC**, and that the foregoing instrument was
signed in behalf of said company by authority of its members and they acknowledged to me that
said company executed the same.



Mackenzie Wood
Notary Public

My Commission Expires:

01/08/2018

Residing at:

Davis County, Utah

STATE OF Utah)
 :SS.
COUNTY OF Davis)

 JULIE B. BOYLE
Notary Public
State of Utah
My Commission Expires 10/14/2019
#685565

Julie S. Bayle
Notary Public

10-14-2019

Davis County, Utah

STATE OF Utah)
)
) :SS.
COUNTY OF Davis)

NOTARY PUBLIC
KAILA JOHNSON
Commission #6800916
My Commission Expires
April 25, 2020
State of Utah


Notary Public

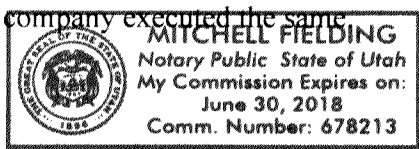
4.25.20

Davis County, Utah

S & J 5 ACKNOWLEDGEMENT

STATE OF UT)
)
COUNTY OF Davis)
)
:SS.

On the 22nd day of September, 2017 personally appeared before me
Sid Roberts who being by me duly sworn did say that (s)he is the
Manager of **S & J 5, LLC**, and that the foregoing instrument was signed in
behalf of said company by authority of its members and they acknowledged to me that said



[Signature]
Notary Public

My Commission Expires:
06/30/18

Residing at:
Davis County, Utah

EXHIBIT 1

PROPERTY DESCRIPTION

All of the Legacy Crossing at Parrish Lane Subdivision Plat located in Centerville, Utah, as filed at the Davis County Recorder's Office, State of Utah

And

All of the Legacy Crossing at Parrish Lane Lot 4 Amended Subdivision Plat located in Centerville, Utah, as filed at the Davis County Recorder's Office, State of Utah.

Consisting of the following Parcel Numbers and Current Owners of Record:

06-336-0001 – Legacy Crossing Theatre LLC
06-336-0002 – JF Legacy Land LLC and HCR Legacy LLC
06-336-0003 - JF Legacy Land LLC and HCR Legacy LLC
06-336-0007 – Legacy Crossing Owners Association Inc.
06-336-0011 – Legacy Crossing Apartments LC
06-368-0401 – KEM Holdings LLC
06-368-0403 – Jensnt Legacy LLC
06-368-0404 – Teton Office Ventures LLC
06-368-0406 – Legacy Crossing Owners Association Inc.
06-368-0407 – Legacy Office Building LLC
06-368-0408 – S&J 5 LLC

EXHIBIT 2
PARKING STUDY



July 31, 2017

Project: *Legacy Crossing at Parrish Lane*

Re: *Parking requirements*

Due to a change in land use for Legacy Crossing at Parrish Lane from the original land agreement and phases 2 and 3 being excluded, there is a need for a parking requirements study. The original agreement had more retail instead of office space and phases 2 & 3 were to be built. With land use changes and based on the peak parking requirements of the city the developer wants to see if there is sufficient parking based on time of day demand requirements rather than a flat number for peak use only.

The analysis was conducted using data from the Institute of Transportation Engineers (ITE), Trip Generation Manual, 9th Edition, Volumes 2 & 3, published in 2012. The attached master site plan (exhibit B) with the outlines drawn shows total parking stalls for each area as planned. There is a total of 1,471 stalls: 750 for the theater area, 204 for the first office area, 279 for the second office and retail area, and 238 for the residential area. The areas were arbitrarily highlighted as parking is intended to be shared in the mixed-use area. Phases 2 and 3 have been omitted from the calculations, but it should be noted if it is constructed as previously planned, the areas will have excess parking for the purposes proposed.

The methodology used was to apply the average rate of a given land use multiplied by its basis as provided by ITE. If a particular use fell under multiple categories, the average of the combined land uses was taken as the average rate. For a conservative value, the Peak Hour of Adjacent Street Traffic or the Peak Hour of Generator was used for more than the single hour it was based upon for its respective time of day as provided by ITE. It was determined Friday has the most traffic and least parking spaces available and is therefore shown indicating traffic movement for each use on a per hour basis (exhibit C-E).

The basis for apartments was 206 total units, the theater has 14 screens and 3266 seats. There is 15,990 sq. ft. of medical office space, 78,157 sq. ft. of general office space, and planned 11,250 sq. ft. of additional office space. On-street parking, mass-transit, and other traffic reducing options were neglected for the calculations. The required parking stalls for the apartments was calculated at the original city rate totaling 354 parking spaces.

Solutions You Can Build On™
Civil Engineering / Land Planning / Structural Engineering / Landscape Architecture / Land Surveying

5160 South 1500 West • Riverdale, Utah 84405 • Tel: 801-621-3100 • Fax: 801-621-2666
Email: ogden@reeve-assoc.com • Website: www.reeve-assoc.com

Reeve & Associates, Inc.



In summary, the parking demand for office space occurs during the daytime and early afternoon hours, which is asynchronous with theater parking demand occurring in late afternoon and evening. The maximum required parking stalls in a given hour on the busiest day, being Friday, was 1177 stalls at 9:00 P.M., leaving 294 stalls unoccupied for the area of the study at full build out (1471 stalls) and 116 extra under current conditions (1293 stalls built as of July 2017). It is highly unlikely the peak demands would coincide since the greatest parking demand is for the theater from 6:00-10:00 P.M. during which time offices spaces are mostly vacant.

If you have any questions, or we can be of further assistance, please contact us.

Sincerely,

Nate Reeve, P.E.
Principal Engineer
Reeve & Associates, Inc.
nreeve@reeve-assoc.com

Eldon Fisher, E.I.T.
Project Engineer
Reeve & Associates
efisher@reeve-assoc.com

Solutions You Can Build On™
Civil Engineering / Land Planning / Structural Engineering / Landscape Architecture / Land Surveying

5160 South 1500 West • Riverdale, Utah 84405 • Tel: 801-621-3100 • Fax: 801-621-2666
Email: ogden@reeve-assoc.com • Website: www.reeve-assoc.com



Exhibit A

Peak Parking Required by Zoning Ordinance Formulas Without Time-of-Day Demand Analysis

Phase	Use	Unit Criteria	Qty.	Required	Provided	Surplus
1	Theater	1/4.5 seats	3266	726	738	12
2 & 3	Omitted for evaluation purposes					
4	Office	5/1000 sf	94147	471	320	-151
	Additional					
4	Office	5/1000 sf	11250	57	175	118
5	Apartment	1.5/1 bed	68	102	218	116
5	"	2.0/2 bed	90	180		-180
6	Apartment	1.5/1 bed	48	72	20	-52
Total				1607	1471	-136

Solutions You Can Build On™

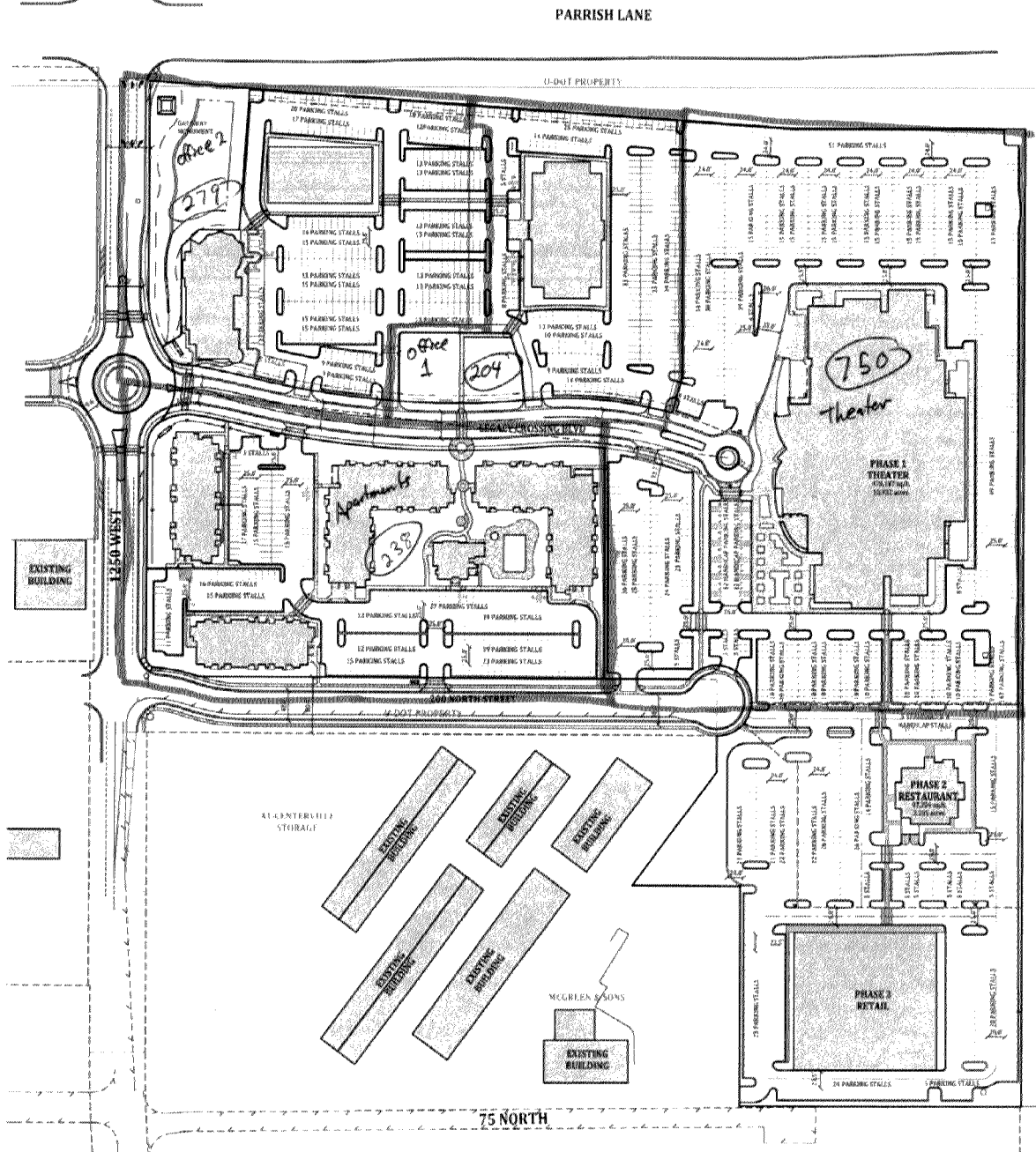
Civil Engineering / Land Planning / Structural Engineering / Landscape Architecture / Land Surveying

5160 South 1500 West • Riverdale, Utah 84405 • Tel: 801-621-3100 • Fax: 801-621-2666

Email: ogden@reeve-assoc.com • Website: www.reeve-assoc.com



Exhibit B



Solutions You Can Build On™
Civil Engineering / Land Planning / Structural Engineering / Landscape Architecture / Land Surveying

5160 South 1500 West • Riverdale, Utah 84405 • Tel: 801-621-3100 • Fax: 801-621-2666
Email: ogden@reeve-assoc.com • Website: www.reeve-assoc.com

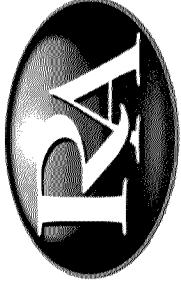


Exhibit C

Time of day (weekday Friday)	Apartment Spaces Required	Retail Spaces Required	Office Spaces Required	Theater Spaces Required	Total Spaces Required	Excess Parking Spaces	Apt In	Apt out	Retail In	Retail Out	Office In	Office Out	Theater In	Theater Out
6:00 AM	354	0	0	0	354	1117	28	21	0	0	8	8	0	0
7:00 AM	361	0	0	0	361	1110	25	89	0	0	227	41	0	0
8:00 AM	297	0	186	0	483	988	21	68	0	0	227	41	0	0
9:00 AM	250	0	372	0	622	849	25	69	0	0	227	41	0	0
10:00 AM	206	0	558	0	764	707	28	69	0	0	8	16	119	0
11:00 AM	165	0	550	119	834	637	28	21	0	0	8	16	125	94
12:00 PM	172	0	542	150	864	607	28	21	0	0	8	16	131	135
1:00 PM	179	0	534	146	859	612	28	21	0	0	8	16	138	139
2:00 PM	186	0	526	145	857	614	28	21	0	0	8	16	147	144
3:00 PM	193	0	518	148	859	612	81	54	0	0	8	16	156	149
4:00 PM	220	0	510	155	885	586	82	51	0	0	65	224	238	162
5:00 PM	251	0	351	231	833	638	82	49	0	0	65	224	238	162
6:00 PM	284	0	192	307	783	688	82	51	0	0	65	224	553	321
7:00 PM	315	0	33	539	887	584	28	21	0	0	8	16	553	401
8:00 PM	322	0	25	691	1038	433	28	21	0	0	8	16	553	413
9:00 PM	329	0	17	831	1177	294	28	21	0	0	8	16	396	413
10:00 PM	336	0	9	814	1159	312	31	20	0	0	0	9	198	413
11:00 PM	347	0	0	599	946	525	28	21	0	0	0	0	0	599
Max/use:	361	0	558	831	1177	Total/day:	709	709	0	0	956	956	3545	3545

Total Spaces (1471) - Total Required = Excess Spaces

Minimum Excess Spaces:

294

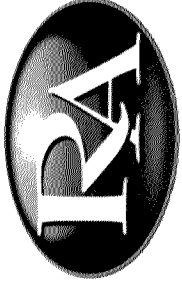


Exhibit D

Occupied Parking

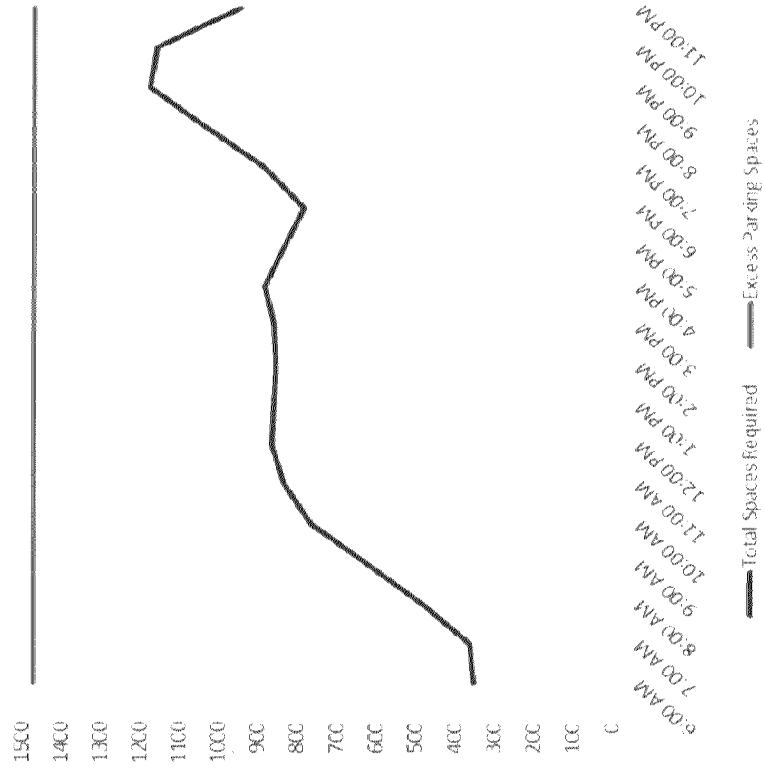


Exhibit E

Occupied Parking by Use

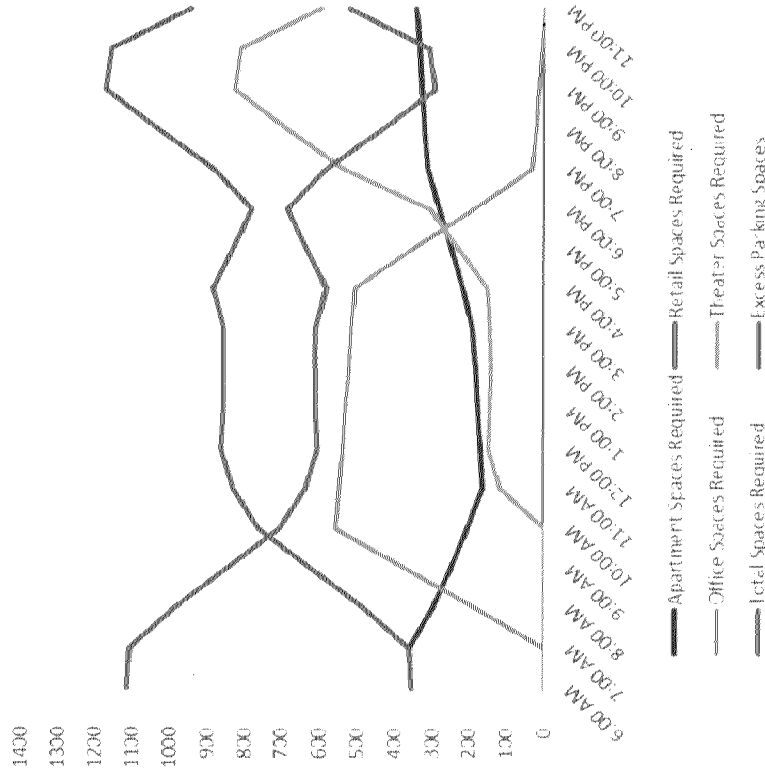
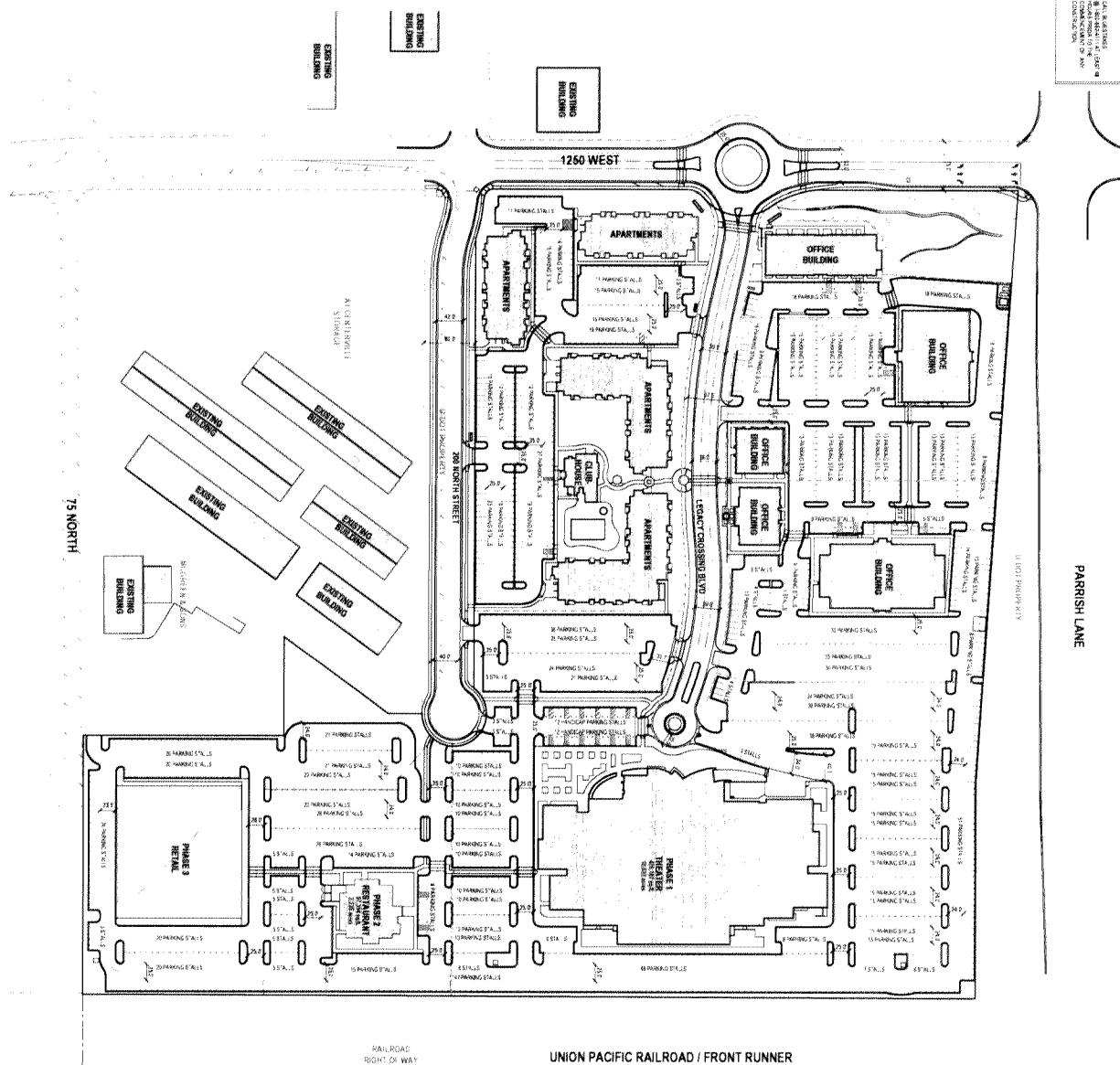


