



Planning & Development Services Division

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Land Use Hearing Officer

Public Meeting Agenda

Tuesday, August 12, 2014

1:00 P.M.

THE MEETING WILL BE HELD AT SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, NORTH BUILDING
PLANNING DIVISION CONFERENCE ROOM, SUITE N3600
ANY QUESTIONS, CALL (385) 468-6700

REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED UPON RECEIPT OF A REQUEST WITH 5 WORKING DAYS NOTICE. PLEASE CONTACT WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.

The purpose of the Land Use Hearing Officer's Meeting is to allow the Land Use Hearing Officer to hear applicant and public comment, as well as agency and staff recommendations, prior to making a decision on applications filed with Salt Lake County.

The Land Use Hearing Officer shall: act as an appeal authority for zoning decisions applying this title as provided in Section 19.92.050 and conditional use decisions by a planning commission; hear and decide the special exceptions to the terms of the zoning ordinance set forth in Section 19.92.060; hear and decide variances from the terms of the zoning ordinance; and, hear and decide applications for the expansion or modification of nonconforming uses.

PUBLIC HEARINGS

28907 – Megan DePaulis on behalf of Renfrew Brighton is appealing the decision of the Salt Lake County Planning Commission granting approval of file #28833 for the construction and operation of a wireless telecommunications facility. **Location:** 10027 East Little Cottonwood Road. **Zone:** FR-20. **Planner:** Todd A. Draper

28937 – Richard Welch on behalf of Garbett Homes is appealing a condition of approval imposed by the Salt Lake County Planning Commission as part of the Commission's approval of file #28887, Treseder at Little Cottonwood PUD. **Location:** 3601 East Little Cottonwood Road. **Zone:** R-1-10 z/c. **Planner:** Todd A. Draper

ADJOURN



Planning and Development Services Division

July 3, 2014

Renfrew Brighton c/o Megan DePaulis
Holland & Hart LLP
2220 South Main Street, Suite 2200
Salt Lake City, Utah 84101

Regarding: File #28907
Crown Castle International Corp. and Alta Ski Lifts Company
10027 East Little Cottonwood Canyon Road

Ms. DePaulis,

Attached please find a bate stamped copy of Salt Lake County's record, consisting of draft written minutes, and all written documents submitted to the planning commission.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wendy Gurr', is written over a horizontal line.

Wendy Gurr
Planning Commission Coordinator
Salt Lake County Townships
Planning & Development Services
2001 S State Street N3600
Salt Lake City, UT 84114
P: (385) 468-6707
wgurr@slco.org

Cc: James Harward, Salt Lake County Land Use Hearing Officer
Tom Christensen, Salt Lake County District Attorney's Office
Zachary Shaw, Salt Lake County District Attorney's Office
Tanya Friese for Crown Castle International Corp. 5350 North 48th St., 305. Chandler, AZ 85226
File



STAFF REPORT

Executive Summary									
Hearing Body:	Salt Lake County Planning Commission								
Meeting Date and Time:	Monday, June 30, 2014	08:00 AM	File No:	2	8	8	3	3	
Applicant Name:	Tanya Friese	Request:	Conditional Use						
Description:	FCOZ Conditional Use - Wireless Telecommunications HUB Building								
Location:	10027 East Little Cottonwood Canyon Road								
Zone:	FR-20 Forestry & Recreation	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>					
Community Council Rec:	Approval with Conditions								
Staff Recommendation:	Approval with Conditions								
Planner:	Todd A. Draper								

1.0 BACKGROUND

1.1 Summary

Crown Castle International is requesting approval for construction of and operation of a Wireless Telecommunications HUB building on the subject property. This HUB will support a series of wireless towers that will be installed throughout Little Cottonwood Canyon on property owned either by the U.S. Forest Service or the Utah Department of Transportation. A similar project was recently completed in Big Cottonwood Canyon. Additionally, for clarification purposes the subject property for this application is a relatively large parcel under the ownership of Alta Ski Lifts Company, but located within the jurisdiction of the Unincorporated County. This project affects a relatively small portion of that property.

1.3 Neighborhood Response

Members of the public in attendance at the April 16, 2014 meeting of the County Planning Commission were primarily concerned about the location of the building relative to the highway, and snow removal from the site. Concerns also included the potential for noise from the generator and concerns that the structure would increase avalanche danger to neighboring properties.

1.4 Community Council Response

At their April 2, 2014 meeting, the Granite Community Council recommended approval of the proposal with conditions that the architecture of the building be modified to enhance screening of exterior equipment and to blend in more with its surroundings. Specifically the wood and concrete exterior of Snowbird was discussed. The formal recommendation from their group is attached.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<p><u>Standard `A':</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i></p> <p>4/16/2014 Discussion: The proposed building appears to meet most zoning standards with 2 notable exceptions:</p> <p>1) The building may encroach into natural slopes greater than 30%. As the slope analysis provided does not appear to meet required ordinance standards it is difficult to determine if zoning ordinance has been met or not with regards to the prohibition of development on steep slopes. Encroachment into man made slopes in excess of 30% has typically been allowed for the construction of retention structures in the past, however the position of the building relative to the location of the natural slope is difficult to determine at this time . Staff believes that this would best be sorted out through the subsequent technical review process and should it later be determined that a slope waiver or variance is necessary that a separate application could be submitted at that time.</p> <p>2) Un-faced concrete walls are discouraged by the FCOZ ordinance. Concrete walls should be split faced, stamped, or have other significant architectural elements added to it. The intent is to break up the mass and wall lines in an effort to avoid unbroken expanses of building mass and walls that can intrude into the natural canyon setting and dominate a site. The current proposal calls for architectural tooling lines in the concrete approximately every 6 feet on the building and stamped concrete on the retaining walls. In staffs opinion additional tooling or architectural features need to be added to help break up the wall mass (horizontal and vertical elements). Also there are few details provided regarding the treatment of the concrete roof structure. Staff would suggest that the the roof structure also have a concrete treatment, coloration, and/or other details added to differentiate it from the building walls and the retaining walls.</p> <p>Staff would support the addition of conditions that would satisfy these criteria.</p> <p>6/17/2014 Update: The building plans have been revised to meet ordinance, the location of the structure has been modified, and an accurate slope analysis has been submitted for review. The grading specialist has determined that the slope over the new proposed site is 1) primarily man made, and 2) of an average slope of less than 30%. No slope waiver or variance is required for the location as currently proposed.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<p><u>Standard `B':</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i></p>

		<p>4/16/2014 Discussion: Compliance with this criterion will continue to be monitored throughout the subsequent technical review process and a final approval will not be issued unless this has been met to the satisfaction of the individual reviewers and reviewing agencies.</p> <p>6/17/2014 All reviewers have reviewed the revised plans and have either approved them as proposed, or approved with listed conditions. All conditions of the reviewers will be incorporated as part of the final conditions of approval for the site.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<p>Standard `C': <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i></p>
		<p>4/16/2014 Discussion: The site is unmanned and will have limited traffic to and from the site relative to this specific use.</p> <p>6/17/2014 UDOT has granted approval for the access.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<p>Standard `D': <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i></p>
		<p>4/16/2014 Discussion: Final approval will not be granted by staff until compliance with these issues is achieved with the individual reviewers and reviewing agencies through the subsequent technical review process.</p> <p>6/17/2014 The technical review process has concluded and land use issues related to fire safety, geologic hazards (including avalanche risk), soil and slope conditions, grading and topography, flood control and environmental health hazards have been reviewed and the plans have been approved, or approved with conditions, by the respective review agencies and individuals. In some instances additional scrutiny of the plans will be provided as part of the subsequent building plan review related to compliance with building code requirements necessary to obtain a building permit.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<p>Standard `E': <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i></p>
		<p>4/16/2014 Discussion: The proposed building would be fairly compatible with nearby buildings, with the exception of the sole use of concrete as the construction material which would affect how the massing and scale of the building is viewed. Staff believes however that reasonable conditions can be imposed that would have the effect of alleviating this concern.</p> <p>6/17/2014 New plans have been submitted that adequately address the prior aesthetic issues related to compatibility with nearby structures and buildings in terms of size, scale, height, materials, and colors.</p>

2.2 Zoning Requirements

19.83.070 Color.

Monopoles, antennas, and any associated buildings or equipment shall be painted to blend with the surroundings which they are most commonly seen. The color shall be determined on a case-by-case basis by the planning commission for conditional uses and development services division for permitted uses. Within six months after the facility has been constructed, the planning commission or the development services division may require the color be changed if it is determined that the original color does not blend with the surroundings.

19.83.080 Sites in the foothills and canyons.

For the purpose of this chapter the foothills and canyons are defined as the areas shown on the maps in the document entitled "Salt Lake County Foothill and Canyon Development Standards."