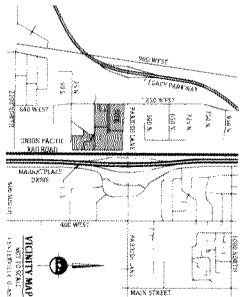
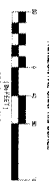
EXHIBIT 3

AMENDED EXHIBIT TO THE DEVELOPMENT AGREEMENT

Exhibit C – Master Site Plan



1-15 SOUTH BOUND RAMP



THE DEFENDANT PARKING ANALYSIS PHASES 1-4									
Phase	Area	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)
1	1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4	4

THE DEFENDANT PARKING ANALYSIS PHASES 1-4									
Phase	Area	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)	Area (sq ft)
1	1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4	4	4

LEGACY CROSSING AT PARRISH LANE 1250 WEST STREET CENTERVILLE CITY, UTAH



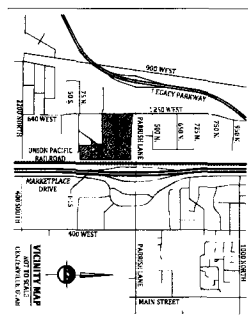
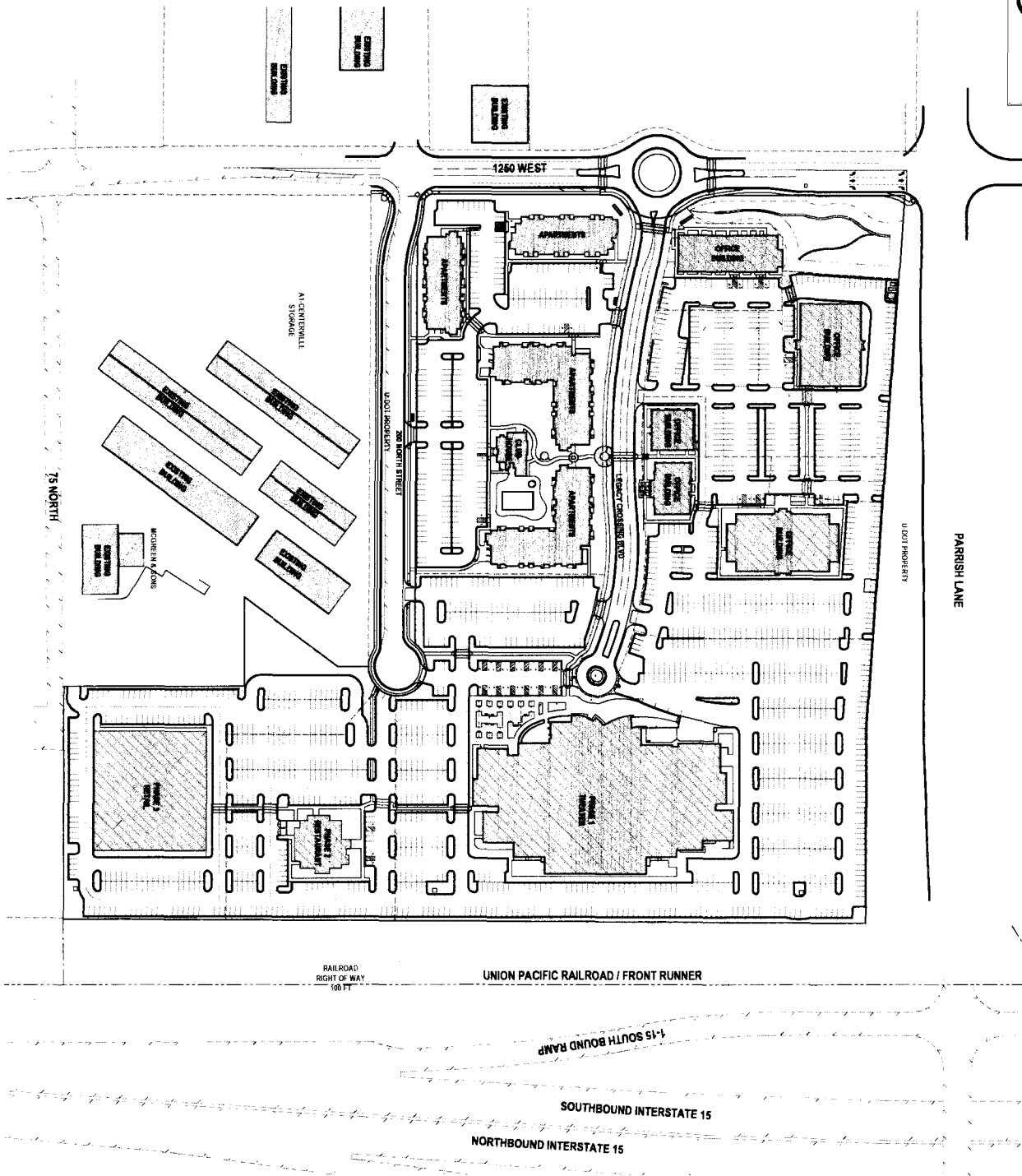
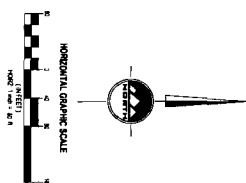
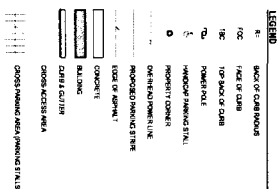
1485 West Hillside Rd.
Suite 200, Layton, UT 84041
Phone: 801.597.1200
Fax: 801.597.1200
Email: info@ensignlayton.com
Website: www.ensignlayton.com

MASTER
SITE
PLAN
C

EXHIBIT 4

AMENDED EXHIBIT TO THE DEVELOPMENT AGREEMENT

Exhibit H – Reciprocal Parking and Cross-Access Easement Plan

[illegible]



ENSIGN

LEGACY CROSSING AT PARRISH LANE

1250 WEST STREET
CENTERVILLE CITY, UTAH



LAYTON

**RECIPIROCAL
PARKING &
CROSS ACCESS
EASEMENTS PLAN**

DATE: 06/07/17
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]



LAYTON

1485 West Hillside Rd.
Lehi, UT 84041
Phone: 801.545.1100
Fax: 801.579.8315

MALT LANE CITY

1250 West Street
Parrish Lane, UT 84041

PROJECT: LEGACY CROSSING AT PARRISH LANE
SHEET: 01 OF 01
DATE: 06/07/17
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

LEGACY CROSSING AT PARRISH LANE

DATE: 06/07/17
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

PROJECT: LEGACY CROSSING AT PARRISH LANE
SHEET: 01 OF 01
DATE: 06/07/17
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

LEGACY CROSSING AT PARRISH LANE

DATE: 06/07/17
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

CENTERVILLE

Staff Backup Report

4/8/2020

Item No. 3.

Short Title: ADMINISTRATIVE DECISION- Public Hearing - Conceptual Site Plan - Parrish Creek Business Park, Building B

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ▢ 4-8-20 PC Staff Report Parrish Creek Conceptual Site Plan
- ▢ 4-8-20 Proposed Site Plan
- ▢ 4-8-20 Proposed Civil Site Plan
- ▢ Ord. No 2017-06 Parrish Creek Business Park PDO Rezone
- ▢ 2-3-17 Original Parrish Creek Submission
- ▢ 3-21-17 Parrish Creek Rendering Detail
- ▢ 3-21-17 Parrish Creek Explanation of Supplemental Information
- ▢ 3-21-17 Parrish Creek Supplemental Details 1
- ▢ 3-21-17 Parrish Creek Supplemental Details 2

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

**STAFF REPORT
AGENDA: ITEM 3**

PROPERTY OWNER: RIMINI PROPERTIES

APPLICANT: TOM STUART CONSTRUCTION
c/o LOLO TENIFA
259 S RIVERBEND WAY
NORTH SALT LAKE, UT 84054
(lolo@tomstuart.com)

PROPERTY LOCATION: 1160 N 950 W
PARRISH CREEK BUSINESS PARK LOTS 3 & 4

PARCEL SIZE: 7.5 ACRES

PARCEL: 06-392-0003, 06-392-0004

ZONING DISTRICT: INDUSTRIAL-HIGH, PDO

APPLICATION: CONCEPTUAL SITE PLAN (*AMENDED*)

BACKGROUND

The applicant desires to amend the approved project's Buildings B, C, and D. The original approved development consisted of five buildings on four lots. The applicant proposes to develop one (1) building on Lots 3 & 4, instead of the three (3) original buildings and to merge Lots 3 & 4.

CONCEPTUAL SITE PLAN REVIEW

A conceptual review for these lots will involve the applicable Planned Development Overlay (PDO) Zone Approval.



APPLICABLE PARRISH CREEK BUSINESS PARK PDO PROVISIONS:

- **Reflect in substantial detail the approved PDO Conceptual Site Plan**

With the combining of lots 2 and 3, Staff finds this proposal does not substantially reflect the approved PDO Conceptual Site Plan. There are several items in the proposed site plan that need to be addressed, namely: utility easements, new positions of fire hydrants, updated drainage plans (if any), and parking counts.

The Conceptual Site Plan listed the intended Uses as office, warehouse, and incubator spaces. The proposed site plan lists 79 boat parking stalls (Vehicle and equipment rental and sale), which Use is not in the original Concept Plan for parking and would require a CUP. The proposed parking counts should be updated to accurately reflect the intended tenants, or to at least match the Uses going in to Buildings A and E, all of which require many more parking stalls than originally planned for.

- **Subject to the narrative and architectural concepts provided by Tom Stuart Construction on February 3, 2017 and supplemental information provided March 21, 2017. Including details about landscaping design, wetlands preservation, and preliminary architectural concepts and sketches by AEURbia architects and engineers**

In reviewing the provided plans and narrative, the new site plan does not address the landscape buffer on the west property line that butts up against Legacy Parkway, or the upgraded details of the parts of Building B most visible to Legacy Parkway. In addition, the proposed site plan includes 16.4% landscaping, where the original document approved 17.3% landscaping.

A Site Plan Amendment was tabled at the November 13, 2019 Planning Commission meeting. The applicant was directed to contact the City Council for direction on what improvements would be acceptable to replace the boardwalk and pedestrian connection to 1250 West. The applicant has not provided City Council feedback, and has not addressed the improvements that would be equal to the omitted pedestrian pathways.

The PDO adoption Ordinance is attached, as well as the supplemental information provided and referenced in the PDO Ordinance.

PLANNING STAFF RECOMMENDATIONS

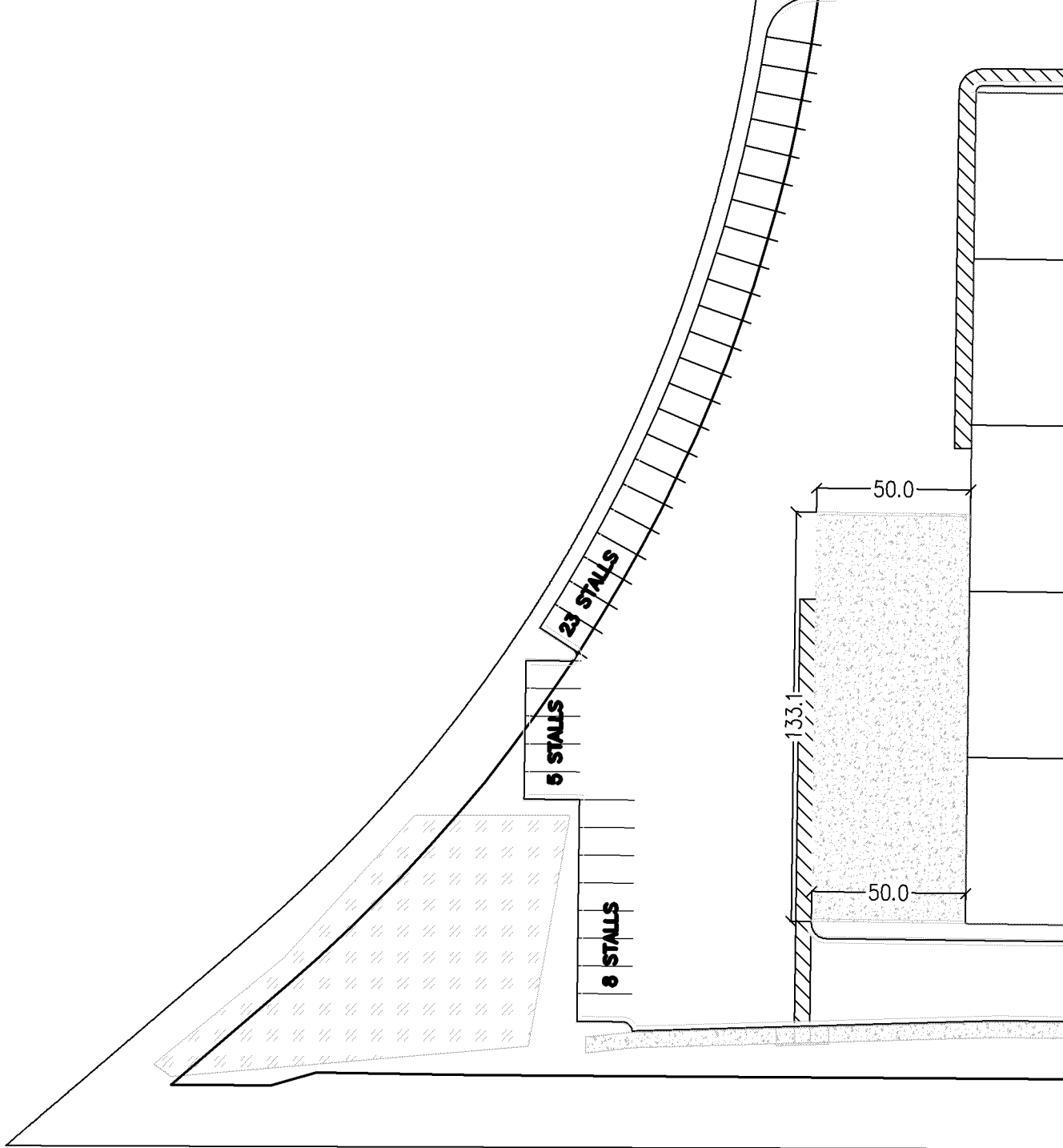
Recommended Motion: I hereby make a *motion* to TABLE this application with the following directives:

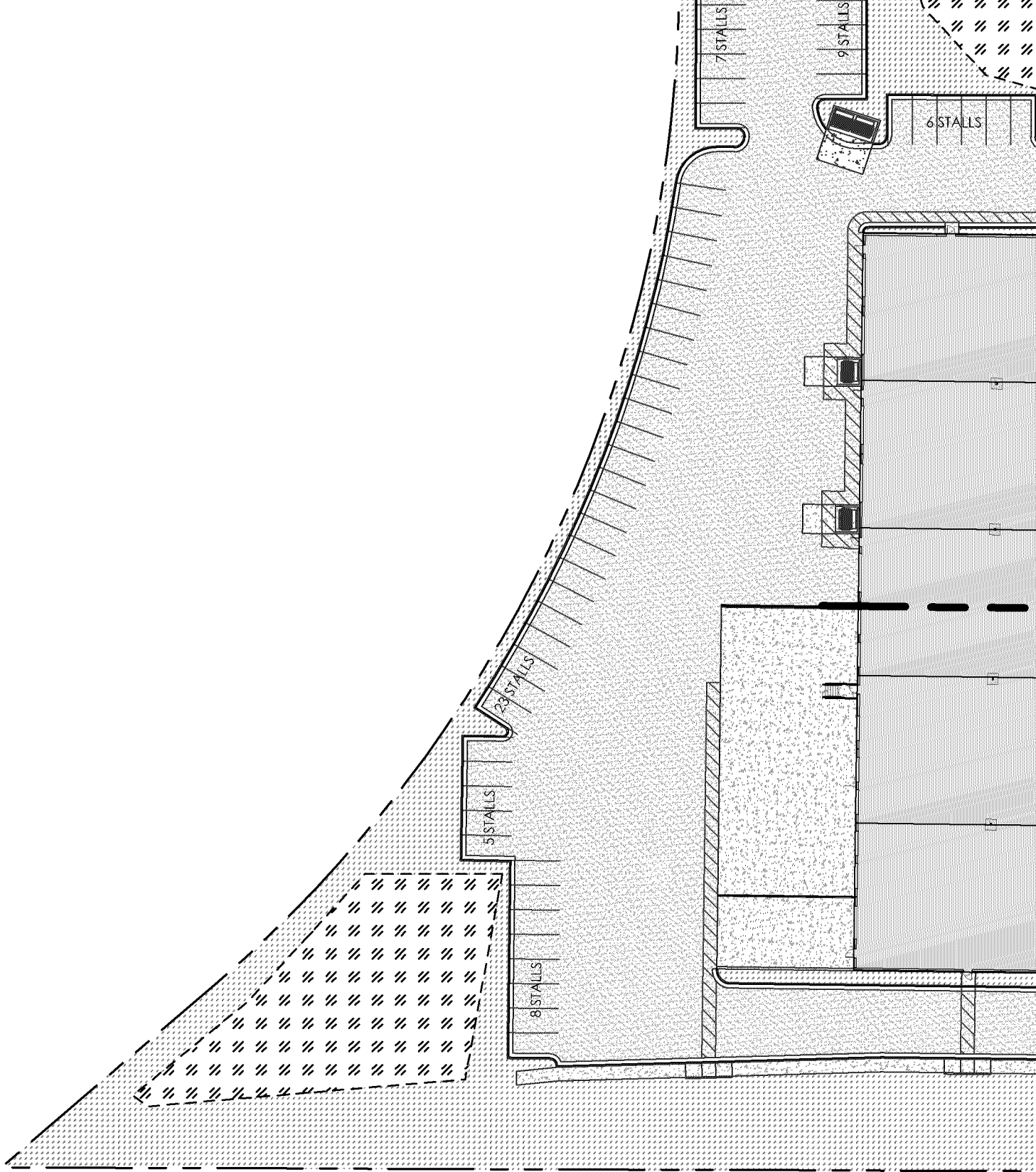
1. Provide description of new required easements and proof of vacated easements
2. Provide approval of utility providers for new easements
3. Provide locations of fire hydrants
4. Provide building elevations for Building B to meet the enhanced appearance requirement for the view from Legacy Parkway

5. Provide additional landscaping to meet the required 17.3% of the Parrish Creek Business Park approval
6. Provide parking counts for uses that match current and under-review tenants in Buildings A & E (particularly vehicle and equipment rental and sale parking calculations)
7. Provide proposed upgrades to replace the bridge and pedestrian walkway throughout the project, first mentioned in the PDO application documents dated February 3, 2017

Reasons for action (findings)

There is not sufficient evidence that the application meets the Conditions of PDO Approval dated March 21, 2017.





ORDINANCE NO. 2017-06

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 16.15 ACRES OF CERTAIN REAL PROPERTY AS DESCRIBED HEREIN FROM INDUSTRIAL-HIGH (I-H) TO INDUSTRIAL-HIGH/PLANNED DEVELOPMENT OVERLAY (I-H/PD) AND APPROVING THE CONCEPTUAL SITE PLAN FOR THE PARRISH CREEK BUSINESS PARK 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 as set forth in Section 12-430-3 regarding commercial policies for West Centerville, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from Industrial-High (I-H) to Industrial-High/Planned Development Overlay (I-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 Site Plan for the Parrish Creek Business Park 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 Zone Map Amendment. Subject to conditions of approval set forth in Section 2, the real property located at approximately 1030 North 950 West consisting of approximately 16.15 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 Industrial-High (I-H) to Industrial-High/Planned Development Overlay (I-H/PD) and the Centerville Zoning Map is correspondingly amended as described herein.

Section 2. Conditions of PDO Approval. The PDO Rezone for the Parrish Creek Business Park PDO is subject to the following conditions of approval:

1. The property shall be rezoned to I-H/PD and limited to the area designated as Parcel 06-003-0050.
2. The PDO approval shall be subject to the City Council approval of conceptual site plan.

3. The PDO approval has an expiration clause of one (1) year from the adoption date of the requested PDO approval, or may be extended upon approval for one (1) additional year, in accordance with CZC 12.41.080 and CZC 12.41.120.
4. As part of the PDO approval, the Parrish Creek Business Park Final Site Plan, and all subsequent development applications shall be subject to and reflect in substantial detail the approved PDO Conceptual Site Plan.
5. The PDO is subject to the narrative and architectural concepts provided by Tom Stuart Construction on February 3, 2017, and supplemental information required by the Planning Commission and submitted by the applicant for City Council consideration on March 21, 2017. This includes details about landscaping design, wetlands preservation, and preliminary architectural concepts and sketches by A E Urbia architects and engineers.
6. Variations may be allowed from the conventional ordinances and regulations or as specifically approved as part of any final site plan and subdivision approval:
 - i. **Maximum Cul-de-sac length of 400 feet** – The development plans specifically need additional length allowance for access into the furthest buildings of the lot. The additional length will mitigate concerns of safety by provided additional width of the road, and aesthetic concerns by providing landscaped medians for visual relief.
 - ii. **Building Floor Area** -- Building A may exceed the 50,000 square foot maximum requirement and have a floor area of a maximum of 57,000 square feet.

Section 3. Findings for PDO Approval. The rezone of the subject property to I-H/PD and corresponding amendment to the Centerville Zoning Map for the Parrish Creek Business Park PDO is based on the following findings:

- a. The Council finds that CZC 12.21.080(c) authorizes a “property owner or authorized agent” to initiate a PDO zone map amendment.
- b. The Council finds that the proposed request for the PDO Zone reflecting the proposed layout, integration of the wetlands and the built environment, and related amenities and architectural theme creates a viable and vibrant business park area, as originally envisioned in Goal #1 of the West Centerville Neighborhood Plan for enhancing the North Business Park area.
- c. The Council finds that the Parrish Creek Development Plan also sets forth a new synergy in investment and appeal for the West Neighborhood area.
- d. In order to make findings necessary to approve a PDO zone, the Council finds that CZC 12.41.080(c) allows for Conditions to be imposed to assure the planned development will follow the listed and the applicable development standards of CZC 12.41.100.
- e. The Council finds that the general building and parking lot layout, the proposed uses, and integration of wetlands and landscaping can or will meet the intent of the general provisions of the PDO Zone and will be subject to further site and subdivision approvals to ensure compatibly of the I-H and PDO Zoning Ordinance provisions.

Section 4. Conceptual Site Plan Approval. Subject to conditions of approval set forth in Section 5, the Conceptual Site Plan for the Parrish Creek Business Park PDO, as more particularly described in **Exhibit B**, attached hereto and incorporated herein by this reference, is hereby accepted by the City Council.

Section 5. Conditions of Conceptual Site Plan Approval. The Conceptual Site Plan approval for the Parrish Creek Business Park PDO is subject to the following conditions of approval:

1. Conceptual Site Plan is subject to the acceptance of PDO Approval by the City Council.
2. A final site plan application shall be submitted following the criteria found in CZC 12.21.110(e)(2).
3. A complete landscape plan shall be prepared by a licensed landscape architect and follow the criteria found in CZC 12.51 (Landscaping). This plan shall be submitted with the final site plan and indicate the following: Type and location of all vegetation, total calculations and percentages of landscaping vegetation, and irrigation plan. This should be done with adherence to the Landscape narrative provided by Tom Stuart Construction on February 3, 2017.
4. The final plans shall indicate the location and types of all signage, which follow the requirements set forth in CZC 12.54 (Signage).
5. Ensure all utility lines are noted on the Final Site Plan. All applicable Utility Provider Sheets shall be submitted as part of the final site plan application.

Section 6. Findings for Conceptual Site Plan Approval. The Conceptual Site Plan approval for the Parrish Creek Business Park PDO is based on the following findings:

1. The Conceptual Site Plan submittal has adequately shown how the property may be developed [CZC 12.21.110(d)(2)].
2. The development appears to be consistent with the goals and objectives found within the Centerville City General Plan, Section 12-480-3
3. The Conceptual Site Plan depicts how the site could be appropriately developed and with some alteration could be designed to comply with the applicable provisions of the Industrial – High Zone and other relevant regulations, as discussed in the Planning Staff Report.

Section 7. 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 8. Effective Date. Subject to conditions of approval set forth in Section 2 and Section 5, this Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

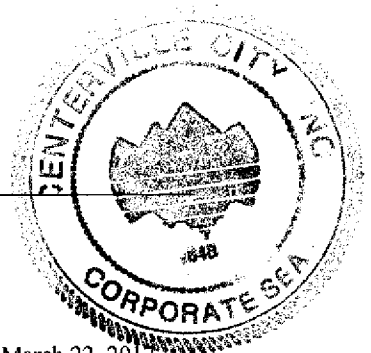
PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 21st DAY OF MARCH, 2017.

ATTEST:


Marsha L. Morrow, City Recorder

CENTERVILLE CITY

By: 
Mayor Paul A. Cutler



Voting by the City Council:

	"AYE"	"NAY"
Councilmember Fillmore	<u>X</u>	<u> </u>
Councilmember Ince	<u>X</u>	<u> </u>
Councilmember Ivie	<u>X</u>	<u> </u>
Councilmember McEwan	<u>X</u>	<u> </u>
Councilmember Mecham	<u>X</u>	<u> </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: 3/21/2017

RECORDED this 24 day of March, 2017.

PUBLISHED OR POSTED this 24 of March, 2017.

EXHIBIT A

Parrish Creek Business Park PDO PDO Rezone Property Description

All of Parcel No. 06-003-0050

BEG AT A PT ON THE W'LY R/W LINE OF THE UPRR, SD PT BEING N 89°57'31" W 88.92 FT ALG THE SEC LINE FR THE NE COR OF SEC 12-T2N-R1W, SLB&M, SD SEC COR IS S 89°57'31" E 87.91 FT ALG SD SEC LINE FR A WITNESS COR; TH S 0°19'16" W 23.70 FT; TH N 89°48'02" W 952.84 FT TO THE E'LY R/W LINE OF HWY PROJECT NO. 0067; TH ALG SD HWY R/W THE FOLLOWING FOUR (4) COURSES: (1) N 49°25'03" E 103.00 FT; (2) TH 429.39 FT ALG A 485.56 FT RAD CURVE TO THE LEFT THRU A CENTRAL ANGLE OF 50°40'02" (CHORD BEARS N 24°05'04" E 415.53 FT); (3) TH N 39°29'27" E 201.36 FT; (4) TH 819.58 FT ALG A 2220.14 FT RAD CURVE TO THE LEFT THRU A CENTRAL ANGLE OF 21°09'04" (CHORD BEARS N 28°54'55" E 814.93 FT); TH S 89°57'31" E 189.43 FT SD W'LY RR R/W; TH S 0°16'53" W 1294.59 FT ALG SD RR R/W TO THE POB. CONT. 16.158 ACRES

EXHIBIT B

Parrish Creek Business Park PDO Conceptual Site Plan and Details

Site plan for the proposed development at 10000 17th Avenue. The plan shows six buildings (A-F) and five lots (1-5). Building A is a large rectangular structure with a dock area. Building B is a smaller rectangular structure. Building C is a rectangular structure with a dock area. Building D is a rectangular structure with a dock area. Building E is a rectangular structure with a dock area. Building F is a rectangular structure with a dock area. Lot 1 is a rectangular area. Lot 2 is a rectangular area. Lot 3 is a rectangular area. Lot 4 is a rectangular area. Lot 5 is a rectangular area. The plan also shows a railway, parking areas, and a proposed ramp-up area. The plan is oriented with North at the top.

LEGEND

- PROPOSED BUILDING
- PROPOSED LOT
- PROPOSED DOCK AREA
- PROPOSED RAMP-UP AREA
- PROPOSED PARKING
- PROPOSED WALKWAY
- PROPOSED FENCE
- PROPOSED SIGN
- PROPOSED LIGHT
- PROPOSED TREE
- PROPOSED PLANT
- PROPOSED WATER
- PROPOSED SEWER
- PROPOSED GAS
- PROPOSED ELECTRIC
- PROPOSED TELEPHONE
- PROPOSED CABLE
- PROPOSED FIBER
- PROPOSED RAILROAD
- PROPOSED HIGHWAY
- PROPOSED STREET
- PROPOSED ALLEY
- PROPOSED DRIVE
- PROPOSED PATH
- PROPOSED TRAIL
- PROPOSED BRIDGE
- PROPOSED TUNNEL
- PROPOSED DRAINAGE
- PROPOSED EROSION
- PROPOSED SLOPE
- PROPOSED GRADE
- PROPOSED ELEVATION
- PROPOSED DISTANCE
- PROPOSED AREA
- PROPOSED VOLUME
- PROPOSED WEIGHT
- PROPOSED DENSITY
- PROPOSED RATIO
- PROPOSED PERCENT
- PROPOSED DEGREE
- PROPOSED MINUTE
- PROPOSED SECOND
- PROPOSED HOUR
- PROPOSED DAY
- PROPOSED WEEK
- PROPOSED MONTH
- PROPOSED YEAR
- PROPOSED DECADE
- PROPOSED CENTURY
- PROPOSED MILLENNIUM
- PROPOSED EPOCH
- PROPOSED ERA
- PROPOSED AGE
- PROPOSED PERIOD
- PROPOSED PHASE
- PROPOSED STAGE
- PROPOSED STEP
- PROPOSED LEVEL
- PROPOSED DEGREE
- PROPOSED MINUTE
- PROPOSED SECOND
- PROPOSED HOUR
- PROPOSED DAY
- PROPOSED WEEK
- PROPOSED MONTH
- PROPOSED YEAR
- PROPOSED DECADE
- PROPOSED CENTURY
- PROPOSED MILLENNIUM
- PROPOSED EPOCH
- PROPOSED ERA
- PROPOSED AGE
- PROPOSED PERIOD
- PROPOSED PHASE
- PROPOSED STAGE
- PROPOSED STEP
- PROPOSED LEVEL

[illegible]

LEGEND

EXISTING DRAIN AND CULVERT

PROPOSED DRAIN & CULVERT

PROPERTY LINE

EXISTING LOT

EXISTENT LINE

PROPOSED BUILDING

PROPOSED ASPHALT

PROPOSED LANDSCAPING

WETLAND AREA

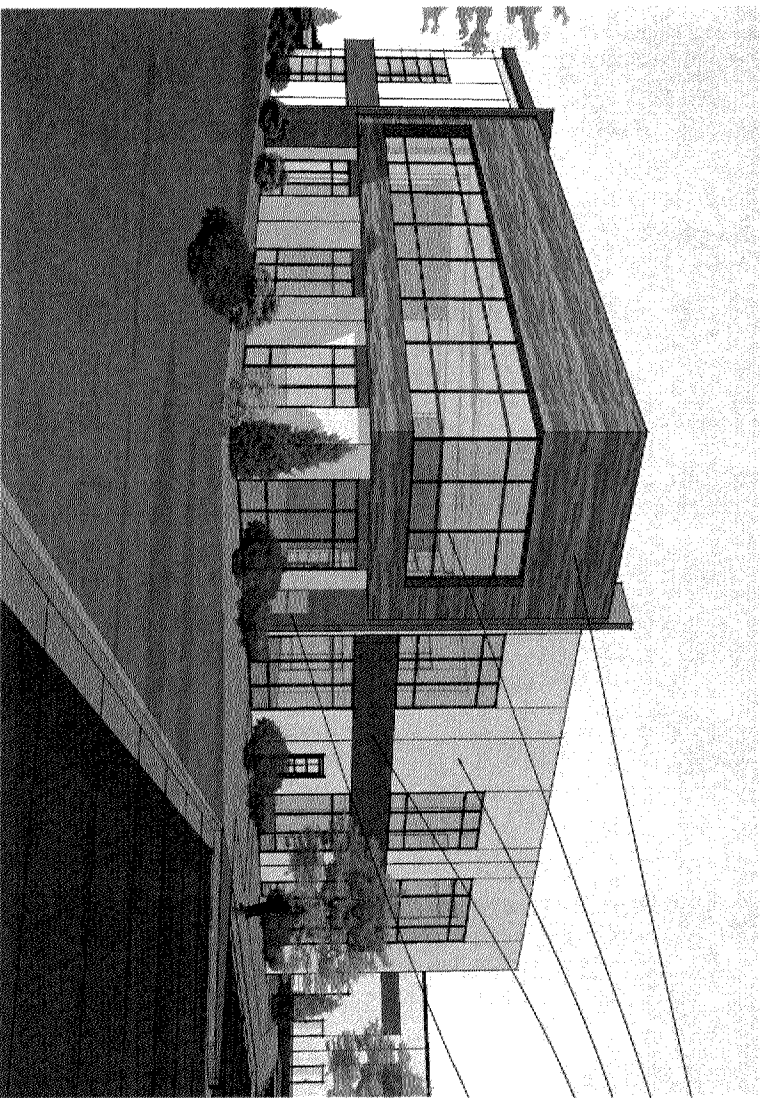
0 20 40 60 80 100

SCALE IN FEET

[illegible]

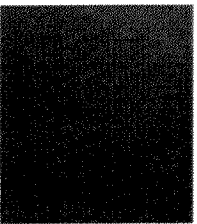
NO.	REVISIONS	EY	DATE
000000-001			

CIR
ENGINEERING, L.L.C.
3032 SOUTH 1030 WEST, SUITE 202
S.C. 29615 - 504-569-5296



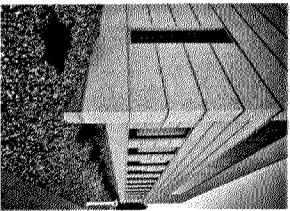
Front Elevation Material View

- WOOD RAIN SCREEN MATERIAL
- BLACK STOREFRONT WITH GREY TINTED LOW E GLAZING
- LIGHT GREY PAINTED CONCRETE TILT UP PANEL
- LIGHT GAUGE METAL FRAMING WITH VERTICAL SEAM BRAKE METAL SKIN
- MEDIUM GREY PAINTED CONCRETE TILT UP PANEL



1. Black Storefront

2. Matching Black Brake Metal Flashing



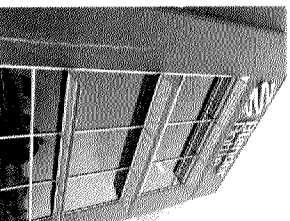
3. Typical Panel reveals (image for reference only)



4. Canopy Design Concept (image for reference only)



5. Canopy Design Concept (image for reference only)



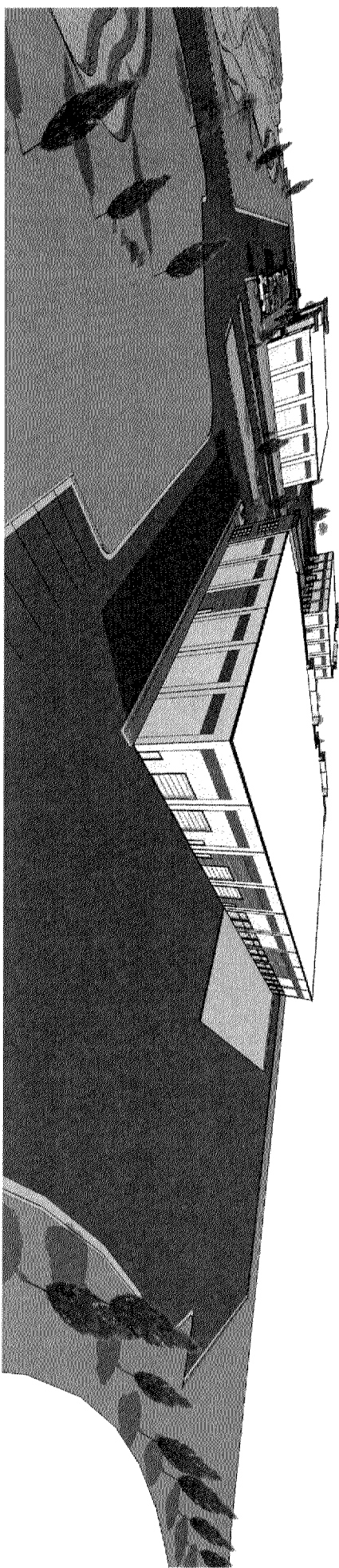
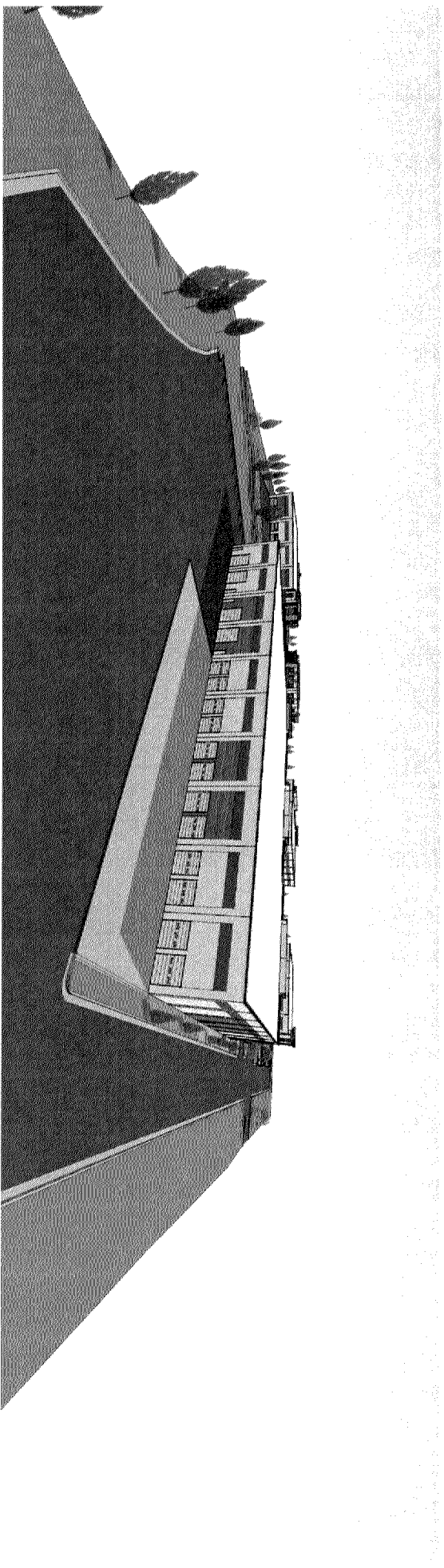
6. Typical Back and Patched Concrete tilt-up Painted surface (image for reference only)

aeurbia

architects and engineers

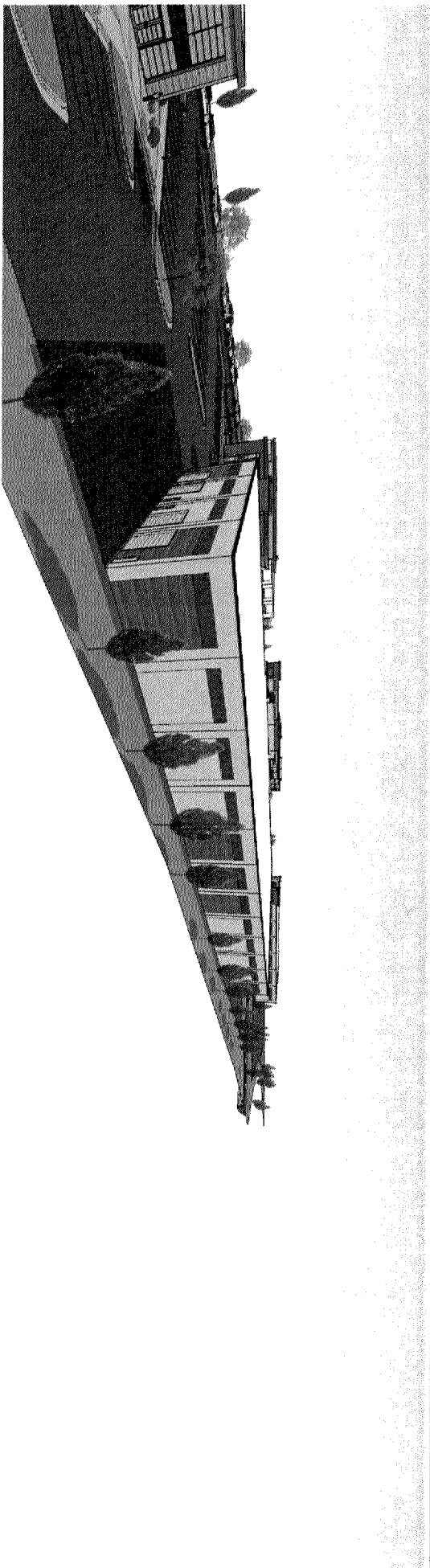
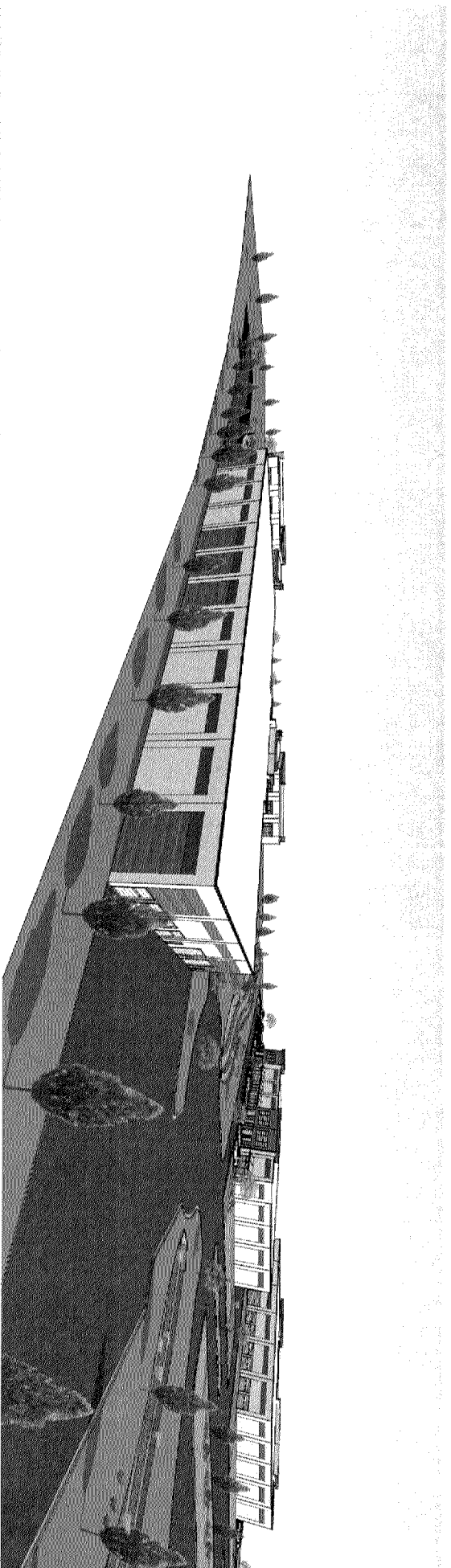
PARISH CREEK OFFICE/SPEC WAREHOUSE

Salt Lake City, Utah



aeurbia
architects and engineers

PARRISH CREEK OFFICE/SPEC WAREHOUSE
Salt Lake City, Utah



ae urbia
architects and engineers

PARISH CREEK OFFICE/SPEC WAREHOUSE
Salt Lake City, Utah

PARRISH CREEK BUSINESS PARK



Rimini Properties, LLC is excited to announce the development of the Parrish Creek Business Park.