A. Any grading for telecommunication facilities, including access roads and trenching for utilities, shall comply with the Uniform Building Code. Telecommunication facilities in the foothills and canyons shall comply with the FR zone requirements for grading (Section [19.12.100](#)), natural vegetation (Section [19.12.110](#)) and utilities (Section [19.12.120](#)). Everything possible should be done to minimize disturbance of the natural environment.

B. A computer-generated visual simulation of the proposed structures is required for all sites in the foothills and canyons. The simulation shall show all structures including but not limited to monopoles, antennas, and equipment buildings.

C. Everything possible should be done to minimize disturbance of the visual environment. Site placement and color should be carefully considered to blend in with the surroundings.

D. Continuous outside lighting is prohibited unless required by the FAA for the monopole.

19.83.090 Additional requirements.

The following shall be considered by the planning commission for conditional uses:

A. Compatibility of the proposed structure with the height and mass of existing buildings and utility structures.

B. Location of the antenna on other existing structures in the same vicinity such as other monopoles, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc. where possible without significantly impacting antenna transmission or reception.

C. Location of the antenna in relation to existing vegetation, topography including ridge lines, and buildings to obtain the best visual screening.

D. Spacing between monopoles which creates detrimental impacts to adjoining properties.

E. Installation of, but not limited to, curb, gutter, sidewalk, landscaping, and fencing as per Sections [19.76.210](#) and [19.84.050](#)

19.83.100 Accessory buildings.

Accessory buildings to antenna structures must comply with the required setback, height and landscaping requirements of the zoning district in which they are located. All utility lines on the lot leading to the accessory building and antenna structure shall be underground.

19.83.110 Non-maintained or abandoned facilities.

The building official may require each non-maintained or abandoned telecommunications facility to be removed from the building or premise when such a facility has not been repaired or put into use by the owner or agent within ninety calendar days after notice of non-maintenance or abandonment is given to the owner or agent. The applicant shall post a site specific bond when a permit is issued to guarantee removal of the facility and site restoration. The type of bond and amount shall be determined upon review by county staff. No bond shall be required for roof or wall mounted facilities.

19.84.050 Approval/denial authority.

The planning commission has the authority to approve, deny, or approve with conditions conditional use applications.

A. Planning Commission Approval.

1. The planning commission shall review and approve or deny each application during a public meeting.
2. The planning commission's decision shall be based on information presented through the public meeting process, including: the materials submitted by the applicant, the recommendation of the director or director's designee, and input from interested parties and affected entities.
3. If conditions are specified, the director or director's designee shall issue a final approval letter upon satisfaction of the planning commission's conditions of approval.
4. If the applicant fails to meet all conditions of approval within twelve months of the planning commission's decision, the application is deemed denied. A twelve-month extension may be granted upon the payment of an additional filing fee equal to the original filing fee.
5. A planning commission decision shall be made on a complete conditional use application within a reasonable time frame, not to exceed ninety days. The planning commission is authorized to review and take action on an application as outlined in [Section 19.84.040](#) after having notified the applicant of the meeting date.
6. Failure by the applicant to provide information that has been requested by the planning commission, the director or director's designee to resolve conflicts with the standards in [Section 19.84.060](#) (above) may result in an application being denied.

B. Decision. Each conditional use application shall be:

1. Approved if the proposed use, including the manner and design in which a property is proposed for development, complies with the standards for approval outlined in [Section 19.84.060](#); or
2. Approved with conditions if the anticipated detrimental effects of the use, including the manner and design in which the property is proposed for development, can be mitigated with the imposition of reasonable conditions to bring about compliance with the standards outlined in [Section 19.84.060](#); or
3. Denied if the anticipated detrimental effects of the proposed use cannot be mitigated with the imposition of reasonable conditions of approval to bring about compliance with the standards outlined in [Section](#)

19.84.075 Graffiti preventative materials or design.

A. Whenever the planning commission determines that there is a reasonable likelihood that graffiti will be placed on the surfaces of proposed improvements it shall require, as part of the conditional use approval, that the applicant apply an anti-graffiti material, approved by the development services division, to each of the surfaces to be constructed. The anti-graffiti material shall be used on surfaces from ground level to a height of nine feet. The planning commission may approve dense planting or appropriate design measures in place of anti-graffiti materials.

B. Whenever the planning commission becomes aware of graffiti having been placed on any surfaces constructed as part of development approved as a conditional use, it may require that the applicant or his/her successor in interest apply an anti-graffiti material to such surfaces where no such material was previously required.

2.3 Other Agency Recommendations or Requirements

Review comments pertaining to the previous preliminary approval of the application have not been included with this report. Presented here are the technical review comments and listed conditions under which final approval or clearance for the project has been granted by the reviewers.

Urban Hydrology Review -

Grading will be done according to the approved grading and drainage plan.

Salt Lake County Health Department -

Technical review approved.

UDOT -

UDOT Region 2 has no objection to this location for the LCC hub building from a permitting/traffic perspective.

SLC Watershed -

1. Contractor to provide all best management practices (BMP's) and measures necessary as determined by County personnel and Salt Lake City watershed personnel to control erosion and protect all water sources and Salt Lake City's Watershed. (This note should be added to the plans).
2. Show and label limits of disturbance and all construction best management practices and measures necessary to insure erosion control during construction.
3. All building setbacks must comply with Salt Lake Valley Health Department regulations.
4. Heat pumps and geothermal well systems are not allowed within the protected Salt Lake City Watershed.
5. If a power generator is required at this site a protection and containment plan for fuel fluids will need to be approved by Salt Lake City.

Water (service) has not been requested for this site under this application and water is not available for this parcel of land or to the building.

Traffic Review -

Technical Review approved per UDOT approval.

Geology -

1. The proposed building is located with in an area of potential natural hazards (avalanche and slope stability)
2. Received a copy of the Avalanche report prepared by Joesph Crilly S.E. which states the building has been designed to sufficiently mitigate the 100 yr snow avalanche at the site.
3. IGES will be submitting a copy of the geotechnical report and slope stability analysis as part of the Building permit process.
4. The Building is located with in a Red zone but is not used for Human Occupancy (limited to equipment repairs), and has been designed with in the requirements of the zoning administrators determination that it can withstand the 100 year avalanche.

Grading Review -

1. The slope analysis shows the building will be constructed on slopes in excess of thirty percent, however under the current FCOZ Ordinance, Slope averaging is permitted. Based on this information the slope is Averaged to be 22% grade.
2. The geotechnical study required could not be completed due to winter conditions and potential adverse affects, Based on this information the geotechnical report and slope stability report will be required to be submitted with the building permit application as part of the building permit review.
3. The planned grading at the site is limited to the area of the building foot print and wing walls
4. The back of the building will be required to be protected using a foundation drain system.
5. Recommendation of conditional approval is applicable subject to the following:
 - a. At the time of the Building permit a site specific Geotechnical engineering report and slope stability analysis shall be submitted for review and comment.
 - b. All site work shall be completed in accordance with the approved site grading and drainage plans.
 - c. At the time of the Building permit application a N.O.I and erosion control plans shall be submitted for review and comment.
 - d. Footing excavations shall be inspected and approved in writing by a qualified Geotechnical engineer prior to the placement of concrete forms and rebar.
 - e. The rear wall of the structure shall be constructed as a retaining wall.

2.4 Other Issues

Planning Review -

1. Revised plans and documentation address all previous planning and zoning related concerns.
2. A limits of disturbance fence will be required to be installed in the locations indicated on the approved plans.

2.5 Subdivision Requirements

Not applicable. The area will likely be leased separately to the operator by the Alta Ski Lift Company.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) Build in accordance with approved plans. A building permit is required for construction.
- 2) All site grading to be completed in accordance with the approved site grading and drainage plans.

- 3) During construction, comply with best management practices (BMP's) and measures necessary to control erosion and protect the Watershed. At the time of the Building permit application a N.O.I and erosion control plans shall be submitted for review and comment.
- 4) At the time of the Building permit a site specific Geotechnical engineering report and slope stability analysis shall be submitted for review and comment.
- 5) Grading at the site is limited to the area of the building foot print and wing walls.
- 6) Footing excavations shall be inspected and approved in writing by a qualified Geotechnical engineer prior to the placement of concrete forms and re-bar.
- 7) The rear wall of the structure shall be constructed as a retaining wall.
- 8) Install a limits of disturbance fence in the locations indicate on the approved plans prior to commencement of construction on the site. All land disturbance on site is limited to the area within the fence.
- 9) Treat the exterior surface of the building with anti-graffiti material(s).