The Parrish Creek Business Park is a 16.13 acre fully master planned, architecturally controlled campus business park with open spaces and extensive landscaping located at 1250 West 1050 North in Centerville, Davis County, Utah

The property is uniquely located with I-15 on its east border and a generous viability and frontage on the Legacy Parkway on its west boundary. The properties access is from 950 West through the Centerville Business Park.

We feel the Parrish Creek Business Park is strategically located for a campus style Business Park with excellent proximity from both I-15 and the Legacy Parkway. The project not only has a great location but also boasts excellent commercial visibility from both major highways. The properties proximity to Salt Lake marketplace and the Salt Lake International Airport combined with the commercial

services and excellent quality of life that exists in Centerville City make this location a prime site for the Parrish Creek Business Park.

Because the property is bordered by I-15 on the East and the Legacy Parkway on the west the only access available to the Parrish Creek Business Park is the single access from 950 West Street through the Centerville Business Park on the properties south border. Due to the limited access available to the property, Rimini Properties, LLC respectfully request and petitions that the Centerville City Planning Commission and City Council grant approval of a Master Conceptual Site Plan as well as a Planned Development Overlay (“PDO”) zone which allows the Parrish Creek Business Park to develop the property with its existing access.

In exchange for the approval of the Master Conceptual Site Plan and the Planned Development Overlay, Rimini Properties, LLC agrees to develop a planned development that not only meets the goals of the City’s General Plan but because of the projects superior elements such as development uses, architectural design themes, site plan and design features, landscape design and open spaces, consistent and coordinated construction materials and colors and architectural controls the Parrish Creek Business Park will greatly exceed the minimum standards for a business or industrial park in the Industrial High Density (I-H) zone.

Rimini Properties, LLC agrees to include the following design, architectural, landscape and development amenities as part of the Parrish Creek Business Park in exchange for Centerville City granting the Planned Development Overlay Zone to the Property:

Architectural Design and Features and Color Scheme

The Parrish Creek Business Park will have a planned and controlled overall architectural design theme that will be controlled by approved construction

materials, colors and design. Every building in the project will be built with a coordinated multiple color earth tone scheme which is controlled and consistent throughout the total project. Even though the project will include the multiple commercial uses of office space, industrial incubator space, and multiple size industrial warehouse spaces to meet the different demand elements of the market, all of the buildings in the project will have common architectural design and features as well as consistent and compatible construction materials. These design elements will create a consistent and integrated theme of design throughout the entire project.

Project Site Plan and Design

As you review and study the site plan for Parrish Creek you will notice that it has been designed with specific design elements to create a business campus feel rather than those design elements you see in a typical industrial park. Those design elements include low density, generous open spaces, strong view corridors, boulevard main streets with landscaped parking lot islands, two long landscaped islands, and a landscaped entry monument. Great care has been taken to maximize the visual view corridors from the Legacy Parkway and the entry into the project from 950 West Street. These view corridors can be seen by reviewing the perspectives views of the project which show the view from the Legacy Parkway and the entry to the project. Also, great care has been taken to give the project its optimal visual effect for both function and attractiveness.

Wetlands Open Space

Included in the 16.13 acre site plan for the Parrish Creek Business Park are 3.42 acres (21.2%) of wetlands. There has been communication with the Army Corp of Engineers to create a compatible and mutually beneficial relationship between the

jurisdictional wetlands on the property and the function and esthetics of the project. As you review the site plan, you will notice that these wetlands have been incorporated into the project as an open space amenity and integral design feature and complement to a campus business park. These wetlands are highlighted by Barnard Creek which runs through the project and provides an attractive feature to the open space created by the wetlands.

Landscape

One of the most important elements of a campus style business park is placement of landscape areas, landscape design and the selection of plants, trees, and shrubs as part of the landscape plan which makes up 121,323 square feet (17.3%) of the site. A landscape Architect will be hired to design and layout the landscaping to consists of three landscape elements to be incorporated into the plan:

1. Type One Landscape – A low profile of planting of native shrubs intended to create an uplands environment consistent with the city's Shore land concept.
It consists of:
 - A. Native Shrubs
 - B. Ornamental grasses and groundcovers
 - C. Some native trees for vertical relief against building
 - D. Ornamental trees for special statements
2. Type Two Landscape – A low profile planting intended to create an uplands meadow landscape of:
 - A. "Meadow" plantings of meadow grasses
 - B. Massing of tall native shrubs
3. Existing Trees – Mostly *Eleagnus Angustifolia*
 - A. Native grasses intended to revegetate disturbed areas primarily adjacent to the wetlands area and attended to adapt to the wetlands environment.

The type one landscape has been chosen for the planting areas around buildings to enhance and soften the buildings as well as the entry and the main boulevards and landscape areas in the street islands to have maximum visual impact. Type two landscape consisting of low-profile planting intended to create an uplands meadow landscape has been used in the landscape planting beds and landscape buffer on the west side of the project bordering the Legacy Parkway. The buffer on the west side is critical in blending with the Shoreline Commerce Park District design standards which is the zone for the west side of Legacy Parkway so as to not make obvious different zone standards on both sides of the road.

The landscape plan will also identify walkways for foot traffic allowing access throughout the project and the wetlands to provide a walker friendly amenity for the use of those who occupy the buildings. Developer would also commit to tying walk way in South West corner of the property into 1250 north which has a sidewalk on the bridge crossing Legacy Parkway to allow foot traffic to access the legacy parkway trail.

Architectural Control – Protective Covenants

To assure the architectural control and integrity of the project the developer agrees to create and have reviewed and approved by the city protective covenants that are recorded at the County Recorder with a final plat that will control the essential design and architectural elements of the project. These covenants would include and assure uniform and consistent style and design of buildings, the approved color scheme for building, the landscape design features and amenities as well as any other essential elements of the project and subject any tenants or subsequent owners to the compliance of these recorded design standards and architectural covenants.

Development Plan and Phasing

Upon approval of the Planned Development Overlay and the site plan by the city, the developer would then move forward with selecting tenants to occupy the buildings. Marketing has already been in place and it is anticipated that construction of the building shells will occur immediately with the interior tenant finish soon after. Design, approval and permitting for interior will occur concurrently with the construction of the shells for an expedited process. This plan would be modified based upon market demand and the scenario that a tenant was found for the north half of the property requiring development of the north side of the property as one phase.

Dedicated Streets and Improvements

As part of this submittal, the developer request that the boulevard roadway from the entry of the project to the north edge of the circle be built to Centerville City Standards and would become a dedicated city street and maintained by Centerville City. All of the other road ways and parking areas in the project would be private roads and would be owned and maintained by the developer.

Flood Zone – Minimum Floor Elevation

The property is located in Flood Zone A-E which dictates that the minimum floor elevation for any finished buildings in the project would be at a 4,218 elevation.

Davis County Flood Control Easement

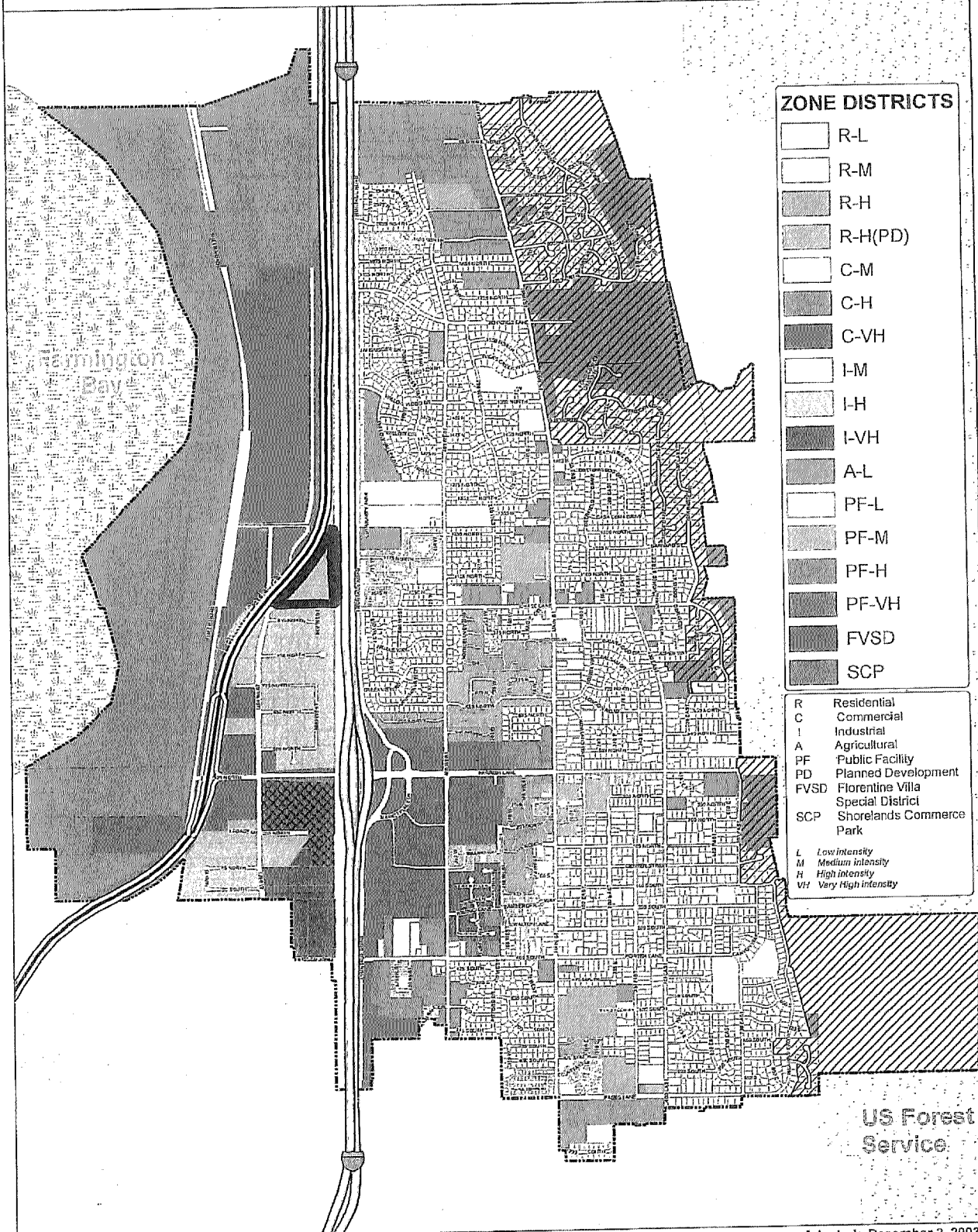
A Davis County flood control channel currently exists on the south of the border of the property. As consideration for approval of the Planned Development Overlay by Centerville City, the developer agrees to grant two easements to Davis County Flood Control for the storm drain channel as follows:

1. A twenty foot easement granted to Davis County Flood Control on the south border of the property for the storm drain channel
2. An additional twenty foot easement granted to Davis County Flood Control located north of the easement granted for the storm drain channel for maintenance of the storm drain channel.



CENTERVILLE, UTAH

Zoning Map



ZONE DISTRICTS

- R-L
- R-M
- R-H
- R-H(PD)
- C-M
- C-H
- C-VH
- I-M
- I-H
- I-VH
- A-L
- PF-L
- PF-M
- PF-H
- PF-VH
- FVSD
- SCP

- R Residential
- C Commercial
- I Industrial
- A Agricultural
- PF Public Facility
- PD Planned Development
- FVSD Florentine Villa
- Special District
- SCP Shorelands Commerce Park
- L Low intensity
- M Medium intensity
- H High intensity
- VH Very High intensity

US Forest Service

Adopted: December 2, 2003
Last Revised: March 3, 2011

0 0.25 0.5 1 Miles

Centerville City GIS
msmith@centervilleut.com
Q:\Projects\CommunityDevelopment\ZoningMap11X17.mxd



City Boundary



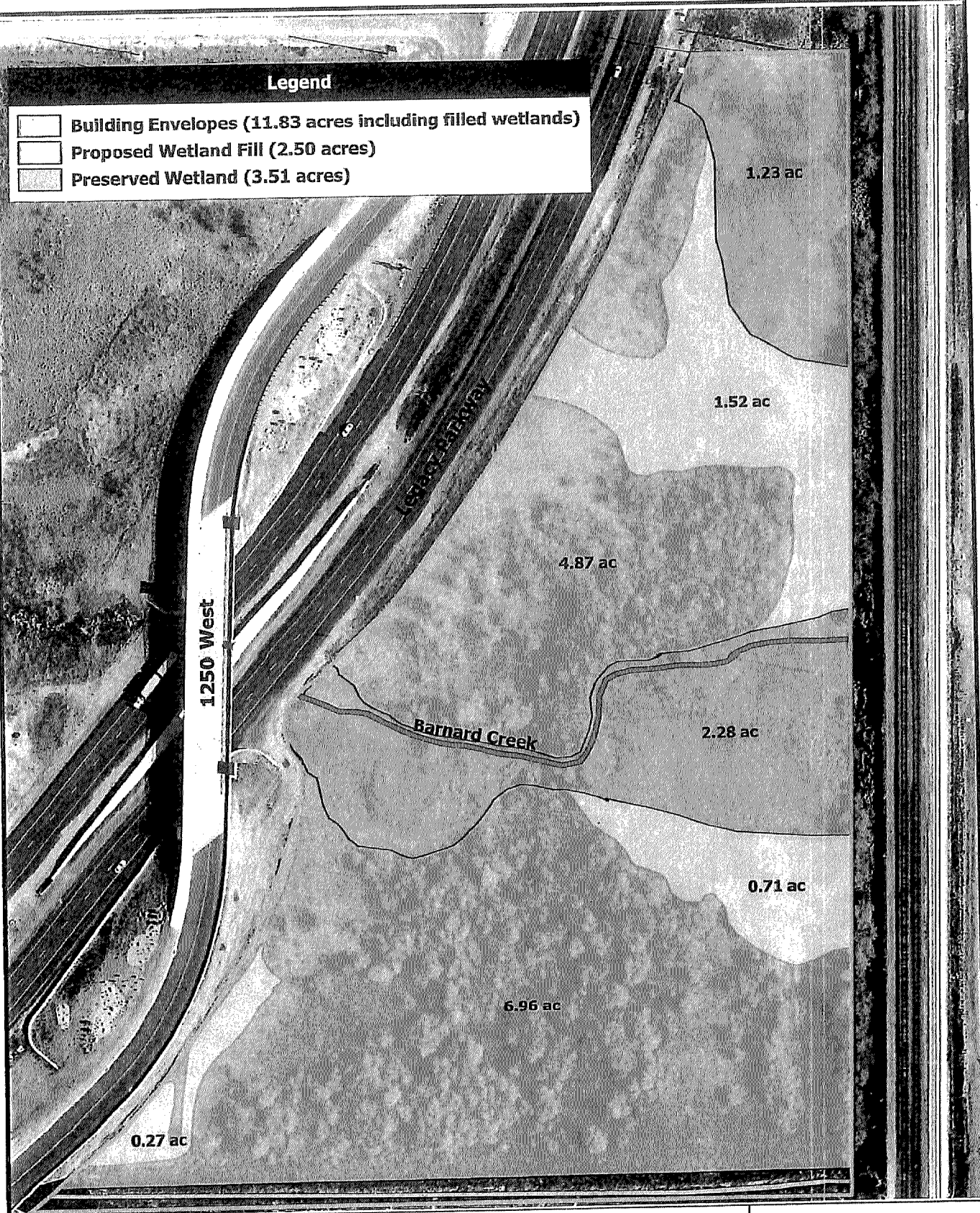
Planned Development
Overlay (PDO)



Hillside District Overlay
(Sec. 12-330-2)

Legend

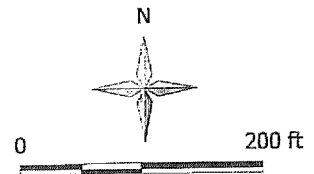
-  Building Envelopes (11.83 acres including filled wetlands)
-  Proposed Wetland Fill (2.50 acres)
-  Preserved Wetland (3.51 acres)

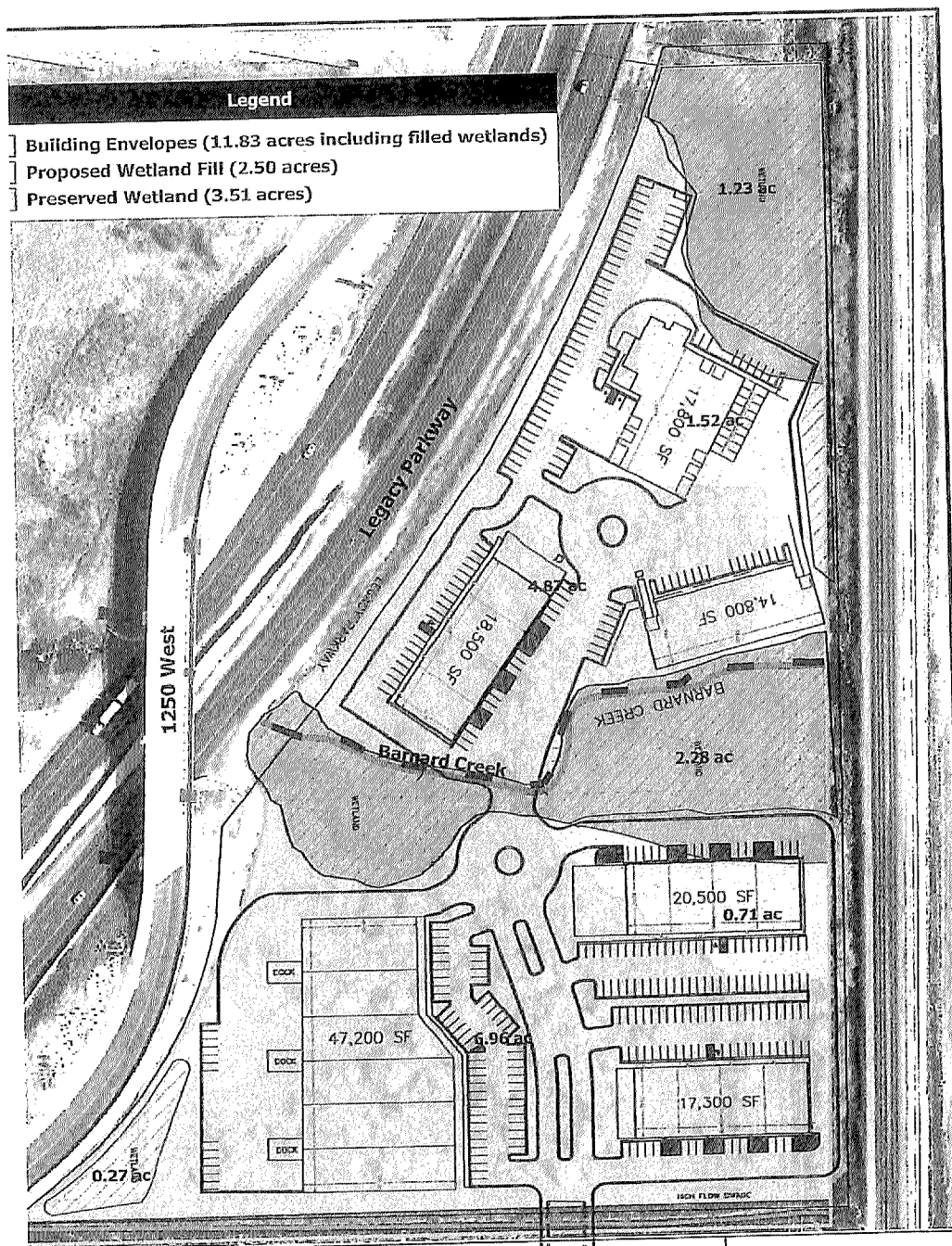


This map is based on a jurisdictional wetland delineation. The proposed fill areas were provided to Wetland Resources by the project proponent. This map is for planning purposes only.