3.2 Reasons for Recommendation

- 1 The Listed conditions are needed to ensure that the proposal meets specific ordinance requirements as well as the intent of the ordinances.
- 2) The listed conditions represent reasonable and implementable measures for the mitigation of potential negative impacts to surrounding properties and the public in general.

3.3 Other Recommendations

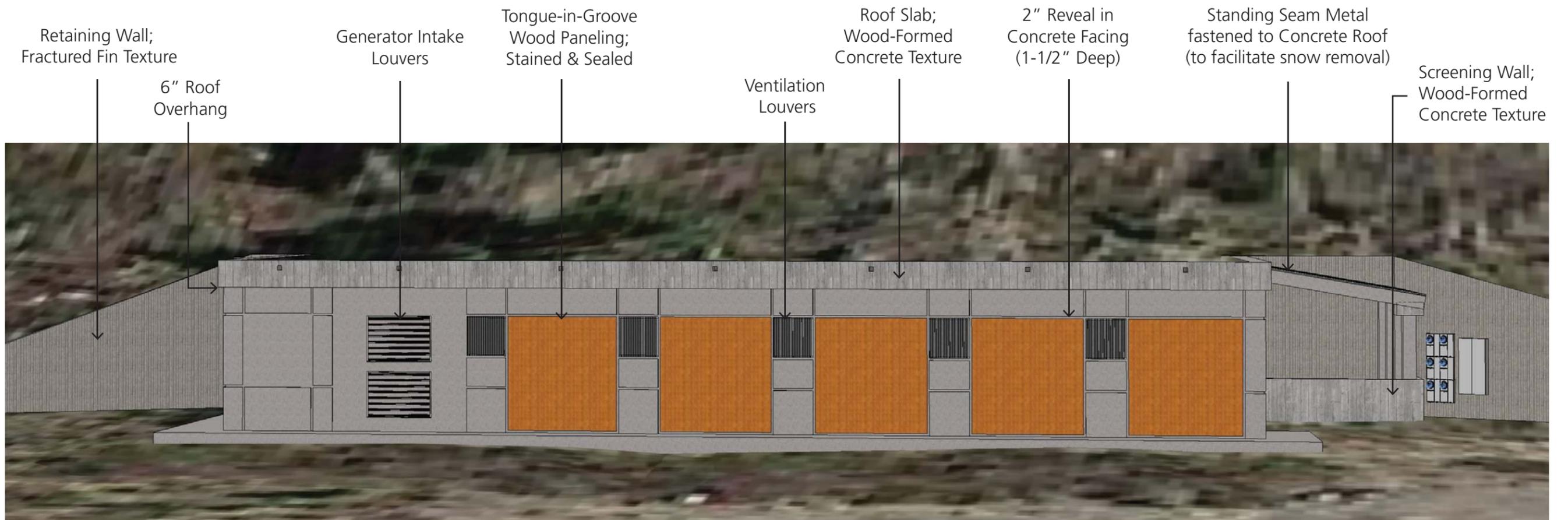
None at this time.



Thu Mar 13 2014 02:49:07 PM.







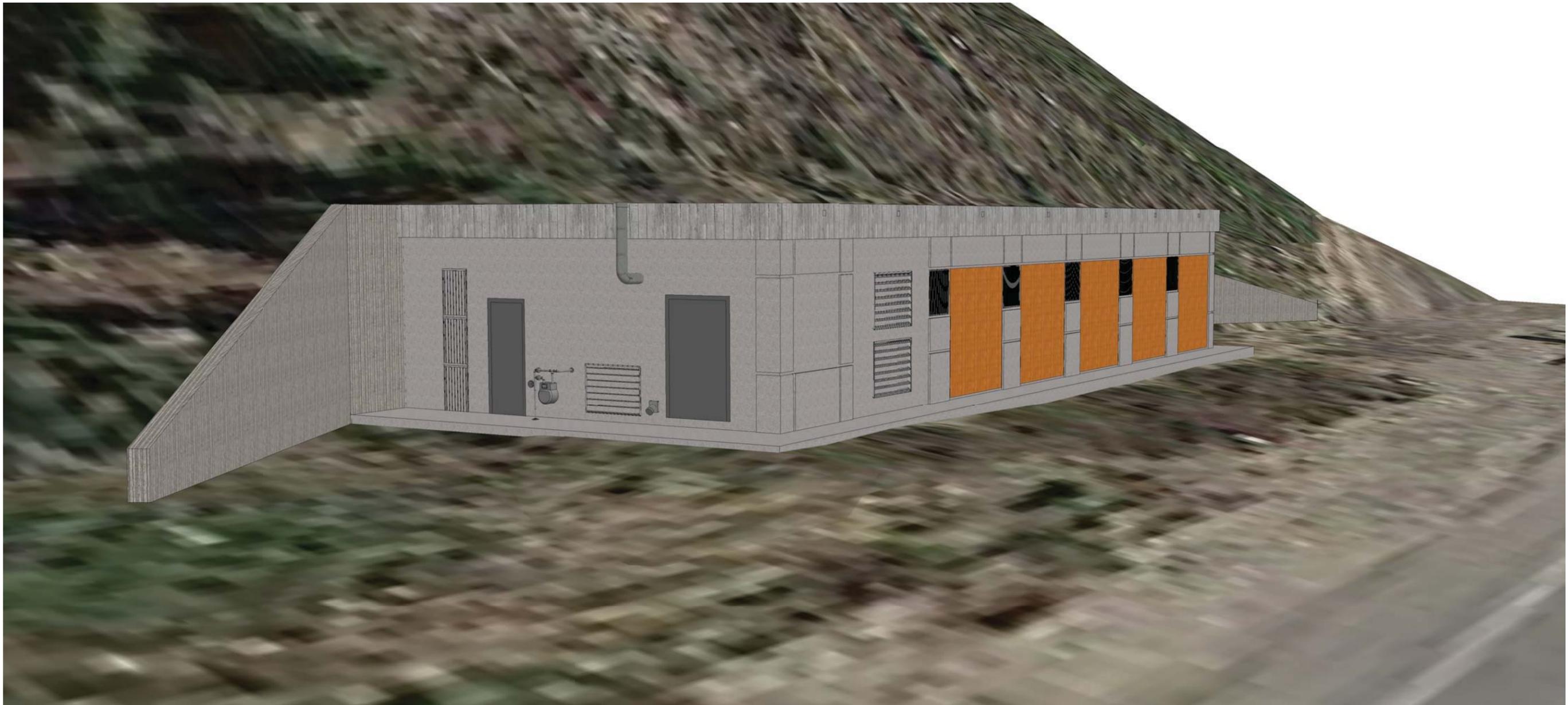
Front View

Wireless Communication Hub Building • Little Cottonwood Canyon Road



View of East End

Wireless Communication Hub Building • Little Cottonwood Canyon Road



View of West End

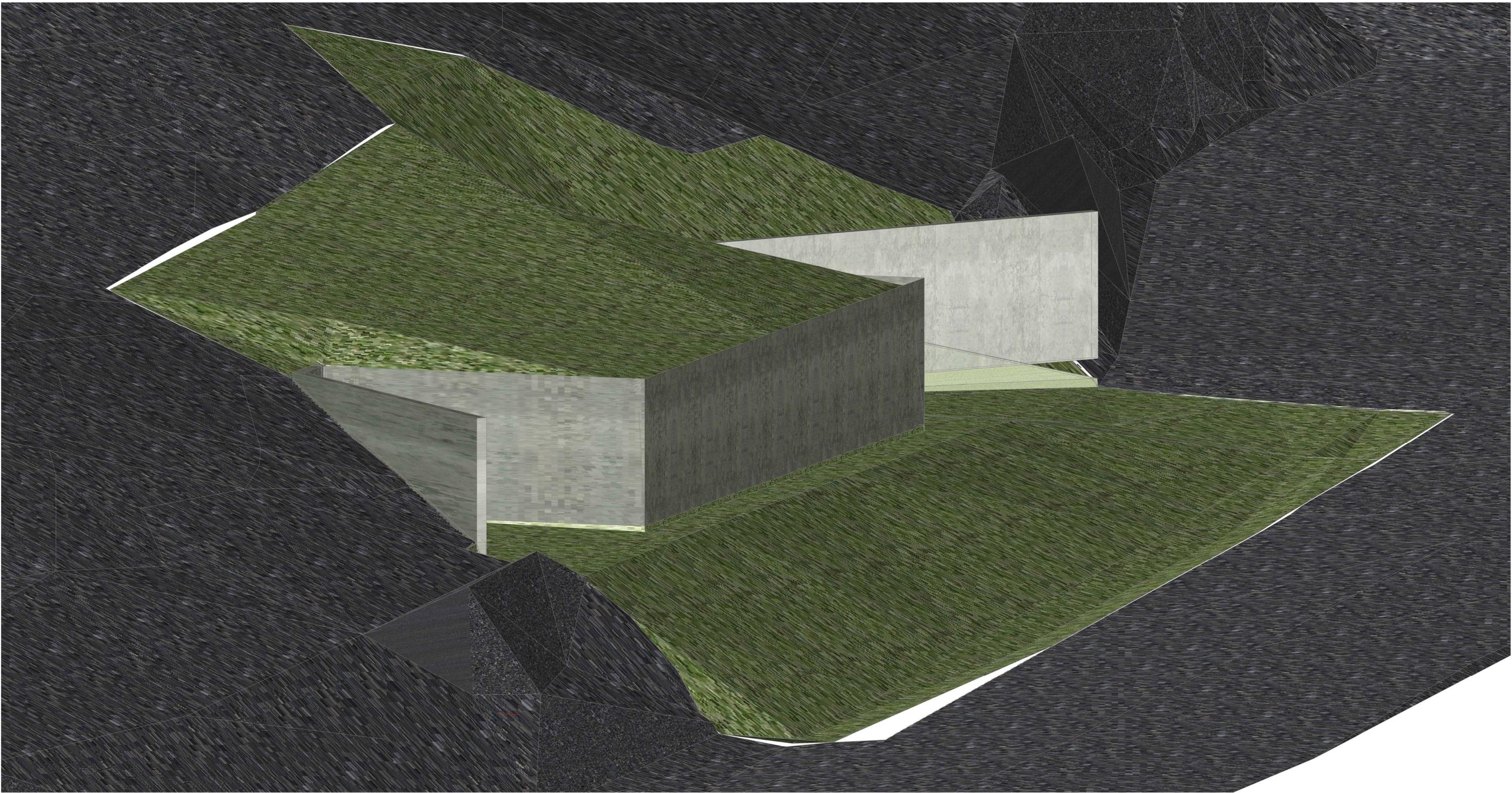
Wireless Communication Hub Building • Little Cottonwood Canyon Road



Overview

Wireless Communication Hub Building • Little Cottonwood Canyon Road

TOP



BOTTOM



4625 South 2300 East, Suite 105, Holladay, UT 84117
Phone 801-274-2831 Fax 801-274-2832
www.ctsengineering.net
www.ctsengineering.net

COMMITMENT TO ENGINEERING EXCELLENCE AND SERVICE

Snow Avalanche Hazard Report

May 23, 2014

Client:

Brian Christensen, P.E. PTOE Principal
Horrocks Engineers
2162 W Grove Pkwy
Suite 400
Pleasant Grove, Utah 84062

Property Location:

Little Cottonwood Canyon HUB
Highway 210
Alta, Utah

Scope of Work:

This report completes sections 1 through 3 of the scope of work listed below.

- 1) Description of the snow avalanche hazard at the building site referenced above and indicated in figure 1.
- 2) 30 and 300-year snow avalanche loads on proposed structure.
- 3) Loads on structure from change in avalanche slope:
 - a) On both grade and roof areas.

Consultant:

CTS Engineering, Joseph D. Crilly, S.E.

Design Criteria:

This analysis is based on a return event frequency of 100 years, a one percent chance of occurrence in any year. The return periods chosen are based on the two requirements. The county ordinance requires a one-hundred year return period for design forces for structures in a snow avalanche runout zone. The use of the greater return periods allows the forces provided by this report to be considered strength design level forces to be used by the building's structural engineer.

The four corners of the building's location were provided by Horrocks Engineers. They are in UTM coordinates:

445364.87E, 4493350.11N
445389.27E, 44933552.17N
445389.58E, 4493343.81N
445365.58E, 4493342.28N

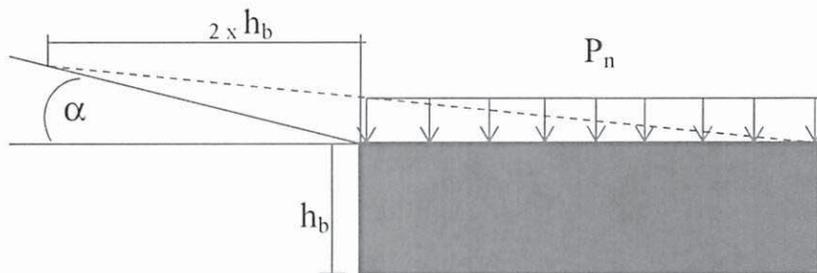
UTM zone 12T.

Design Snow Avalanche Loads and Velocities at Building Locations:
Forces are for impact on a vertical element perpendicular to flow,
(100-year return period)

Description:	Imperial Units	Metric Units
1. Avalanche velocity east end of building	53 mph	27 m/s
2. Avalanche velocity west end of building	77 mph	39.5 m/s
3. Design flow depth east end of building	7.9 ft	2.4 m
4. Design flow depth west end of building	10.5 ft	3.2 m
5. Snow Density at impact	18.73 lbm/ft ³	300 kg/m ³
6. Reference impact pressure (ρV^2) (east)	4568 lb /SF	220 kPa
7. Reference impact pressure (ρV^2) (west)	8578 lb /SF	410 kPa
8. Roof deposition load (slow moving avalanche)	125 lb/SF	600 kg/m ²
9. Roof load (fast moving avalanche)	148 lb/SF	720 kg/m ²
10. Powder blast on the south elevation:	50 lb/ SF	2.4 kPa

Roof deposition load (slow moving avalanche), is static. Snow avalanche forces are in addition to IBC roof snow loads. The deposition forces provided are for a slower moving avalanche and therefore cannot be counted on to remove any existing snow loads. Roof deposition load (fast moving avalanche), is dynamic and as a duration of 5 seconds. This load should be combined with 50% of the IBC roof snow load.

Where the grade transitions to the building roof the pressures normal to the roof are $P_n = \rho V^2 * \sin(\alpha)^2$ where α = the angle between the flat roof and the grade above; in increments of 5 degrees, with minimum of 15 degrees. (Therefore α is in 5 degrees increments, minimum of 15 degrees). This load replaces the minimum fast moving deposition load under line item #9 above. $P_n = (300) * 27^2 * \sin(15_{min})^2 = 14.65 \text{ kPa}$. Loads parallel to the roof are $0.5 \times P_n$.



If grade is sloped over the top of the building, (dashed line) then the min vertical loading is per line item #9 with a minimum force parallel to the roof of $0.5 \times P_n$.

The distance from the north edge of the building that the transition needs to be placed so the loading on the ground is not imposed on the building is twenty feet from the north elevation wall.

Summary

The loads provided above are sufficient to mitigate the 100 - year snow avalanche. By extending the slope of grade over the building starting from a distance behind (north) of the building equal to or greater than $2 \times$ the building height, the impact loads may be reduced to the loadings in line item 8 and 9. The drag force on the roof is also reduced, and the flow will continue off the roof in a down ward direction.

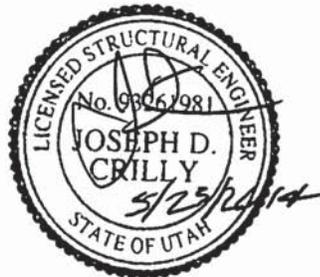
The occupants of this structure should be aware of all the potential hazards at the site. People outside the structure should also be aware of the hazards posed by snow avalanches, and heed all local ordinances, and safety recommendations.

If there are any questions regarding the applications of these loads or if you would like a gif file of the avalanche flow model please let me know. I may be reached at joe@ctsengineering.net or call at (801) 274-2831.

Sincerely,



Joseph D. Crilly, S.E.