Wetland Planning Map

Prepared By: Wetland Resources
Prepared For: UBS Properties
August 2010





s map is based on a jurisdictional

Wetland Planning Map

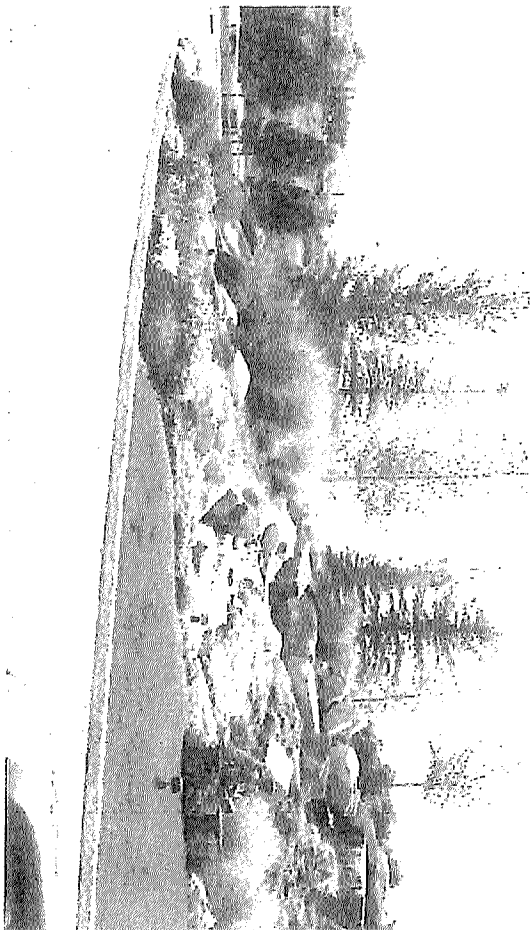
N

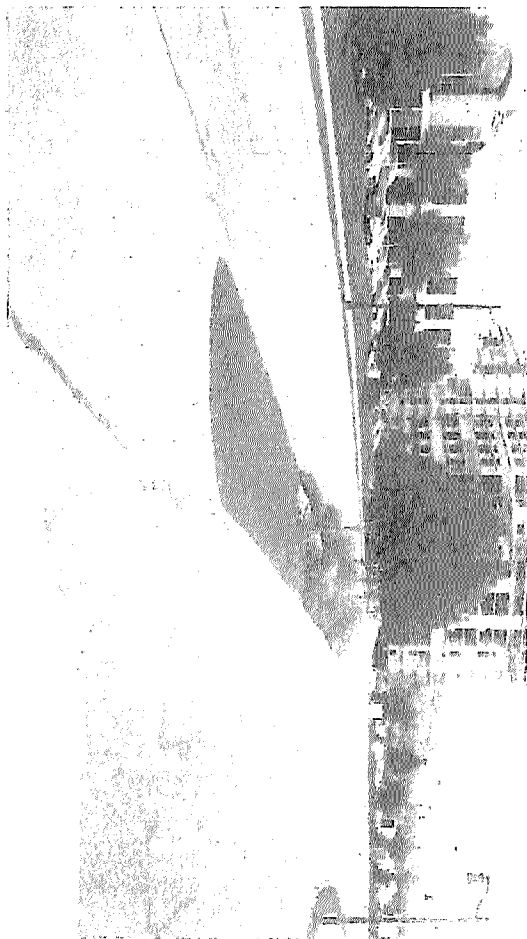


DATE	BY	REVISION
10-25-1	CONCEPT	
	DESIGN	
	PERMIT	

CONCEPT PLAN
PARISH CREEK BUSINESS PARK
 (ADDRESS)
 (SUBDIVISION, LOT #XXX)
 LOCATED IN THE NE 1/4 OF SECTION 7 AND THE NW 1/4 OF SECTION 8, T1N, R1E, S16&M
 CENTERVILLE CITY, DAVIS COUNTY, UTAH

H & A HILL & ARGYLE, Inc.
 Engineering and Surveying
 181 North 200 West, Suite #4, Ogden, UT 84401
 (801) 298-2235 Phone, (801) 298-5833 Fax





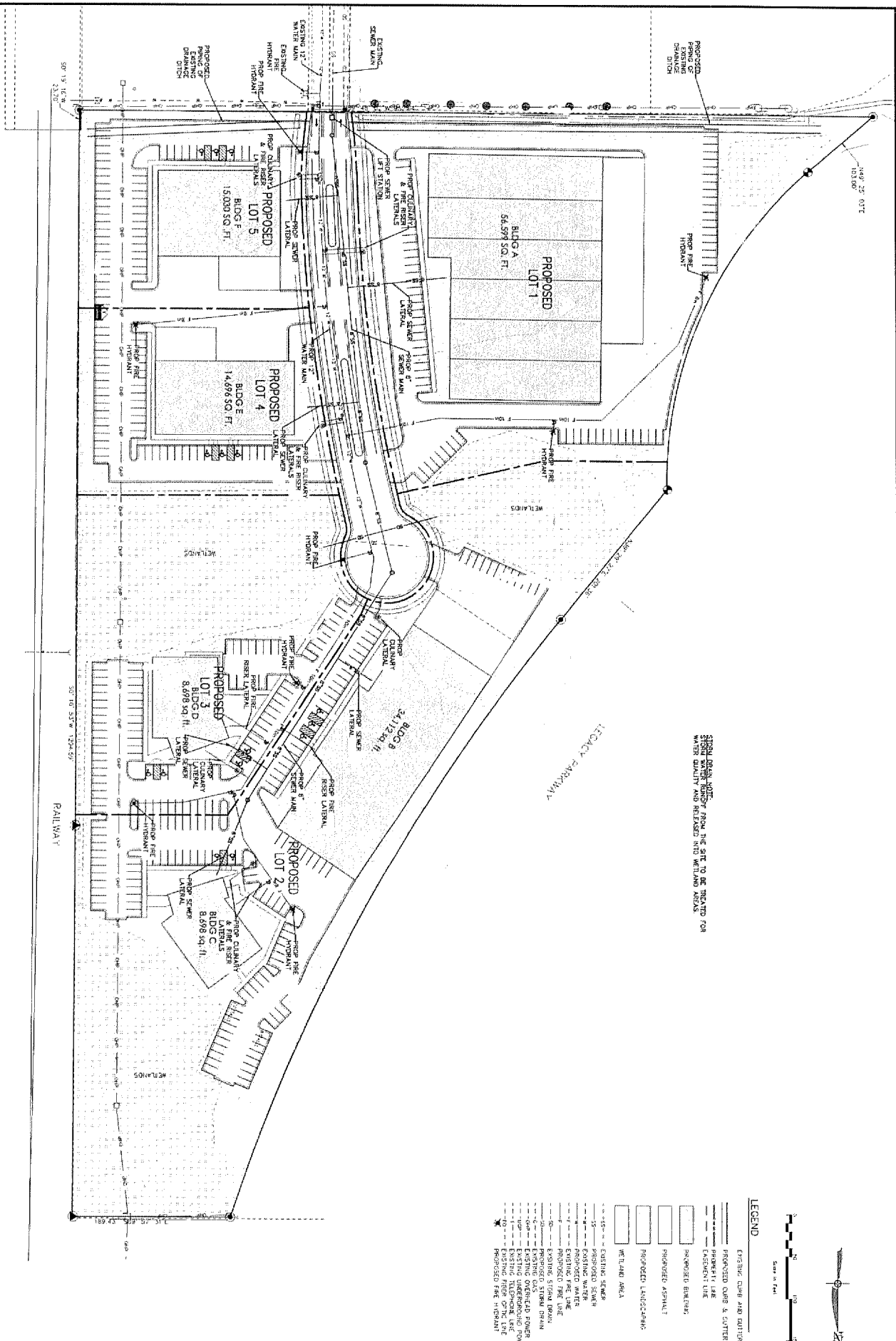
RECEIVED FEB 03 2017

PARRISH CREEK
PROJECT ADDRESS
PRELIMINARY SITE PLAN

CIR
ENGINEERING, L.L.C.
3032 SOUTH 1030 WEST, SUITE 202
SLC, Utah 84119 - 501-945-6298

NO	REVISIONS	BY	DATE
DESIGNED: SGT	PROJECT ENGINEER: SGT		

SHEET NO.		C1
PROJECT NO.	DATE	
A-1000	01/31/17	
SHEET NAME	SHEET	
PRJ-100	1 of 40	



STORM DRAIN NOTE:
STORM WATER RUNOFF FROM THE SITE TO BE TREATED FOR
WATER QUALITY AND RELEASED INTO WETLAND AREAS

LEGEND

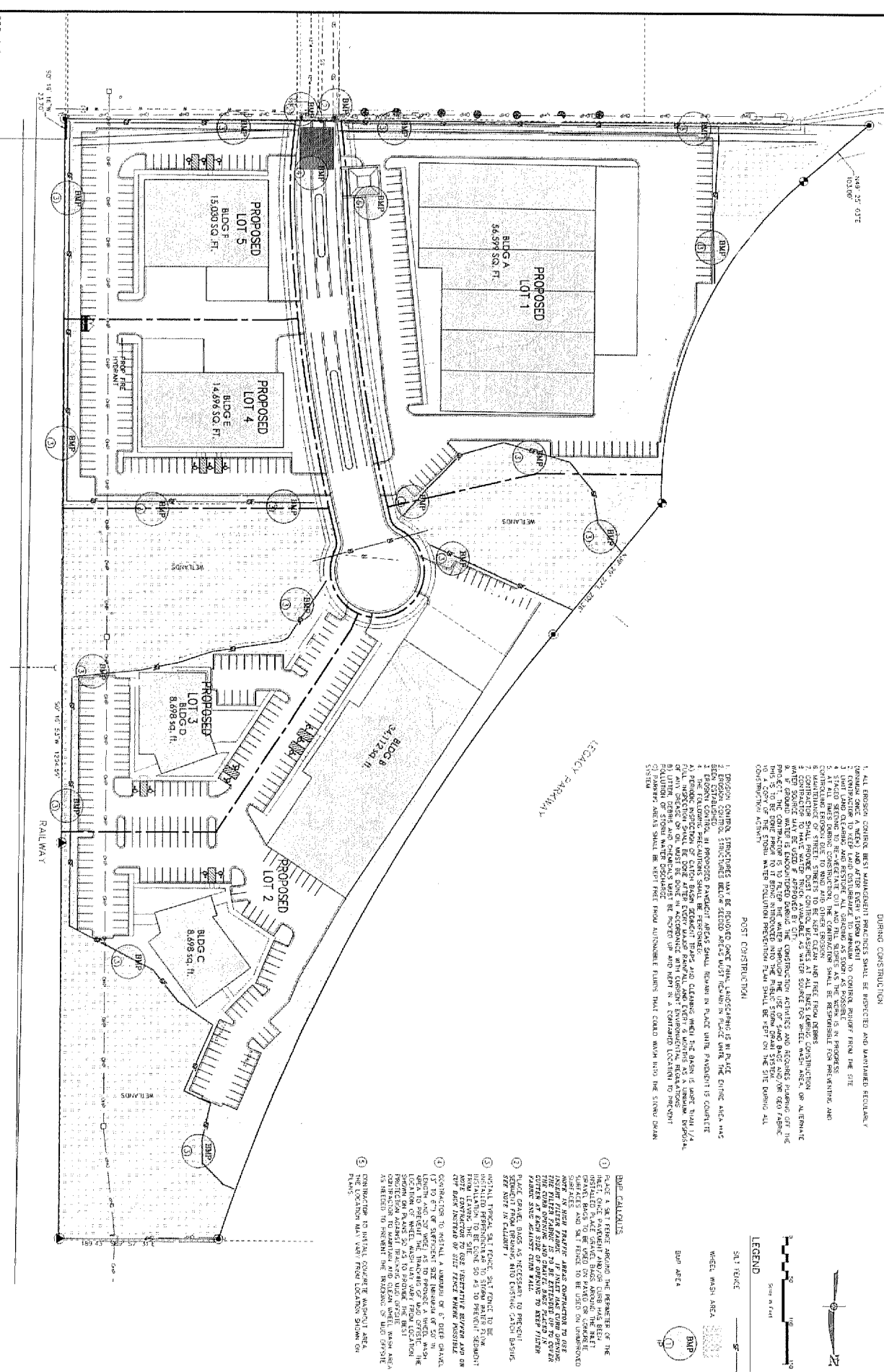
- EXISTING CURB AND GUTTER
- PROPOSED CURB & GUTTER
- PROPOSED LAKE
- EXISTING LOT
- PROPOSED LOT
- PROPOSED BUILDING
- PROPOSED ASPHALT
- PROPOSED LANDSCAPING
- WETLAND AREA
- EXISTING SEWER
- PROPOSED SEWER
- PROPOSED WATER
- PROPOSED GAS
- PROPOSED FIRE LINE
- PROPOSED FIRE TANK
- PROPOSED STORM DRAIN
- EXISTING GAS
- EXISTING UNDERGROUND POWER
- EXISTING TELEPHONE LINE
- PROPOSED FIRE HYDRANT

PARRISH CREEK
PROJECT ADDRESS
PRELIMINARY UTILITY PLAN

CIR
ENGINEERING, L.L.C.
3022 SOUTH 560 WEST SUITE 202
SALT LAKE CITY, UT 84119-6296

NO.	REVISIONS	BY	DATE

SHEET NO. **C2**
PROJECT NO. **09/21/12**
DATE **12/1/12**
BY **12/1/12**

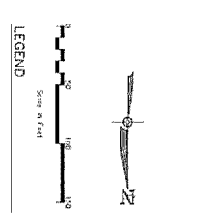


DURING CONSTRUCTION

1. ALL EROSION CONTROL BEST MANAGEMENT PRACTICES SHALL BE INSPECTED AND MAINTAINED REGULARLY (MINIMUM ONCE A WEEK) AND AFTER EVERY STORM EVENT TO PREVENT EROSION FROM THE SITE.
2. LIMIT AND CONTROL EROSION AND SEDIMENTATION AS MUCH AS POSSIBLE.
3. STORM SEVERITY TO BE AVOIDED BY THE EROSION CONTROL PRACTICES.
4. EROSION CONTROL PRACTICES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. EROSION CONTROL PRACTICES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
6. EROSION CONTROL PRACTICES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
7. EROSION CONTROL PRACTICES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

POST CONSTRUCTION

1. EROSION CONTROL STRUCTURES MAY BE REMOVED ONCE FINAL LANDSCAPING IS IN PLACE.
2. EROSION CONTROL STRUCTURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
3. EROSION CONTROL STRUCTURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. EROSION CONTROL STRUCTURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. EROSION CONTROL STRUCTURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
6. EROSION CONTROL STRUCTURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
7. EROSION CONTROL STRUCTURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.



1. PLACE A 5' FENCE AROUND THE PERIMETER OF THE INSTALLED PLANT GRASS, BARS, AND THE BUILT SUBSISTANCE AND SET FENCE TO BE USED ON UNIMPROVED SUBSISTANCE.
2. INSURE THAT THE FENCE IS MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
3. INSURE THAT THE FENCE IS MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. INSURE THAT THE FENCE IS MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. INSURE THAT THE FENCE IS MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
6. INSURE THAT THE FENCE IS MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
7. INSURE THAT THE FENCE IS MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

PARRISH CREEK
PROJECT ADDRESS

PRELIMINARY EROSION CONTROL PLAN

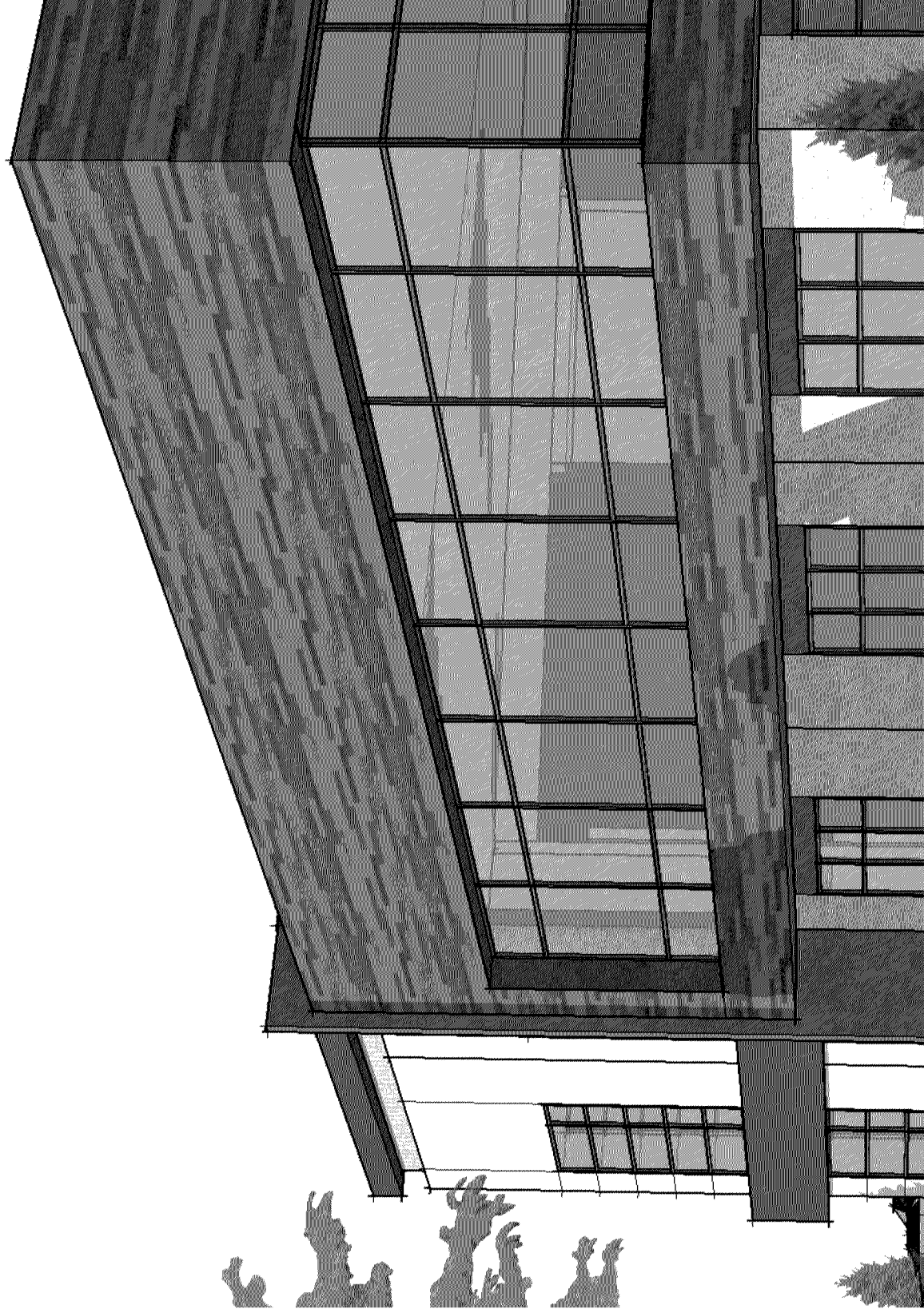
CIR
ENGINEERING, L.L.C.