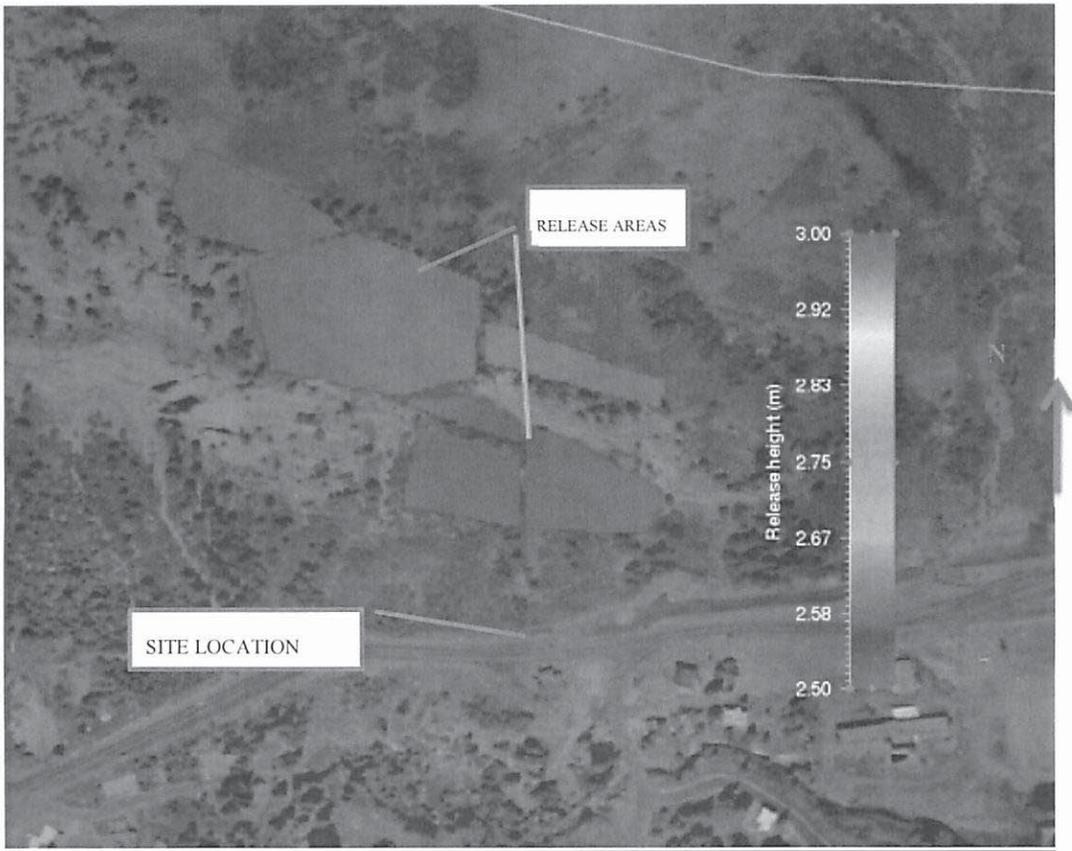


Figure I Site Location and Release Areas.



Figure II Maximum Flow Heights

Figure III Maximum Velocities



Figure IV Maximum Pressures

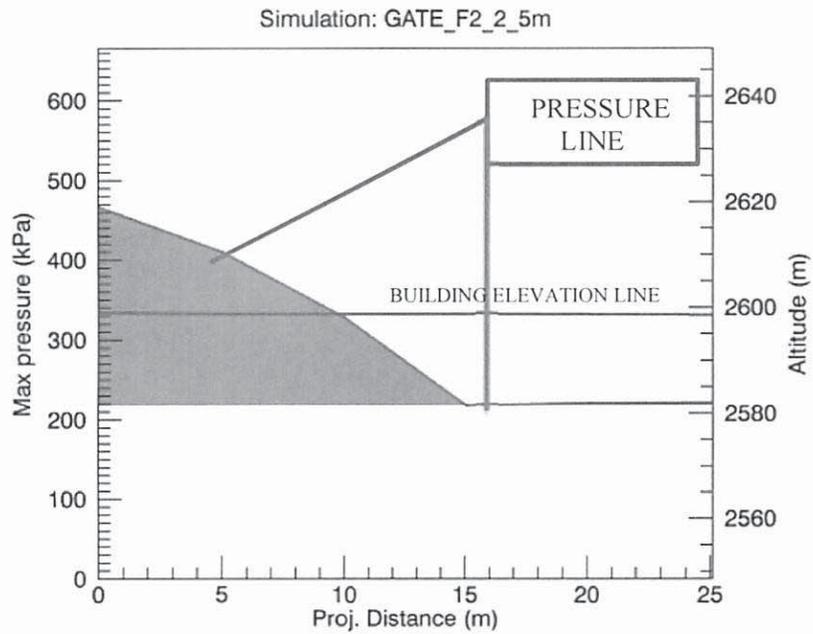


Figure V: Pressure Distribution across the Building Section - Looking North

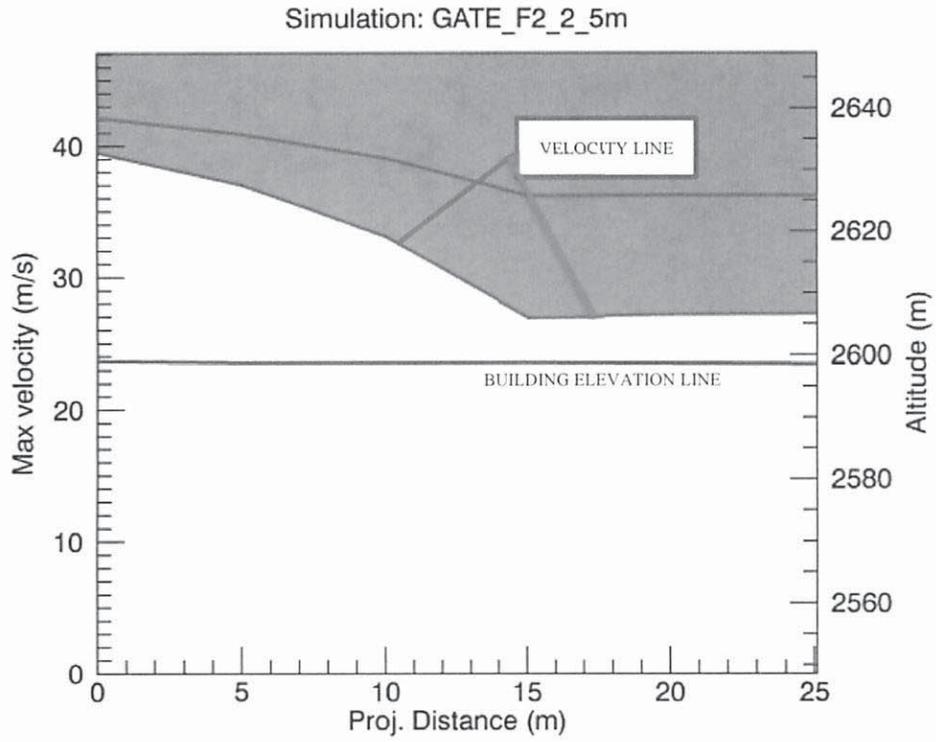


Figure VI: Velocity Distribution across the Building Section - Looking North



Intermountain GeoEnvironmental Services, Inc.
4153 South 300 West, Salt Lake City, Utah 84107
Ph:801-270-9400 Fax: 801-270-9401 www.igesinc.com

January 28, 2014

Horrocks Engineers
2162 West Grove Parkway, Suite 400
Pleasant Grove, Utah 84062

Attn: Mr. Derek Stonebreaker, P.E.

Proposal
Geotechnical Investigation for Hillside Cut Wall
Little Cottonwood Canyon Immediately West of Alta Ski Resort
Alta, Utah

Dear Mr. Stonebreaker,

INTRODUCTION

Intermountain GeoEnvironmental Services, Inc. (IGES) is pleased to present our proposal to complete a geotechnical investigation of the proposed hillside cut area near Alta, Utah. A small building is proposed measuring 25x65 feet in plan with a 10 ft. tall wall tucked into the hillside. The approximate location of the site is shown in the following Google Earth photo and is slightly upslope from the adjoining highway and approximately 80 feet north of the road shoulder. A geotechnical investigation is needed to assist in the design of the wall and determine allowable soil bearing pressures. The structural design of the building will be performed by Horrocks Engineers. If soil nail stabilization of the slope is deemed appropriate, IGES would provide design for this component of the work. Our proposed Scope of Work, assumptions and projected costs for this work is provided in the following.