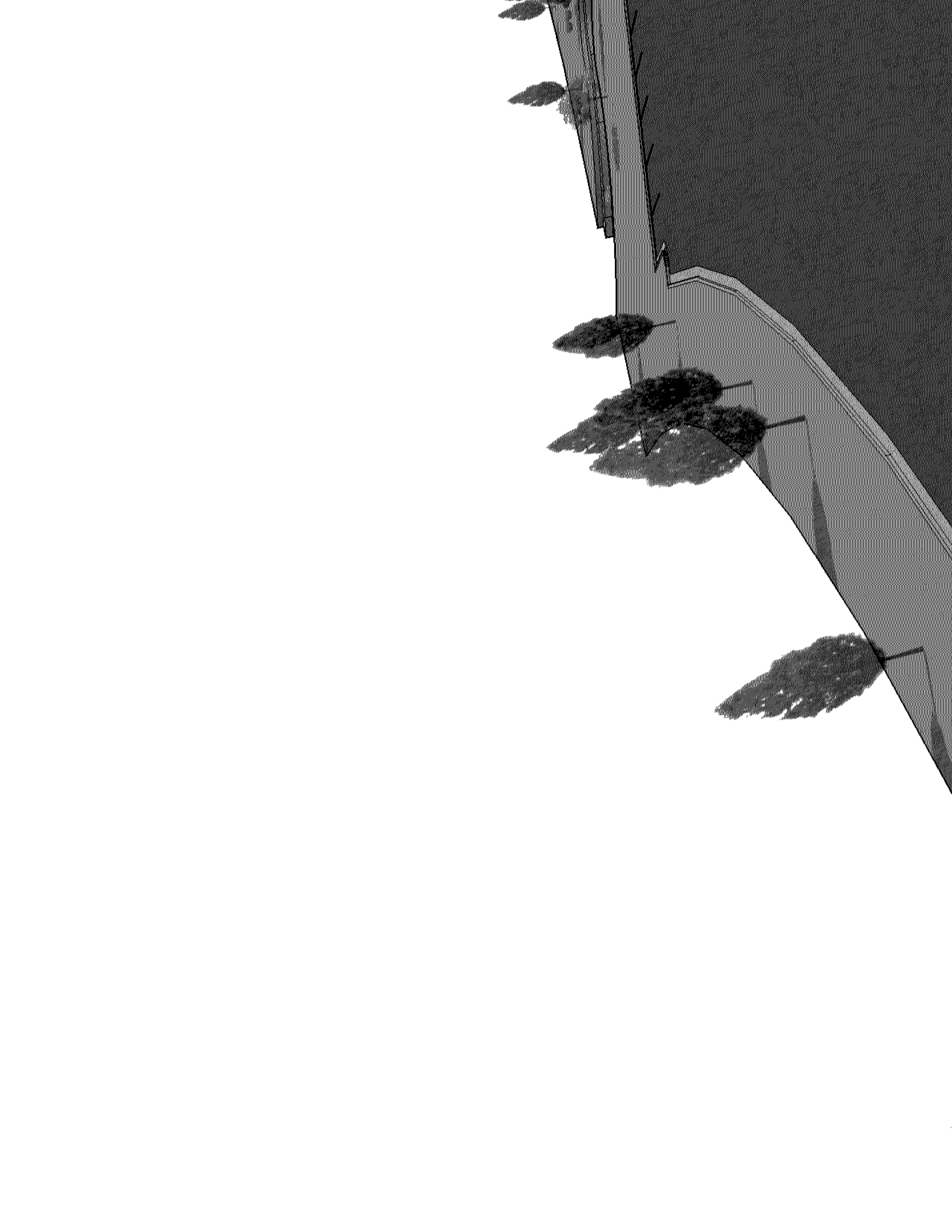
20322 SOUTH 10250 WEST, SUITE 100
SLC, UT 84119

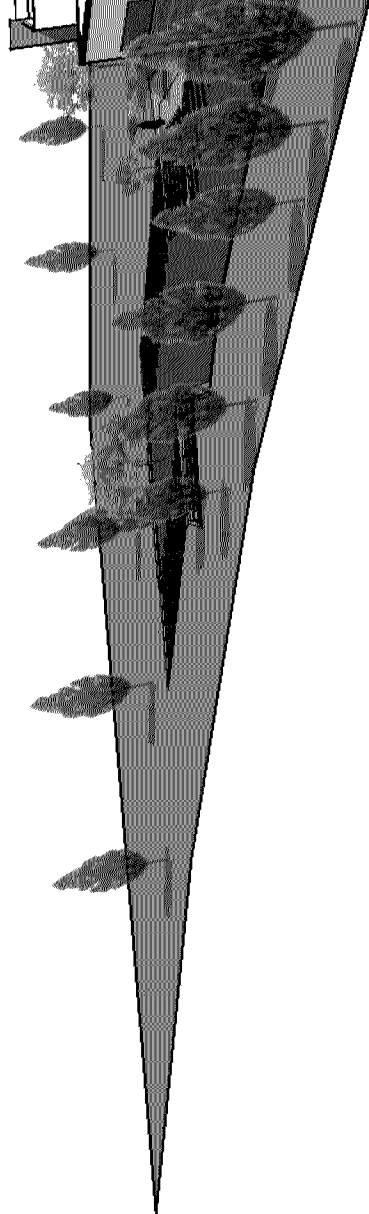
801-944-6292

NO.	REVISIONS	BY	DATE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

PROJECT ENGINEER: SGT







Description of Supplemental information provided March 21, 2017

The applicant improved the rendering showing the color scheme and styles for the west sides of buildings A & B as well as selected photos demonstrating these features in the attached Parrish Creek Rendering Details

PDF: Pg1- although it's not one of the buildings facing Legacy Highway, it calls out what the different colors are. The "Wood Rain Screen Material" is concrete that looks like wood, check out the photos. The colors are broken up by reveal strips that have design and shape the patterns that are painted differently.

Pg2- shows the west side of Building A. You can see more of the wood concrete pattern and two tons of paint broken up by indented concrete reveal strips.

P3- west side of Building B following the same patterns as Building A

PHOTOS of projects they have done:

Examples 1-5 pdf

1.Demonstrates how appealing the glass is

2 & 3. Open campus feel and landscaping using landscape rock

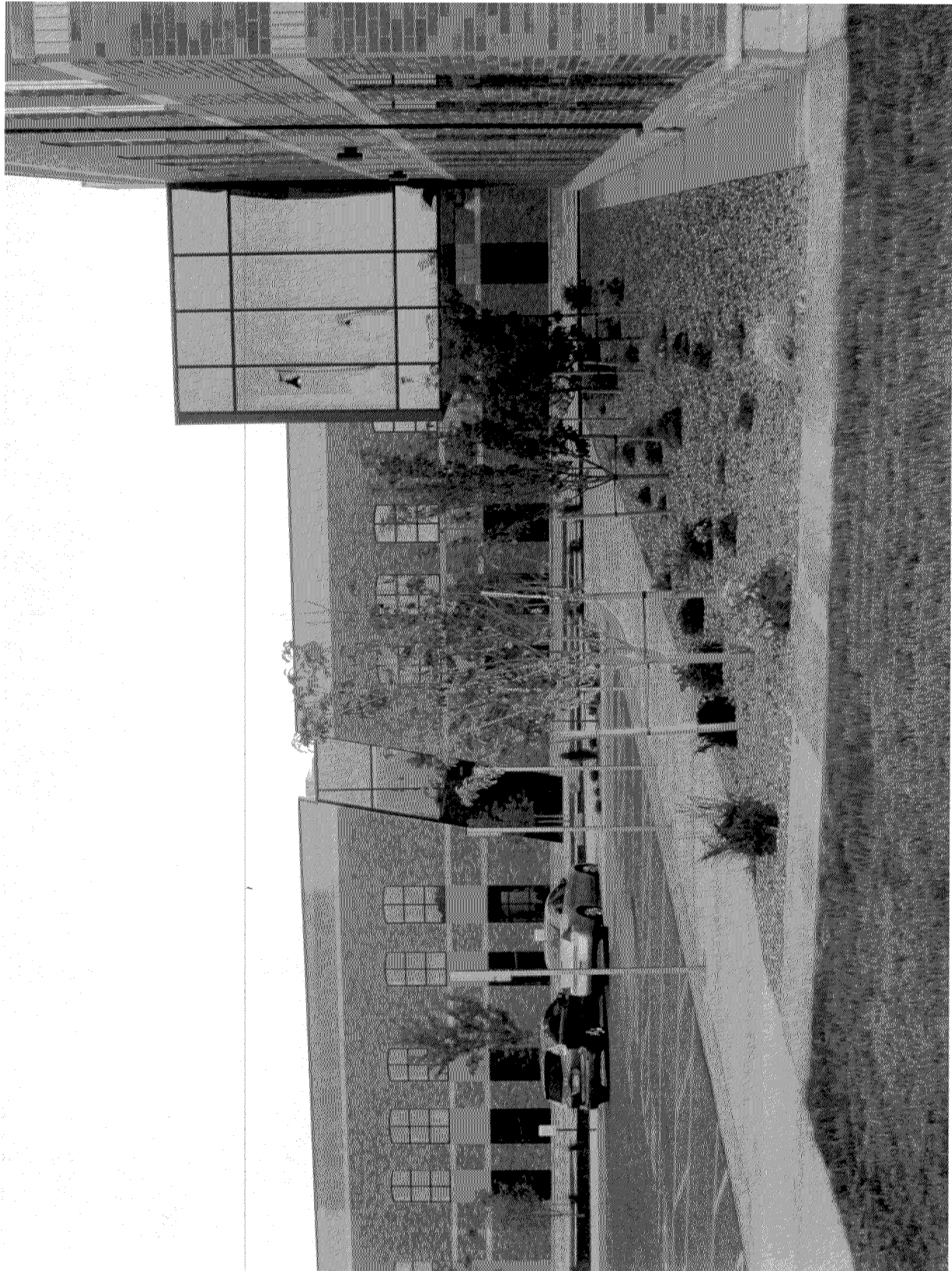
4 & 5. Shows one pattern of stamped concrete. This pattern has the look of corrugated metal panels, but it is actually concrete.

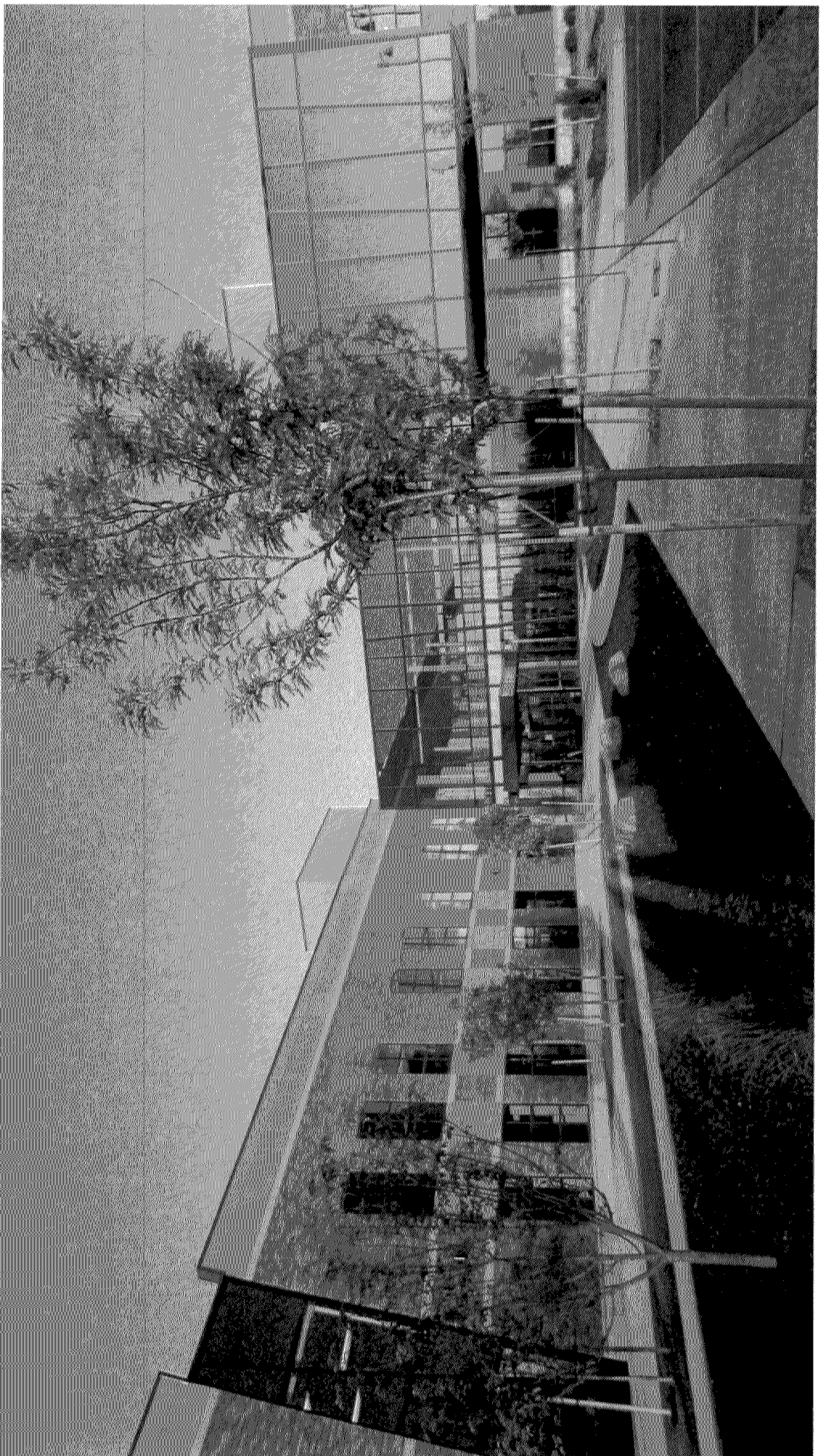
Examples 6-10 pdf

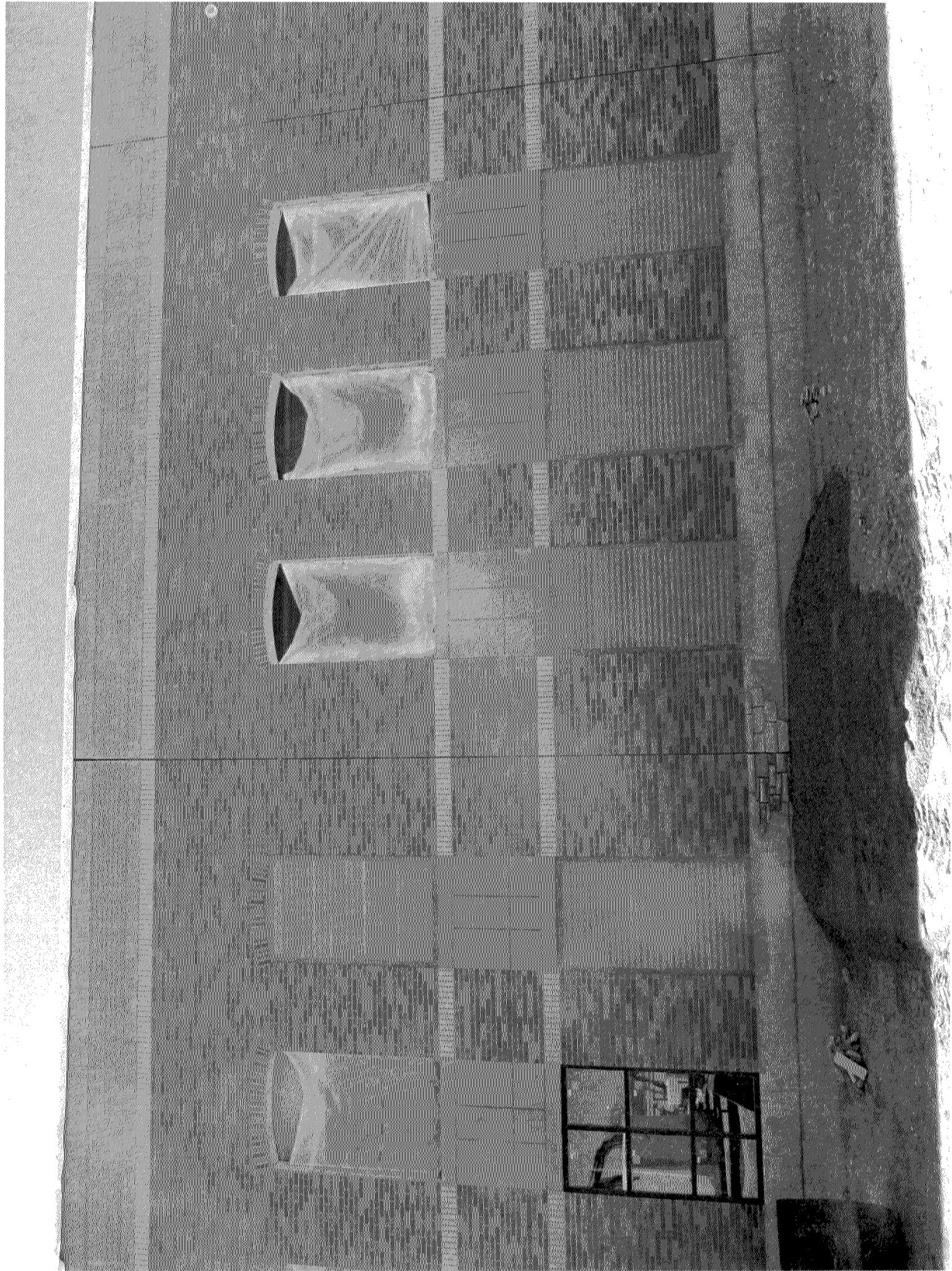
6-10. Show concrete walls that look like wood siding. 6&7 are on a commercial building and 8-10 are apartments made out of concrete.

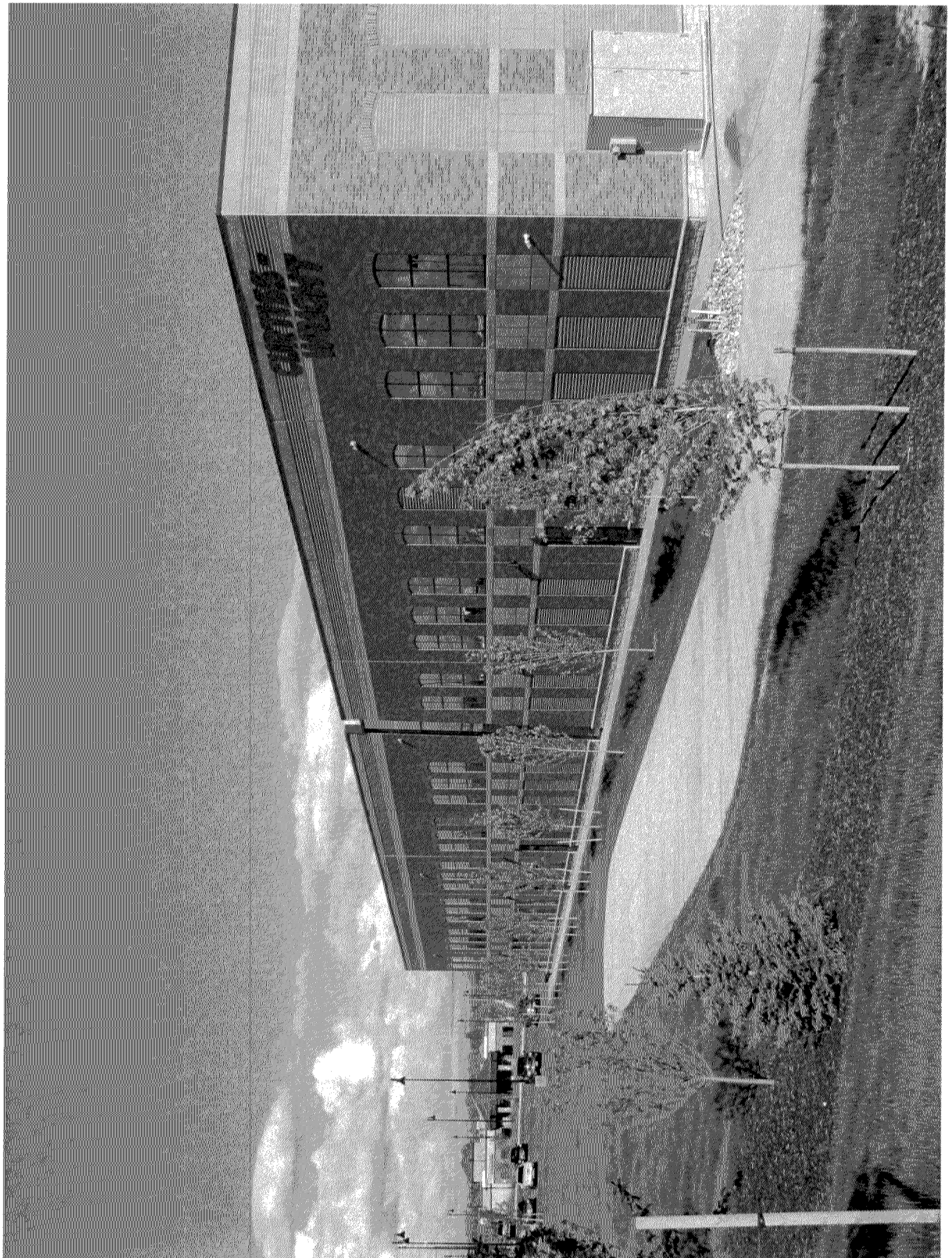
11-13. more landscape rock used in a "xeriscape" style landscaping that can be used on the west buffer.