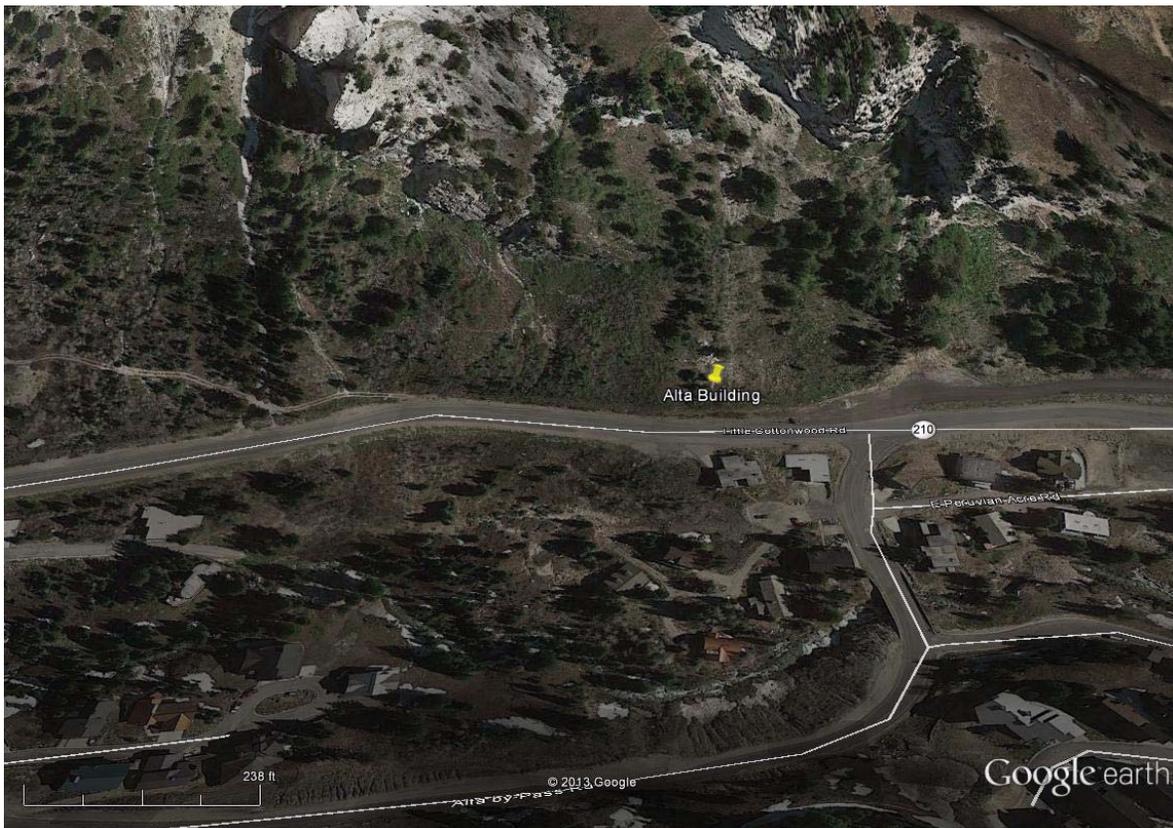
SCOPE OF WORK

GENERAL

The following scope of work is proposed for the investigations followed by somewhat more generalized discussions of our work in the laboratory and our report preparation and analyses to support Horrocks design efforts.

BACKGROUND

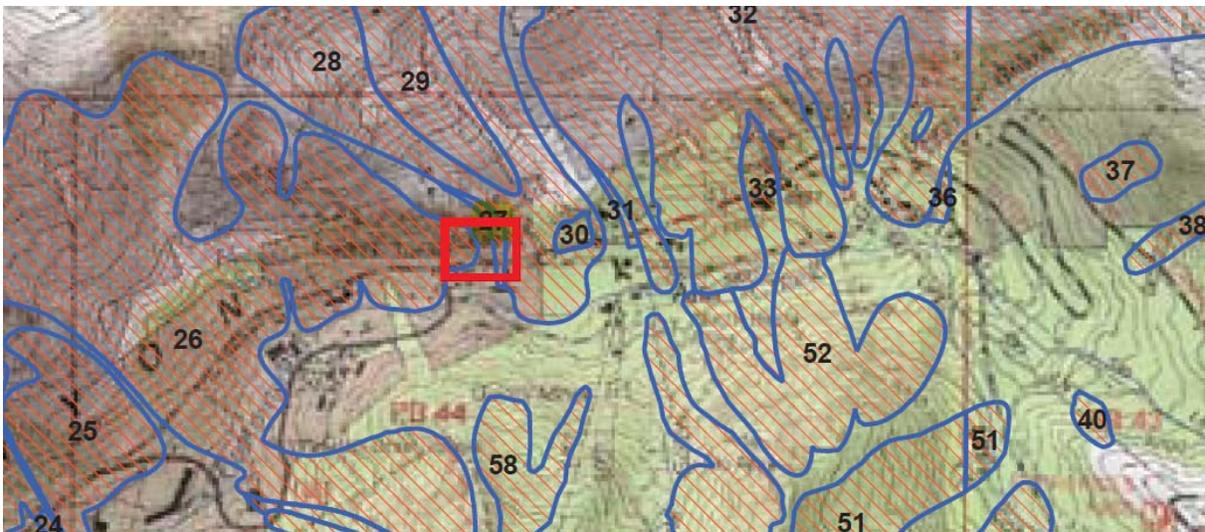
The close up aerial photo of the site indicates that the site is at the base of a rather steep slope covered with colluvium composed of talus or slide debris or their combination





Current site Conditions as seen from Little Cottonwood Canyon Road

As the photos show, the sloping hillside is moderately steep, but snow covered making access difficult. As seen in the mapping presented in the UDOT snow avalanche mapping, the slope may have the potential to be an avalanche chute or immediately adjacent to one. Excavation into the snow could potentially trigger a slide.



As such, it would be prudent to defer any site investigation requiring excavation until after the snow melt.

SITE INVESTIGATIONS

We propose to perform a single test pit at the proposed site to expose cut slope lithology and foundation soils. This single test pit will be sampled for laboratory testing and other wise supplemented by mapping of adjacent rock exposures and other geologic parameters. The test pit will also be photographed for additional documentation.

Bulk samples will be collected for laboratory testing. All work will be performed under the direction and supervision of an experienced geotechnical engineer.

All exploration locations will be backfilled with excavated materials.

LABORATORY TESTING

Appropriate laboratory tests will be performed on soil samples obtained from the field investigation described above. Specific laboratory tests will be dependent on actual soil conditions encountered at the site; however, tests currently envisioned are summarized below:

- Moisture-density tests
- Gradation analysis
- Atterberg Limits
- Laboratory Moisture Density Relationship (Proctor)
- Corrosivity Testing

REPORT AND RECOMMENDATIONS

The results of our investigation, laboratory testing, and engineering analyses will be presented in a final reports. This report will include, at a minimum, the following:

- a. A general Plot Plan and Vicinity map showing the location of site investigations.
- b. Logs of explorations.
- c. A detailed description of surface and subsurface conditions encountered.
- d. A summary of laboratory test data.
- e. Bearing capacity assessment and estimated settlement of the proposed wall design.
- f. Design lateral earth pressure parameters for wall design
- g. Global slope stability evaluation of the proposed wall system with consideration for traffic load and downslope geometry

One wet stamped hard copies of our final report will be provided along with a PDF version for electronic distribution.

If it appears more appropriate to use soil nail technology for slope retention, IGES will develop a soil nail wall design for Horrocks' use in preparing detailed plans and specifications. The design will include the various sized components of a soil nail wall

system including shotcrete thicknesses, plate design, nail size and lengths, welded wire mesh reinforcement recommendations. IGES will also provide review of the final design plans and specs for conformance to our design recommendations.

CONDITIONS, SCHEDULE AND FEES

IGES proposes to undertake the above scope of work on a **TIME & EXPENSE** basis in general accordance with our current schedule of fees and the attached "General Conditions" as presented on Attachment 1. Based on the scope of work outlined in the preceding, our fees estimated to perform the investigation, testing and report/design developments are estimated to be \$4,500 to \$5,000. If soil nail wall design is required, an additional \$2,500 fee will be charged including final drawing and spec review.

The above fee is based on the following assumptions:

1. Test pit location will be accessible via trackhoe and performed after slopes have essentially become clear of snow pack and avalanche hazard abated.
2. Horrocks will assist in locating test pit as required. Alternatively, test pit locations will be approximately located using handheld GPS methods
3. Free and clear access will be provided to all required investigation locations.
4. Client/Owner will provide a site topographic base map for use in our report in AutoCAD Format or similar.

Our site investigation can generally begin within one week of receipt of written authorization to proceed. Field work will require 1 day to complete.

Lab testing will require approximately 4-8 days to complete following delivery of samples to our laboratory. Our analyses and report preparation will require an additional week after completion of lab testing.

If you wish us to proceed with the proposed services, please indicate so by signing the Authorization to Proceed at the end of this proposal. Non-acceptance of these terms or any significant modification to them inclusive of limitations of liability, insurance levels or indemnification may result in a modification to our proposed fees as offered above or withdrawal of this proposal.

We appreciate the opportunity to provide you with our services and look forward to working with you on this project. If you have any questions regarding the proposed scope of work or any other aspects of our proposal please call.

Sincerely,
IGES, Inc.

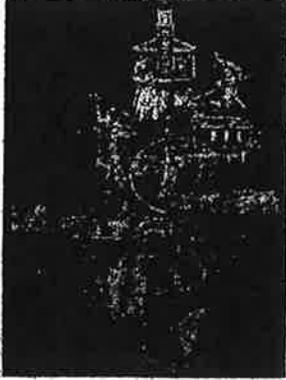
A handwritten signature in cursive script that reads "John F. Wallace".