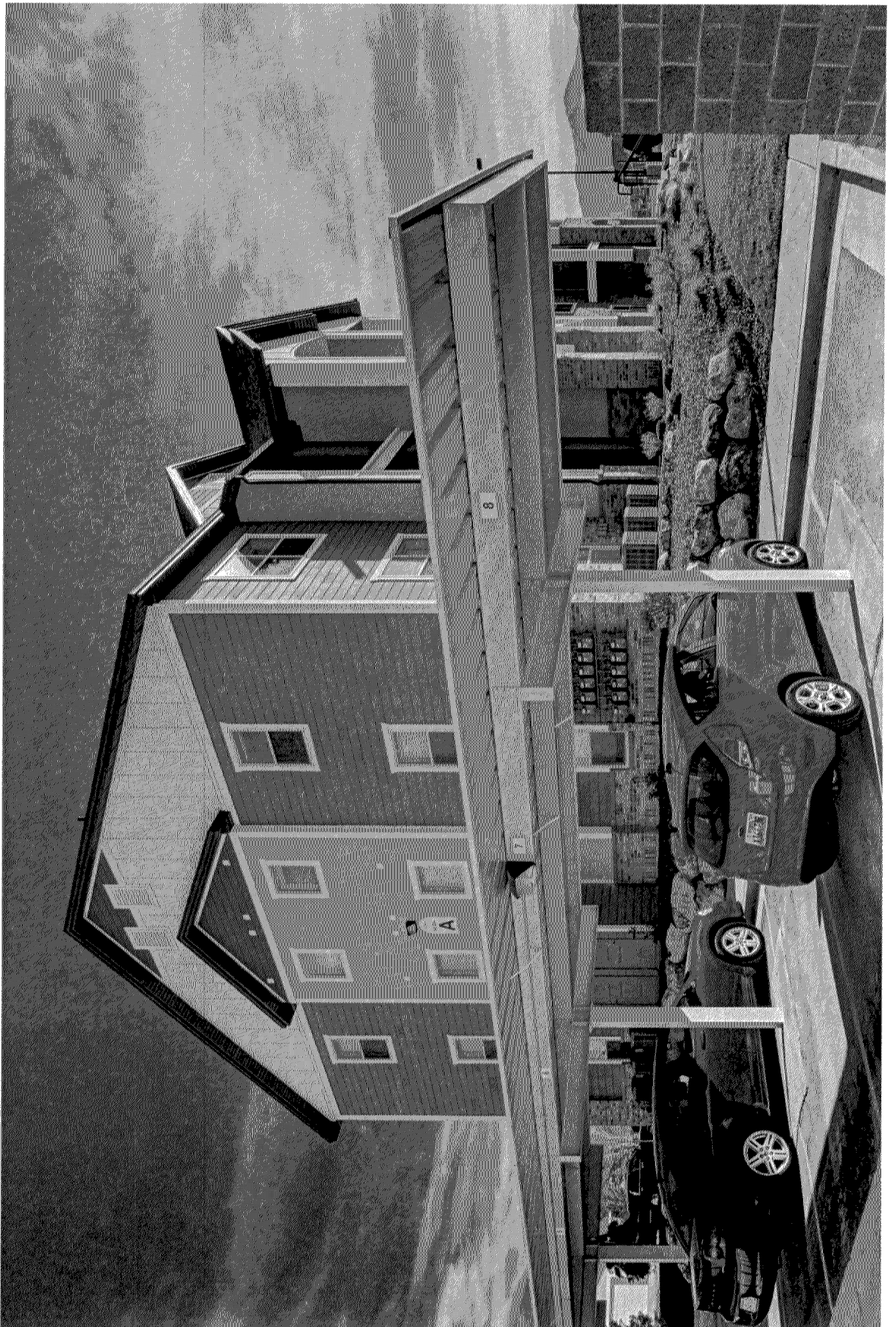


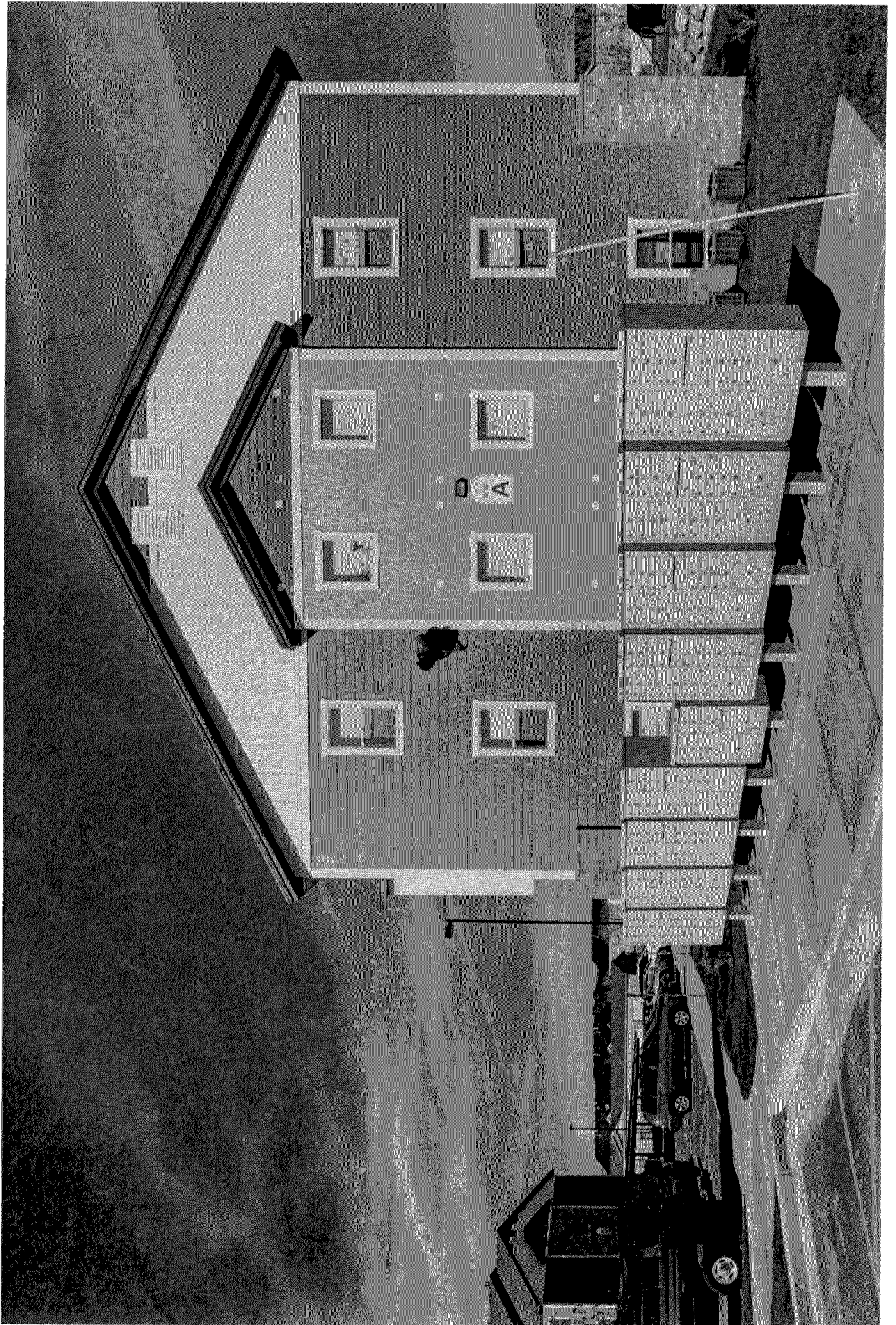


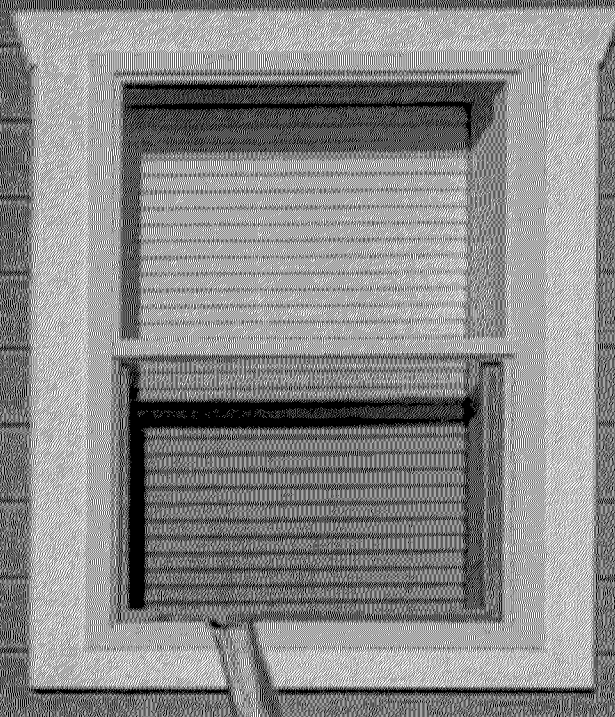
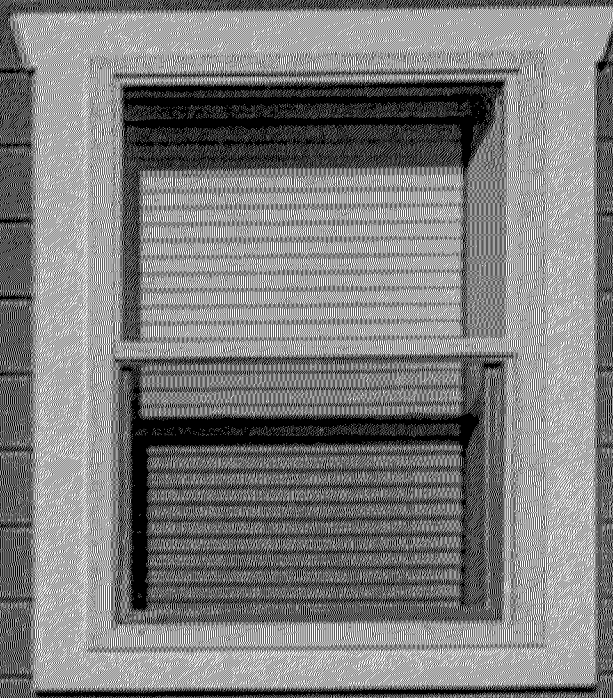


8,400+

NOV 17







ALPHA







CENTERVILLE

Staff Backup Report

4/8/2020

Item No. 4.

Short Title: ADMINISTRATIVE DECISION- Public Hearing - Conditional Use Permit - Inland Marine - 1040 N 950 W

Initiated By:

Scheduled Time:

SUBJECT

A conditional use permit application for Vehicle and equipment rental and sale at 1040 N 950 W.

RECOMMENDATION

See staff report

BACKGROUND

See Staff Report

ATTACHMENTS:

Description

- ▣ 4-8-20 PC Staff Report Inland Marine CUP
- ▣ Parking Site Plan

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

**STAFF REPORT
AGENDA: ITEM 4**

PROPERTY OWNER: RIMINI PROPERTIES, LLC
259 SOUTH RIVER BEND WAY STE 102
NORTH SALT LAKE, UT 84054

APPLICANT: INLAND MARINE
c/o LOLO TENIFA
TOM STUART CONSTRUCTION
See Property Owner for address
(lolo@tomstuart.com)

PROPERTY LOCATION: 1040 NORTH 950 WEST, SUITE 500

PARCEL SIZE: 2.56 ACRES

PARCEL: 06-392-0002

ZONING DISTRICT: INDUSTRIAL – HIGH, PLANNED DEVELOPMENT
OVERLAY

APPLICATION: CONDITIONAL USE PERMIT FOR VEHICLE &
EQUIPMENT RENTAL OR SALE

BACKGROUND

The applicant, Lolo Tenifa, has applied for a Conditional Use Permit for a Vehicle and Equipment Rental or Sale use. The applicant is working on behalf of Inland Marine. Inland Marine has a sales operation that sells boat time shares.

Table of Uses Allowed 12.36.

‘Vehicle and Equipment Rental or Sale’ is only allowed with a Conditional Use Permit in Industrial–High Zones. This specific use is defined in the Zoning Ordinance as, “*An establishment engaged in the retail or wholesale sale or rental, from the premises, of equipment or motorized vehicles, except motorcycles, automobiles, and light trucks, along with incidental service or maintenance. Typical uses include new and used truck sales and rental, boat sales, construction equipment rental yards,*



moving truck and trailer rental, and farm equipment and machinery sales and rental” [CZC 12.12.040].

CUP Approval Factors to be Reviewed

Section 12.21.100 of the Centerville Zoning Code gives authority to the Planning Commission to issue conditional use permits. CZC 12.21.100 (d) (4) states

“A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of the proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied. Any conditions of approval shall be limited to conditions needed to conform the conditional use permit to approval standards.”

Applicable Provisions of the General Plan

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 *“preserving the economic viability is critical to the success of the neighborhood” (see Future Land Use, Goal 1, 12-480-6).*

The proposed use is to be located in an under construction office/warehouse complex and appears to be limited in nature. Thus, staff believes that the proposed use could be deemed consistent with the goals and objectives of the General Plan. In the past, the City has approved several comparable vehicle sales uses in this same neighborhood area.

CZC 12.21.100(e) (5) (A-J)

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

The proposed use will be located within an industrial area, which over the years has had several limited use auto dealerships very similar to what is being proposed. Other businesses within the area include warehousing, car repair, manufacturing, and other like uses. The use is for a tenant space in Building E in the Parrish Creek Business Park. There is a children’s indoor recreation use in the same building that could be detrimentally impacted by this use. Staff believes that the use and the site could be adequate for operating a small dealership.

Impact on the Community and Safeguards to Minimize this Impact (D, E, J)

It appears that the proposed use will not likely be creating a large amount of noise, or other harmful irritants to the surrounding community. Since the business is primarily rentals, Inland Marine will only receive a small number of customers visiting the site, they will not likely be increasing the amount of traffic within the area.

*Safeguards to minimize detrimental impacts (G-I)*Insure adequate Utilities, transportation access, drainage, parking, loading space, screening, lighting, circulation, landscaping, and pedestrian and vehicle circulation

A common general recurring concern with vehicle sales/rentals is how vehicles are delivered to the site. Every so often, vehicles can come by way of transport truck. This can become a problem when a loading and off-loading area is not provided. Due to the fact the proposed use is limited in nature, staff assumes the delivery of boats using commercial transport trucks would likely not occur, but it has not been addressed in the application.

Required parking for Vehicle and Equipment rental and sale is one space per 250 square feet of gross floor area, plus 1 space for every 10 vehicles displayed; four spaces minimum. The State dealership license requires that three parking stalls are reserved for “display” vehicles. The applicant has not provided information on how the vehicles will be displayed and if there is enough parking provided for this use and the other tenants in Building E.

Building E is part of the Parrish Creek Business Park. The Parrish Creek Business Park has addressed issues of draining, lighting, landscaping, and circulation. Staff finds these issues are adequately addressed.

Noxious or offensive omissions

Staff finds that there are not likely any noxious or offensive omissions with this use.

Adverse Effects on persons or property in the area

The applicant has not provided information on how any adverse effects on persons or property in the area will be mitigated, especially in regards to the children’s recreation space next door.

PLANNING STAFF RECOMMENDATIONS.

OPTION 1: [TO TABLE] Suggested motion for a Conditional Use Permit - I hereby make a motion for the Planning Commission to TABLE the Conditional Use Permit request for Inland Marine at approximately 1040 North 950 West, Suite 500 and direct the applicant to provide or address the following:

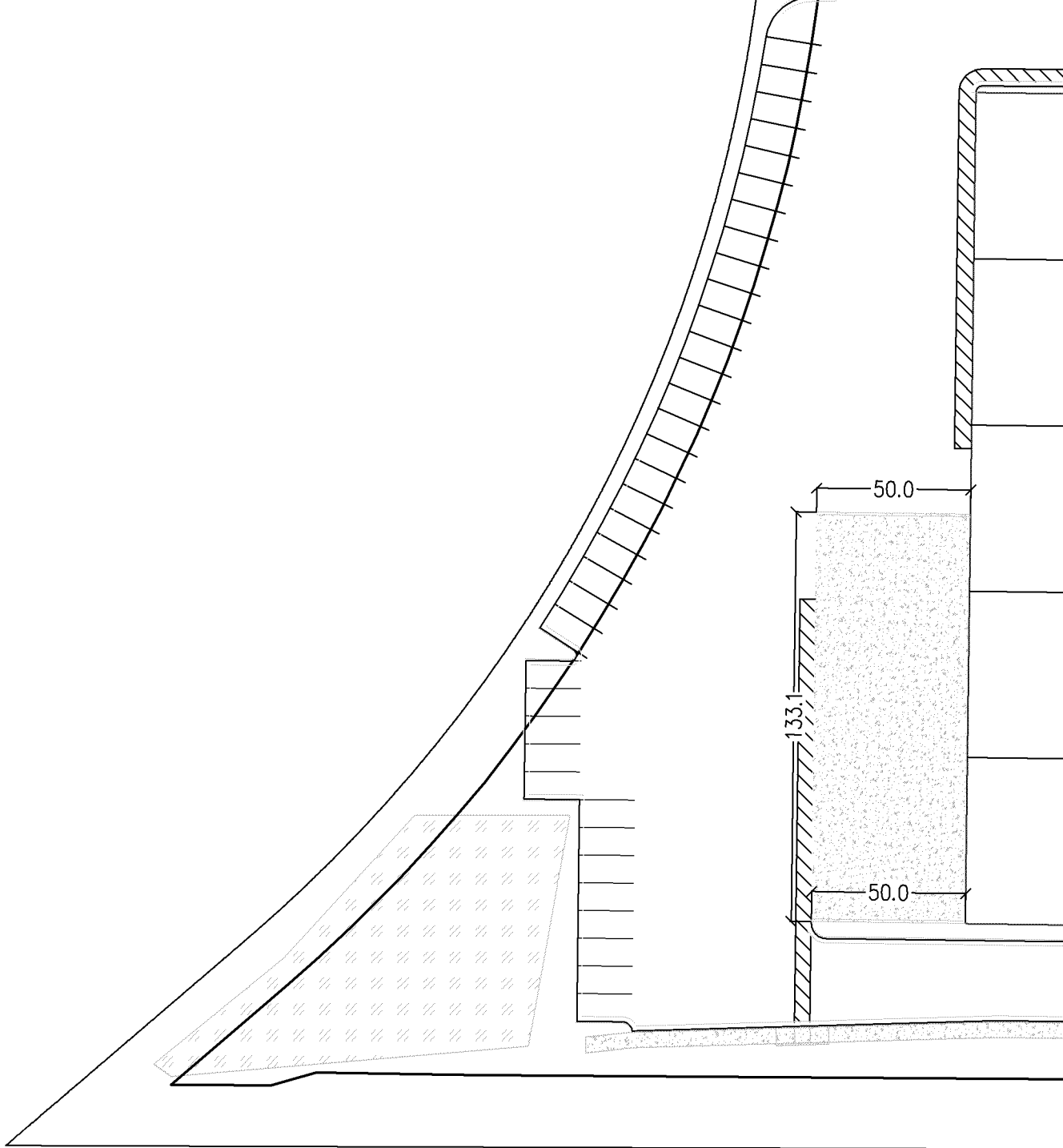
1. Provide location of vehicles for sale
2. Propose information on loading and unloading of vehicles
3. Provide safeguards to mitigate detrimental impacts mentioned in CZC 12.21.100(3)(5)(G-I)
4. Provide and address the parking needs for all suites of the development site
5. A comparison shall be provided to describe the status of the total available on-site parking versus the total ordinance required parking for each tenant use.
6. If needed, the display vehicle area may be located elsewhere or substitute parking must be provided to meet the minimum parking counts for each use.

OPTION 2 ~~[TO APPROVE]~~ Suggested motion for a Conditional Use Permit - I hereby make a motion for the Planning Commission to ~~APPROVE~~ the Conditional Use Permit request for Inland Marine at 1040 North 950 West, Suite 500 subject to the following:

1. This Conditional Use Permit shall apply only to the user space located at 1040 North 950 West, Suite 500.
2. This Conditional Use Permit approval is for a Vehicle and Equipment Rental and Sale use.
3. Display vehicle parking shall not be less than three spots, as required by the State of Utah.
4. All display vehicles shall be operable and in good condition, and shall be kept parked inside the garage/ building and shall NOT encumber the use of any required parking stalls and shall be located in an area that does NOT conflict with needed parking and vehicle circulation lanes (*e.g. in the auto repair use facility, an approved storage area, or other similar place*).
5. The loading and unloading of vehicles for sale from a commercial transport truck is prohibited.

Suggested Reasons for the Action (Findings):

- a) The Planning Commission finds that the land use of vehicle and equipment rental or sales is a conditional use within the Industrial-High Zone [CZC 12.36 (*Table of Uses*)].
- b) The use is consistent with the expectation of the City's General Plan [*Section 12-430-1 & Future Land Use, Goal 1, 12-480-6*].
- c) The Planning Commission finds that with the implemented conditions of approval, the criteria for issuance of the CUP have been satisfied, as described in the applicable staff report.



CENTERVILLE

Staff Backup Report

4/8/2020

Item No. 5.

Short Title: STAFF UPDATE - Community Development Director Report

Initiated By:

Scheduled Time:

SUBJECT

Upcoming Commission Items:

- The Hive Development - Conceptual Site Plan for R-H Zone Multi-family Development, 555 North 400 West
- Williamsburg Place Lot 9, New Lot Split - 503 South 75 West

City Council Update:

- Nothing to Report

2020 Commission Goals:

- South Main Street Corridor Plan Update - underway
- Transportation Plan Element Update - yet to be started
- West Centerville Neighborhood Plan Update (SCP mixed-residential reconsideration) - PC received initial information on Feb. 12, 2020

RECOMMENDATION

BACKGROUND

CENTERVILLE

Staff Backup Report 4/8/2020

Item No.

Short Title: March 11, 2020

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- March 11, 2020 Planning Commission Minutes

PLANNING COMMISSION MINUTES OF MEETING
Wednesday, March 11, 2020
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

Cheylynn Hayman, Chair
Kevin Daly, Vice Chair
Thomas Hunt
Mason Kjar (arrived at 7:06 p.m.)
Christina Wilcox
Spencer Summerhays

MEMBER ABSENT

Becki Wright

STAFF PRESENT

Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Mackenzie Wood, Assistant Planner
Coralee Carroll, Recording Secretary

PLEDGE OF ALLEGIANCE

INTRODUCTION OF COMMISSIONER SUMMERHAYS

Chair Hayman welcomed Commissioner Summerhays as the newest member of the Commission.
Commissioner Summerhays expressed appreciation for the opportunity to serve.

ADMINISTRATIVE DECISION – PUBLIC HEARING – SMALL SUBDIVISION WAIVER
– 410 EAST 1000 SOUTH

Mackenzie Wood, Assistant Planner stated the applicant, Zachary Maxfield desires to subdivide the property at 410 East 1000 South into two (2) single-family lots. The property is currently not developed, and the proposed lots are future home sites. The applicant is seeking a Small Subdivision Waiver as outlined in CMC 15.02.070. Such a waiver would eliminate the preliminary and final subdivision processes of the Subdivision Ordinance. The Planning Commission is assigned as the final land use authority for approving any qualifying small subdivision.

Ms. Wood stated a small subdivision is defined as a subdivision of not more than two (2) lots. Since the property is being subdivided into two developable lots, it can qualify for the small subdivision waiver if it meets the criteria in Section 15-2-107 of the Subdivision Ordinance.

Ms. Wood explained there are three requirements that the proposed small subdivision must meet to qualify for the Small Subdivision Waiver.

1. The small subdivision does not require dedication of land for a street or other public purpose. Ms. Wood stated that according to the Transportation Element of the City's

General Plan, the subdivision does not require the additional dedication of land for a street or other purpose.