John F. Wallace, P.E.
Principal Engineer

Attachments:

1. General Conditions - Form B 100
2. Schedule of Fees - 2014

1.



GRANITE COMMUNITY COUNCIL

April 4, 2014

Todd Draper
Planning & Development Services
Salt Lake County
2001 S. State
Salt Lake City, Utah 84190

Dear Todd:

The Granite Community Council appreciated the opportunity to review and comment on the Land Use Application, File No. 28833, at our meeting this week. As usual, we appreciate your attending and answering our many questions.

The Council's recommendation on this application is to approve it with modifications. Those modifications cover the concerns that have been addressed with a similar building sited in Big Cottonwood Canyon, especially since this hub building, like that one, will be very close to the road and highly visible.

Those concerns are that the exterior sides that are visible to the public be in color and materials that are congruent with the buildings that are closest to it, particularly the Snowbird Lodge. If it is feasible, we'd also prefer to have the equipment that extends outside the building be screened from sight of the road.

One issue that was discussed by the Council, but not expressed as a *condition of approval* was a concern about siting the building so close to the road. Several members of the Council and community residents are active on the Mountain Accord effort and aware that a possible solution to dealing with traffic up Little Cottonwood Canyon might be to expand the road, either to accommodate Bus-Rapid Transit (BRT) or passing lanes. I think that this consideration should be looked at by your office.

Again, I thank you for attending our Council meetings with these issues—we do appreciate your help and patience.

Sincerely,

Mary J. Young, Chair
Granite Community Council

Todd Draper

From: John Guldner <JHG@townofalta.com>
Sent: Tuesday, April 15, 2014 4:53 PM
To: Todd Draper
Subject: Crown Castle HUB building

April 15, 2014

Todd Draper, Planner
Salt Lake County
2100 South State Street
Salt Lake City, Utah 84190

Re: Proposed wireless telecommunications HUB building for Crown Castle and Alta Ski Lifts on SR-210, just west and north of the Town of Alta boundaries.

Dear Todd:

Last comment, I promise! I just received your phone message re: my two previous comments being given to the Commissioners, Thanks!

I did receive another updated request from a property owner on the south side of SR-210. That owner has a vacant lot with frontage along SR-210. She is concerned that if snow removal/storage uses that lot, it will cause erosion problems both for that lot and for her cabin just south of and below the lot, well as causing damage to the existing trees and vegetation on the lot. Any snow removal/storage plans for should address those concerns.

Thanks for the help with this matter; it is pretty important for a few of our residents. Sorry I can't be there, but call me before if there is anything I can do.

Sincerely:

John H. Guldner
Town of Alta

801.580.0486

Todd Draper

From: Karen Travis [REDACTED]
Sent: Tuesday, April 15, 2014 3:44 PM
To: Todd Draper
Subject: AH--Crown Castle Building--#28833
Attachments: AH--Crown Castle Building.docx

Mr. Draper, my concerns regarding the proposed building at Avalanche Gate E at Alta are summarized in the short attachment.

My property is across the highway from this project, so the impact will be significant, especially regarding snow removal but also aesthetically. A telephone communications building is already located about 150 ft. or so to the east of this proposed site, and something adjacent to that site would certainly be more conducive to this project in all respects.

Karen Travis
[REDACTED]

Alta, UT 84092
[REDACTED]

Crown Castle Building Plans
Application #28833

1. Aesthetically, the chosen location for this commercial building is probably the worst place it could be—at the physical entrance to one of Utah's premier ski resorts and adjacent to a housing subdivision.
2. Since the building is supposed to be located directly across from my private property, I am wondering what the plan is for snow removal—where will the 500" of yearly snow from around the building be moved to? Don't expect to plow it off into my property. I have enough spring erosion to deal with as it is, and I will not allow more snow to plowed over the side of the road and into my stand of aspen trees, left to melt and drain down toward my home.
3. I would suggest that the building be placed next to the existing telephone building which is slightly east of the current planned location. It would not be an eyesore to arriving local, national, and international guests, and it would save my private property from becoming their free snow storage area.

Karen Travis

[REDACTED]
Alta, UT 84092
[REDACTED]

Todd Draper

From: John Guldner <JHG@townofalta.com>
Sent: Monday, April 14, 2014 4:49 PM
To: Todd Draper
Subject: Crown Castle/Alta Ski Lifts HUB building

Categories: Yellow - Meeting

April 14, 2014

Todd Draper, Planner
Salt Lake County
2100 South State Street
Salt Lake City, Utah 84190

Re: Proposed wireless telecommunications HUB building for Crown Castle and Alta Ski Lifts on SR-210, just west and north of the Town of Alta Boundaries

Dear Todd:

I just had another request from a property owner immediately south of the above mentioned proposal. There is a concern that the proposed structure would act as a ramp, directing avalanches into the home across the street from the proposal. With the amount of snow we receive in Alta, and the steepness of the slope above that proposed structure this is a real concern.

Has Crown Castle addressed this concern?

I will not be able to attend the meeting Wednesday morning, but I do want to make sure this issue, as the issues in my previous letter today are addressed.

Thanks for your help.

Please call if you have any questions.

Sincerely:

John H. Guldner
Town of Alta
801.363.5105

Todd Draper

From: John Guldner <JHG@townofalta.com>
Sent: Monday, April 14, 2014 10:24 AM
To: Todd Draper
Subject: Crown Castle/Alta Ski Lifts HUB building
Attachments: AR-M355N_20140414_102526.pdf

Categories: Yellow - Meeting

4.14.14

Todd Draper, Planner
Salt Lake County
2100 South State Street
Salt Lake City, Utah 84190

Re: Proposed wireless telecommunications HUB building for Crown Castle and Alta Ski Lifts on SR-210, just west and north of the Town of Alta Boundaries.

Dear Todd:

The Town of Alta is very supportive of the fiber optic project in Little Cottonwood Canyon. This will greatly improve communications for everyone.

In reviewing the proposal, we would like to ensure that snow removal and snow storage is adequately addressed. Per the attached pictures, taken this morning, you can see the approximate location of the proposed building and a portion of the Department of Transportation's snow removal/storage area immediately across the street, SR-210.

It is essential that whatever is done in that area does not adversely affect snow removal and snow storage efforts. In addition to the one house visible with road frontage, there are several houses below the road, and one vacant lot along the road west of (down canyon) the snow storage. If snow removal/snow storage efforts are not planned out in advance, access to these homes could be adversely affected.

It is also very important that snow removal/storage efforts do not adversely affect the road in that location as well. That is the main road into Alta. Anything done in that area has to be planned so that traffic into and out of Alta is not delayed or adversely affected.

The Town of Alta does not own any property so we do not routinely receive notices such as the notice for this HUB building. I'd appreciate it if you could forward to me any projects your department might be reviewing that are adjacent to our boundaries.