2. The small subdivision is not traversed by the mapped lines of a proposed street or a street to be widened as shown on the master street plan. Ms. Wood stated that 400 East Street is scheduled for reconstruction over the next several years. However, staff is not aware of any additional planned widening in the future for either street adjoining the proposed subdivision. Additionally, the Transportation Element does not indicate any new connecting roads to run through any portion of the future two lots.

3. The lots are not part of a small subdivision approved less than three years earlier. Ms. Wood stated the proposed property has not been involved in any type of previous subdivision approval within the last three (3) years.

Ms. Wood stated the subdivision must meet the gross density requirements of four (4) units per gross acres. The subdivision is .43 acres. When one half (1/2) of the developed street is added to acreage total, the subdivision should meet the acreage criteria. However, a survey is required to verify gross acreage.

Commissioner Summerhays asked for clarification of the location of the proposed driveways in relation to the intersection.

Community Development Director, Cory Snyder stated the northern lot's driveway would be located on the northeast corner of the subdivision. The southern lot's driveway would be located on the southwest corner of the subdivision. Mr. Snyder stated that UDOT requires that a driveway be at least 150 feet from an intersection with a traffic light. However, the traffic light at this intersection is owned by Centerville City. Consequently, the City determines acceptable distance between the intersection and the southwest driveway. The approximate distance of the southwest driveway from the intersection would be 130 to 135 feet. The location of the southern lot's driveway must be approved by the Public Works Director and the City Engineer.

Applicant, Zachary Maxfield presented his proposal to the Commission and public. Mr. Maxfield stated the gross acreage of the proposed subdivision is .63 acres. The gross acreage includes one half (1/2) of the dedicated street.

Chair Hayman opened a public hearing at 7:10 p.m.

Christina Pexton – Ms. Pexton stated her home is adjacent to the proposed development. She stated there has been several previous proposals to subdivide this parcel that were denied. She asked what is different about this proposal that allows it to be considered for approval. She stated her driveway is 200 feet from the intersection and often it is difficult for her to safely enter or exit her driveway. She stated the intersection is too busy to allow a driveway (the southwest lot) that close to the intersection. Safety should be the priority.

Jamison Pexton – Mr. Pexton stated there are five (5) large utility boxes on the corner adjacent to the left turning lane onto 400 East which will likely push the proposed driveways even closer to the intersection than proposed. He stated he previously attempted to subdivide this parcel and was denied because the acreage was less than one half (1/2) acre. But now, with acreage from the developed road included, it qualifies. He expressed his frustration at the lack of fairness to his previous efforts to subdivide.

1 Alan Arbuckle – Mr. Arbuckle stated he also had previously attempted to develop this parcel. He
2 also was advised it didn't meet the gross acreage requirement. He asked why it qualified for
3 development now. He is also concerned about traffic safety issues. He said there is a narrow
4 turning lane turning east on 400 East which already creates safety issues at that intersection. He
5 suggested performing a traffic study prior to consideration of approval of the proposed
6 subdivision.

7
8 Chair Hayman closed the public hearing at 7:18 p.m.
9

10 Mr. Snyder addressed the public's questions regarding the calculation of gross acreage compared
11 to net acreage. He advised the public that in 2003 residential zoning changes were made
12 regarding residential density. The change stated four (4) units per acre were allowed. The same
13 calculation used whether the proposed development has dedicated streets or is raw ground. If
14 streets are already developed, then the acreage from the street is included in the gross acreage.
15 Mr. Snyder stated that over the past ten years City planning staff has received many questions
16 regarding development of this parcel. Each time the answer was the same, since the parcel is .43
17 acres, a survey would be required to determine gross density. In the last ten years, the City has
18 not received an actual proposal for development of the parcel.

19
20 Mr. Snyder advised the public that the City's standard is that a driveway must be at least 50 feet
21 from an intersection. The City does not have a separate standard for driveway distances from an
22 intersection with a traffic light. The Public Works Director and City Engineer have required the
23 driveways to be as far from the intersection as feasible.

24
25 Mr. Snyder stated that secondary water provider discussions are currently taking place. The
26 proposed secondary water connection configuration will need to be shown on the plan presented
27 to City staff for review. A no parking regulation could be implemented, but it would require review
28 and action by the City.

29
30 Commissioner Summerhays asked if the Commission can require a survey to determine gross
31 acreage prior to consideration of approving the proposed waiver. Mr. Snyder stated that is a
32 possible action.

33
34 Commissioner Kjar stated there can be heavy traffic at this intersection and safety issues should
35 be addressed by City staff. He also questioned whether it would be wise to include dedicated
36 roads in the calculation for gross acreage in a proposed subdivision with a previously developed
37 road.

38
39 Commissioner Daly stated the Commission must decide whether the subdivision qualifies for the
40 Small Subdivision Waiver, not whether the proposal is the best way to develop the parcel. Chair
41 Hayman agreed it is an administrative decision and the Commission's job is to determine if the
42 proposal complies with requirements in place.

43
44 Commissioner Summerhays suggested the Commission recommend that the City Council
45 consider "tightening up" the residential zoning ordinance relating to density to address future
46 redevelopment issues in established subdivisions.

47
48 Commissioner Kjar recommended that the required survey be obtained prior to consideration of
49 approval of the waiver. He suggested that the Commission table approval of the waiver until the
50 survey is received. Chair Hayman stated that waiver approval can be conditioned on whether the
51 survey satisfies code requirements.
52

1 Commissioner Hunt **moved** that the Planning Commission approve the Small Subdivision Waiver
2 for Parcel #02-070-0078, subject to the conditions in staff report and to include red paint striping
3 or no parking signs on streets fronting the proposed subdivision. Lisa Romney, City Attorney
4 stated parking concerns are to be determined and implemented through the Police Department.
5 Commissioner Hunt amended his motion to remove the no parking/paint striping condition and
6 move forward with his motion per Planning Staff recommendations and Suggested Reasons for
7 the Action (Findings). Commissioner Daly seconded the motion. Motion passed with five (5) votes
8 (5-1). Commissioner Kjar voted Nay.
9

- 10 1. The small subdivision waiver shall be for Parcel #02-070-0078 as shown on the
11 submitted plans.
- 12 2. The following items shall be effective or addressed as part of this small subdivision
13 waiver approved:
 - 14 a. The applicant shall prepare a final paper plat for the property, as per the City
15 subdivision standards, to the Centerville City Recorder. After the paper plat is
16 deemed acceptable by the City, a Final Linen Plat, for county recording, shall
17 be prepared, signed, and submitted to the City Recorder.
 - 18 b. The prepared professional survey of the paper plat shall verify that the parcel
19 is of sufficient size to meet the density requirement of the Residential Zones,
20 of at least ½ gross acres and shall be deemed in compliance by the City
21 Engineer and/or City Zoning Administrator.
 - 22 c. The applicant shall prepare any required subdivision construction drawings for
23 the minimum needed improvements to be installed for the subdivision and shall
24 be deemed acceptable by the City Engineer.
 - 25 d. The Plat shall show and provide all required street frontage and interior lot line
26 public utility easements.
 - 27 e. The driveway/approach locations shall be depicted on the final linen plat.
 - 28 f. All easements and driveway/approach locations shall be deemed acceptable
29 by the City Engineer and Public Works Director.
 - 30 g. The subdivision construction drawings and plan shall show and comply with
31 the required 2,000 square foot buildable area for the new lot.
 - 32 h. Prior to recording the small subdivision waiver plat, applicant shall submit an
33 updated title report for the entire property for review and approval of
34 encumbrances and ownership by the City Attorney and City Engineer.
 - 35 i. At minimum, the following plat notes shall be set forth on the final plat, or as
36 deemed acceptable to the City Attorney, for the small subdivision waiver:
 - 37 i. Approval of the small subdivision waiver plat by Centerville City does
38 not constitute any representation as the adequacy of subsurface soil
39 conditions nor the location or depth of ground water tables.
 - 40 ii. Any installation of the driveway/approach for each lot shall comply with
41 the depicted locations shown on the subdivision plat.
- 42 3. The applicant shall provide, with the paper plat and plans, all the required utility
43 provider sheets to the City.
- 44 4. The applicant shall provide verification that the applicable secondary water service
45 is available for the proposed lots and shall install all necessary improvements.
- 46 5. The applicant shall pay all applicable impact fees and post the related bonds for public
47 improvements prior to recordation of the Final Linen Subdivision Plat.
48

49 Suggested Reasons for the Action (findings):

- 50 1. The Planning Commission finds that the subdivision qualifies for the small subdivision
51 waiver, in accordance with the criteria found in CMC 15.2.107 of the Subdivision
52 Ordinance.

2. The Planning Commission finds that two lots are consistent with the applicable Zoning Standards for the Residential Low Zone.
3. The Planning Commission finds that with the conditions imposed, the general requirements for all subdivisions have been addressed and/or fulfilled.

Commissioner Daly **moved** to direct City staff to consider no parking/red striping on the streets adjacent to the City owned traffic signal and similarly situated intersections. Motion was seconded by Commissioner Hunt. Motion passed with four (4) votes (4-2). Chair Hayman and Commissioner Daly voted against.

**ADMINISTRATIVE DECISION – PUBLIC HEARING – SMALL SUBDIVISION WAIVER
– 490 EAST 400 SOUTH**

Ms. Wood stated that the applicant, Bradley Trump desires to subdivide the property at 490 East 400 South into two (2) single-family lots. The applicant desires to construct a single-family home in the area where an accessory building is located. In 1979, the area of the accessory building was divided by ownership from the established home site. This division was performed after the adoption of a City subdivision ordinance and without obtaining City approval. Both properties have remained in family ownership. A development right for a second home site is required from the City to allow for the desired home.

Ms. Wood stated that since the property is being subdivided into two developable lots, it can qualify for the Small Subdivision Waiver if it meets the criteria in Section 15-2-107 of the Subdivision Ordinance. The gross acreage of the two lots is approximately .9 acres which satisfies code. However, the buildable area for the second lot needs to be verified by a survey.

Ms. Wood stated that the side lot lines toward the rear yard areas jog and are not at a right angle, as preferred by ordinance. Due to the historical built layout of the site, the general configuration of the subdivision is fixed. To accommodate situations such as this, the subdivision ordinance allows lot line variations upon recommendation from the Planning Commission.

Ms. Wood explained there are three requirements that the proposed small subdivision must meet to qualify for the small subdivision waiver.

1. The small subdivision does not require dedication of land for a street or other public purpose. Ms. Wood stated that according to the Transportation Element of the City's General Plan, the subdivision does not require the additional dedication of land for a street or other purpose.
2. The small subdivision is not traversed by the mapped lines of a proposed street or a street to be widened as shown on the master street plan. Ms. Wood stated according to the Transportation Element, 400 South is labeled a collector street. According to the Public Works Director, there are no plans to widen the street at this location.
3. The lots are not part of a small subdivision approved less than three years earlier. Ms. Wood stated the proposed property has not been involved in any type of previous subdivision approval within the last three (3) years.

Applicant, Bradley Trump presented his proposed development to the Commission and public.

Chair Hayman opened a public hearing at 7:54 p.m. and closed the public hearing seeing that no one wished to comment.

Commissioner Kjar recommended the Commission table consideration of approval until the required survey is completed.

Commissioner Daly **moved** that the Planning Commission approve the small subdivision waiver/lot split for property located at approximately 424 East and 470 East 400 South Street, Parcels #02-068-0141 and #02-068-0081, subject to Planning Staff Recommendations and Suggested Reasons for the Action (Findings). Chair Hayman seconded the motion. The motion passed with five (5) votes (5-1). Commissioner Kjar voted against the motion.

1. The small subdivision waiver shall be for Parcel #02-068-0141 and #02-068-0081, located at approximately 424 East and 470 East 400 South Street.
2. The following items shall be effective or addressed as part of this small subdivision waiver approved:
 - a. The applicant shall prepare a final paper plat for the properties, as per the City subdivision standards, to the Centerville City Recorder. After the paper plat is deemed acceptable by the City, a Final Linen Plat, for county recording, shall be prepared, signed, and submitted to the City Recorder.
 - b. The prepared professional survey of the paper plat shall verify that the parcel is of sufficient size to meet the density requirement of the Residential Zones, of at least ½ gross acres and shall be deemed in compliance by the City Engineer and/or City Zoning Administrator.
 - c. The applicant shall prepare any required subdivision construction drawings for the minimum needed improvements to be installed for the subdivision and shall be deemed acceptable by the City Engineer.
 - d. The Plat shall show and provide all required street frontage and interior lot line public utility easements, which shall also be deemed acceptable by the City Engineer and Public Works Director.
 - e. The subdivision construction drawings and plat shall show and comply with the required 2000 square foot buildable area for the new lot.
 - f. Prior to recording the small subdivision waiver plat, applicant shall submit an updated title report for the entire property for review and approval of encumbrances and ownership by the City Attorney and City Engineer.
 - g. At minimum, the following plat notes shall be set forth on the final plat, or as deemed acceptable to the City Attorney, for the small subdivision waiver:
 - i. Approval of the small subdivision waiver plat by Centerville City does not constitute any representation as the adequacy of subsurface soil conditions nor the location or depth of ground water tables.
3. The applicant shall provide, with the paper plat and plans, all the required utility provider sheets to the City.
4. The applicant shall provide verification that the applicable secondary water service is available for the proposed lots and shall install all necessary improvements.
5. The applicant shall pay all applicable impact fees and post the related bonds for public improvements prior to recordation of the Final Linen Subdivision Plat.

Suggested Reasons for the Action (findings):

1. The Planning Commission finds that the subdivision qualifies for the small subdivision waiver, in accordance with the criteria found in CMC 15.2.107 of the Subdivision Ordinance.
2. The Planning Commission finds that two lots are consistent with the applicable Zoning Standards for the Residential Low Zone.

3. The Planning Commission finds that with the conditions imposed, the general requirements for all subdivisions have been addressed and/or fulfilled.

LEGISLATIVE DECISION – PUBLIC HEARING – SOUTH MAIN STREET CORRIDOR PLAN – GENERAL PLAN AMENDMENT

Cory Snyder presented to the public a history of the South Main Street Corridor and presented the South Main Street Corridor Plan – Preliminary Draft Summary. The Plan's vision is expressed using five different elements or goals.

1. Corridor Wide Viewpoints
2. Land Use Expectations
3. Built Environment Design Expectations
4. Corridor's Street Space Expectations
5. Residential Re-introduction Opportunities (Optional Component)

Mr. Snyder stated there are unresolved questions as to whether residential should be a part of the South Main Street Corridor.

Chair Hayman thanked the public for their attendance. She advised the public that the Commission has spent the past year preparing a revised element for development of the South Main Street Corridor. She stated that the purpose of the public hearing would be for the Commission to receive the public's input and feedback regarding the proposed draft.

Chair Hayman opened the public hearing at 8:20 p.m.

Mat Pierce – Mr. Pierce expressed approval of the proposed Preliminary Draft.

Jennifer Turnbloom -- Ms. Turnbloom stated that she likes scenery murals (like the mural on Cutlers). But she doesn't like murals on light poles. She has watched multiple commercial uses come and go on Main Street. Commercial uses seem to struggle to survive, so she would like residential to be allowed. She doesn't like monument signs because they can make it difficult (too bright) to see oncoming traffic.

Jay Mercy – Mr. Mercy stated that one of the code requirements for new residential construction is that the proposed unit must have a commercial look to match commercial structures around it. These code requirements limit the residential design. Setback requirements are also a problem for residential development. He wanted to build a barn at the back of his property. But he couldn't afford the cost to comply with the commercial look requirement (stucco/rock).

Patti Randall – Ms. Randall stated that her home on Main Street was vacant for over 15 years because it was so difficult to comply with the code requirements for residential buildings. She owns Main Street Garage. If the Commission wants to protect the historical character of Main Street, this garage has been there since the 20's.

Maureen Huffaker – Ms. Huffaker expressed appreciation for the Commission's efforts. She supports mixed residential/commercial use. She asked if existing signage would need to be changed, if this plan is approved.

Margaret Murphy – Ms. Murphy stated that since the new Main Street Corridor area is smaller than it used to be, her home is no longer included in this area. She lives south of Parrish Lane.

1 She likes scenery murals but doesn't want light pole murals. She also supports
2 residential/commercial mixed use.

3 Alan Arbuckle – Mr. Arbuckle is in support of mixed use, but he would suggest broadening
4 commercial uses. Retail would be more conducive for Main Street, but retail might struggle. More
5 varied uses would attract more people to shop on Main Street.
6

7 Jim Higby – Mr. Higby is in support of mixed residential/commercial. He said the park strip on the
8 south side of Main Street has varying treatments and some are not kept looking nice, including
9 some very old trees. He asked the Commission if the corridor plan will include a desired "look" for
10 the park strip on the south side of Main Street.
11

12 Carrie Marsh – Ms. Marsh's property is located outside of the proposed Main Street Plan area;
13 south of Porter Lane and zoned agricultural. She sees an opportunity to use her property as a
14 transitional zone between residential further south and commercial further north. She desires to
15 create more affordable residential housing on her property which would require a zoning change.
16

17 Chair Hayman thanked the public for their input. She also requested the public to relay any other
18 ideas or suggestions to City staff.
19

20 Chair Hayman closed the public hearing at 8:37 p.m.
21

22 Chair Hayman advised the public that the proposed changes would be implemented over many
23 years. The proposed changes are intended to help revitalize Main Street.
24

25 Mr. Snyder stated that existing signs are "grandfathered" and will not need to be changed.
26

27 Chair Hayman advised the public that Commission and staff are reviewing possible park strip
28 recommendations.
29

30 Mr. Snyder stated the foundation of the old Main Street Garage still exists, but the building is
31 gone. Consequently, the non-conforming right was lost. Mr. Snyder said that the new building
32 requirements are more flexible, so development of the parcel would have less restrictions in the
33 future.
34

35 Mr. Snyder responded to Ms. Marsh's question regarding possible extension of the corridor farther
36 south to include her property. He stated this will be discussed further.
37

38 Mr. Snyder addressed the possibility of more allowed commercial uses. If more residential is
39 allowed with the commercial, it does limit the type of commercial that is viable in a mixed
40 residential use. In the past, there was negative feedback regarding high density residential.
41 Consequently, residential use in this area is currently just an optional concept.
42

43 Commissioner Daly advised the public that this is the preliminary phase of the revitalization of
44 Main Street. There will be three phases implemented over an extended period. Phase one is the
45 general plan revision, the second phase is zoning code revisions, and the final phase is
46 determining the table of permitted uses.
47

48 Mr. Snyder advised the public to review upcoming Commission agendas to determine when
49 further discussions regarding the Main Street Corridor will be held by the Commission or City
50 Council.

**ADMINISTRATIVE DECISION – PUBLIC MEETING ITEM ONLY – FINAL SITE PLAN –
DECANT STATION**

Mr. Snyder summarized the Centerville City Public Works Department proposal to construct a decant station on a portion of the existing site. The facility will be located in the northwest area of the Public Works Facility. This area is underdeveloped and often used for miscellaneous storage.

Commissioner Daly made a **motion** for the Planning Commission to approve the Final Site Plan for the Public Works Decant Station provided that the applicant address items in conjunction with the Building Permit submittal. Commissioner Kjar seconded the motion. The motion passed with unanimous vote (6-0).

1. The proposed development and use shall comply with the submitted plans for Final Site Plan or as amended by the City.
2. The installation of the city logo sign requires a permit.
3. All outdoor lighting fixtures need to have the expected fixture shield.

Suggested Reason for Action:

1. The Planning Commission finds that with the conditions imposed, the proposed accessory use and building complies with the applicable development standards of the PF-VH Zone as discussed in the applicable conceptual and final site plan staff reports.

**DISCUSSION – SUBDIVISION ORDINANCE UPDATES – CHAPTER 19
(COMMENCEMENT OF DEVELOPMENT ACTIVITY)**

Lisa Romney, City Attorney summarized the Ordinance Updates for Chapter 19, addressing when and how development activity can commence after final plat approval, including issuance of building permits.

**DISCUSSION OF PROPOSED REVISIONS TO SUBDIVISION ORDINANCE – CMC 15
(SUBDIVISION)**

Ms. Romney presented the proposed revisions to CMC 15 (Subdivision) of the Subdivision Ordinance.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT & CITY COUNCIL REPORT

Mr. Snyder advised the Commission that Legacy Crossing has submitted a Conceptual Site Plan for Lots 2 and 3. Proposed approval of the site plan will be on the March 26th agenda.

Chair Hayman asked if any of the Commission were planning on attending the Land Use Academy of Utah Training scheduled for March 21, 2020. No Commissioner planned on attending. Chair Hayman expressed appreciation to Ms. Wood for providing valuable updates on available training opportunities.

2020 COMMISSION GOALS

The Commission reviewed the 2020 Commission Goals.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the February 12, 2020 Planning Commission meeting were reviewed and amended. Commissioner Hunt **moved** to accept the minutes as amended. Commissioner Kjar seconded the motion which passed by unanimous vote (6-0).

ADJOURNMENT

At 9:04 p.m., Chair Hayman made a **motion** to adjourn the meeting. Commissioner Daly seconded the motion which passed by unanimous vote (6-0).

Leah Romero, City Recorder

Date Approved

Coralee Carroll, Recording Secretary