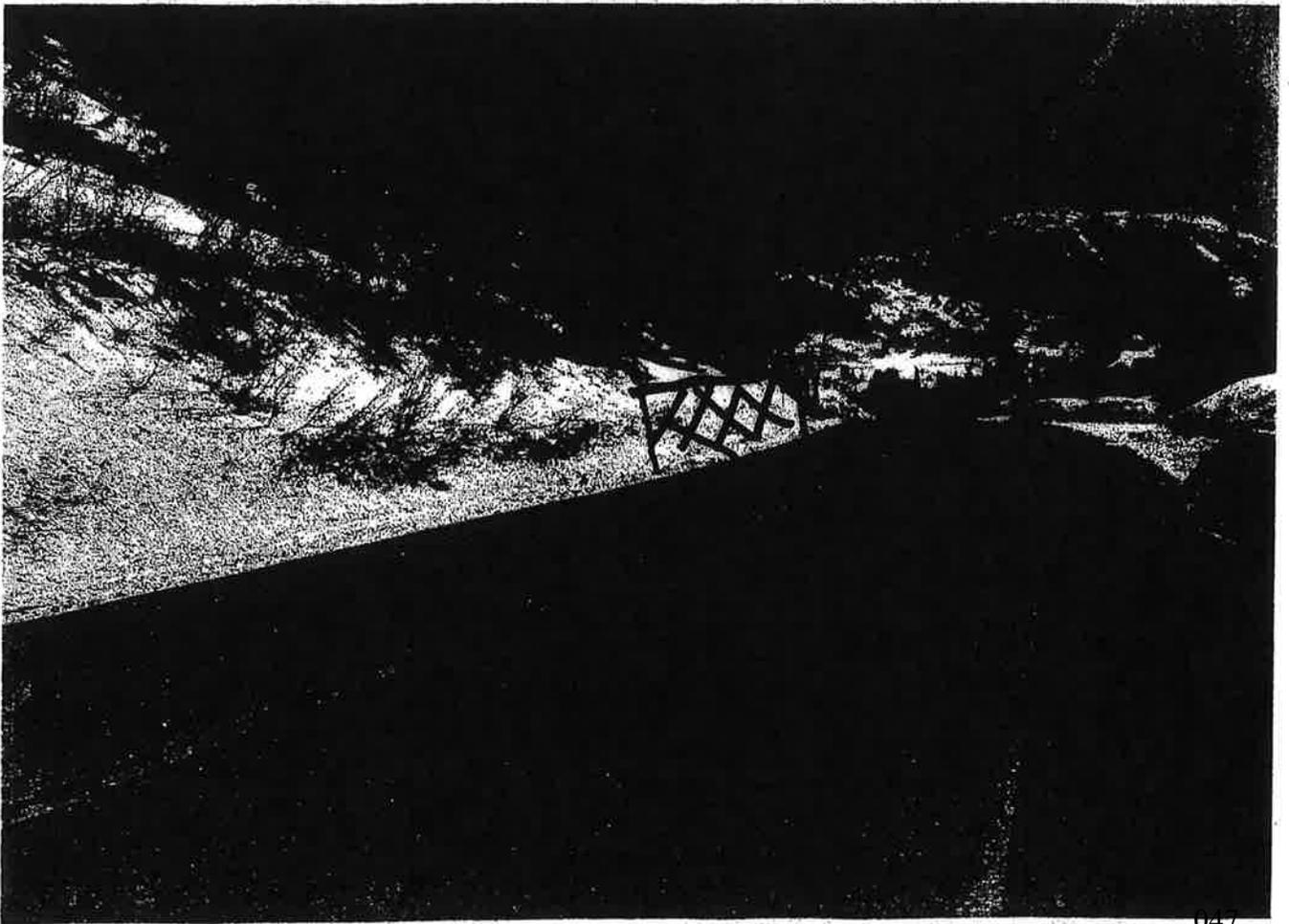
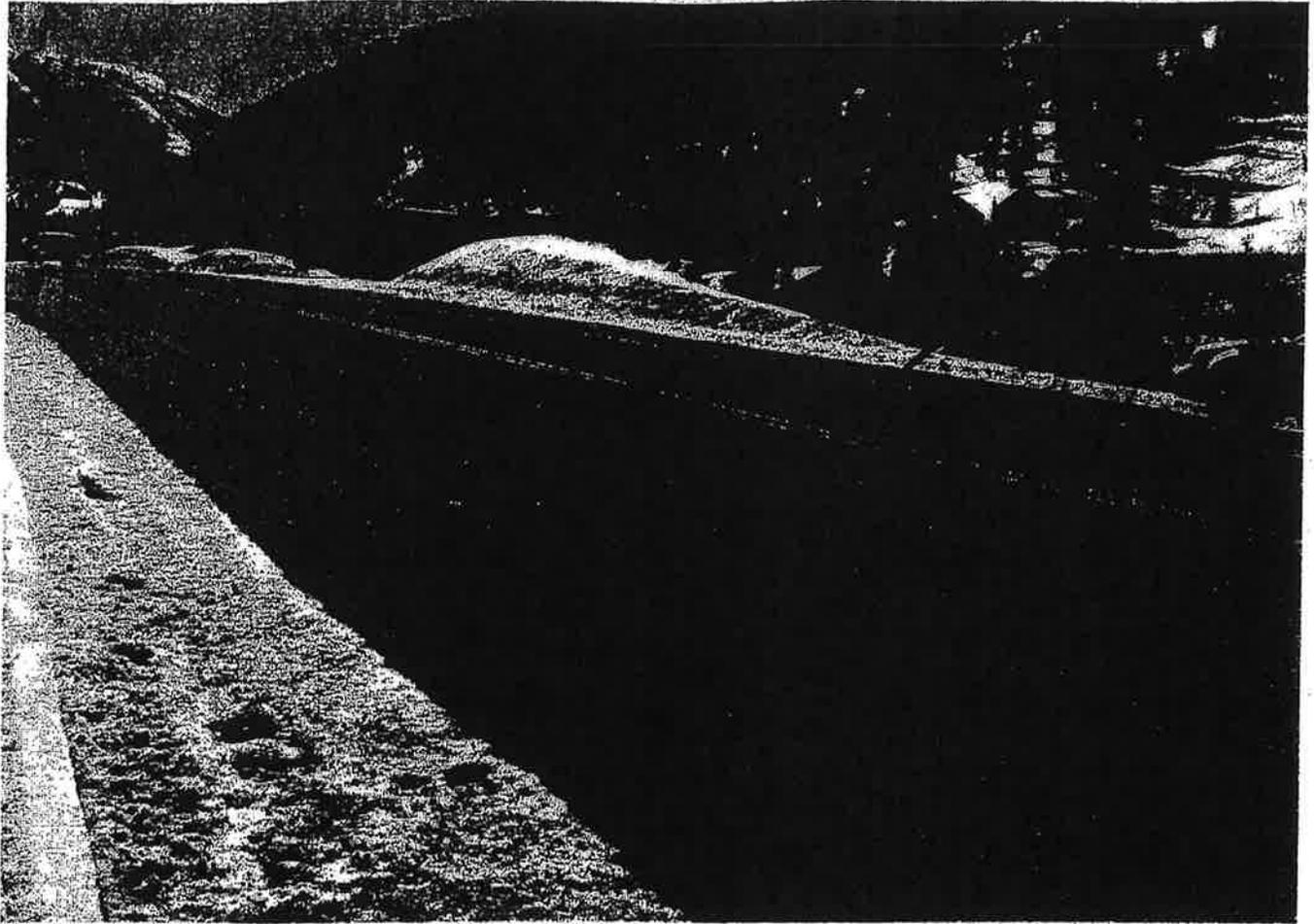
If you have any questions, don't hesitate to give me a call.

Thanks!

Sincerely,

John H. Guldner
Town of Alta
801.363.5105

7.14.14



Todd Draper

From: Karen Travis [REDACTED]
Sent: Thursday, April 10, 2014 11:53 AM
To: Todd Draper
Subject: Application #28833

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Regarding this application for Crown Castle's building at Alta:

1. Why isn't the building being located at the most logical place, next to the telephone building directly east of the current location (2 communication buildings located next to each other) rather than visible to tourists right at the entrance to a world-class ski resort?
2. Where do they expect to put the snow that collects on the roof and around the building? What is their snow storage plan, or is there one?



4625 South 2300 East, Suite 105, Holladay, UT 84117
Phone 801-274-2831 Fax 801-274-2832
joe@ctsengineering.net
www.ctsengineering.net

COMMITMENT TO ENGINEERING EXCELLENCE AND SERVICE

June 25, 2014

Page 1 of 6

Brian Christensen
Horrocks Engineers
2162 W Grove Parkway
Suite 400
Pleasant Grove, Utah 84062

Dear Brian,

As per our June 25, 2014 telephone conversation I have adapted my calculations to account for the proposed HUB structure being relocated to the north and west of the previous location and which was analyzed in my May 6, 2014 letter. The new location of the HUB structure is far enough away from the northern most point of the residential structures across highway 210 to the south that the 100- year design avalanche flowing over the top of the structure will hit the ground prior to reaching the residential structures.

Based on this and the fact the HUB building will only slightly impede the flow of a snow avalanche there will be no impact on the residential structures to the south of the proposed new building.

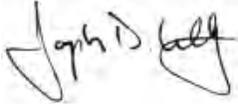
This also means the snow avalanche impact force on the residential structures to the south and across highway 210 will not be increased due to the location of the new HUB building; these forces will most likely be reduced due to the energy loss of the snow moving across the roof of the HUB building as opposed to down the slope of the terrain as it is currently graded.

Please see the attached site plan, (FIGURE I), and calculations, (FIGURE II) that demonstrate the maximum distance the snow could stay "aloft" as it crosses the roof of the HUB building.

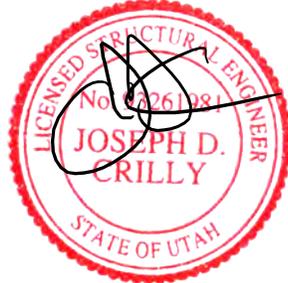
With regards to my May 23rd snow avalanche report for the same HUB building please see the attached figures III and IV which correlate the modeled release areas with historical release areas affecting the HUB building.

If there are any other questions please do not hesitate to call, (801) 274-2831.

Sincerely,



Joseph D. Crilly, S.E.



6.25.2014

FIGURE III HISTORICAL RELEASE AREAS PER UDOT ROAD ATLAS

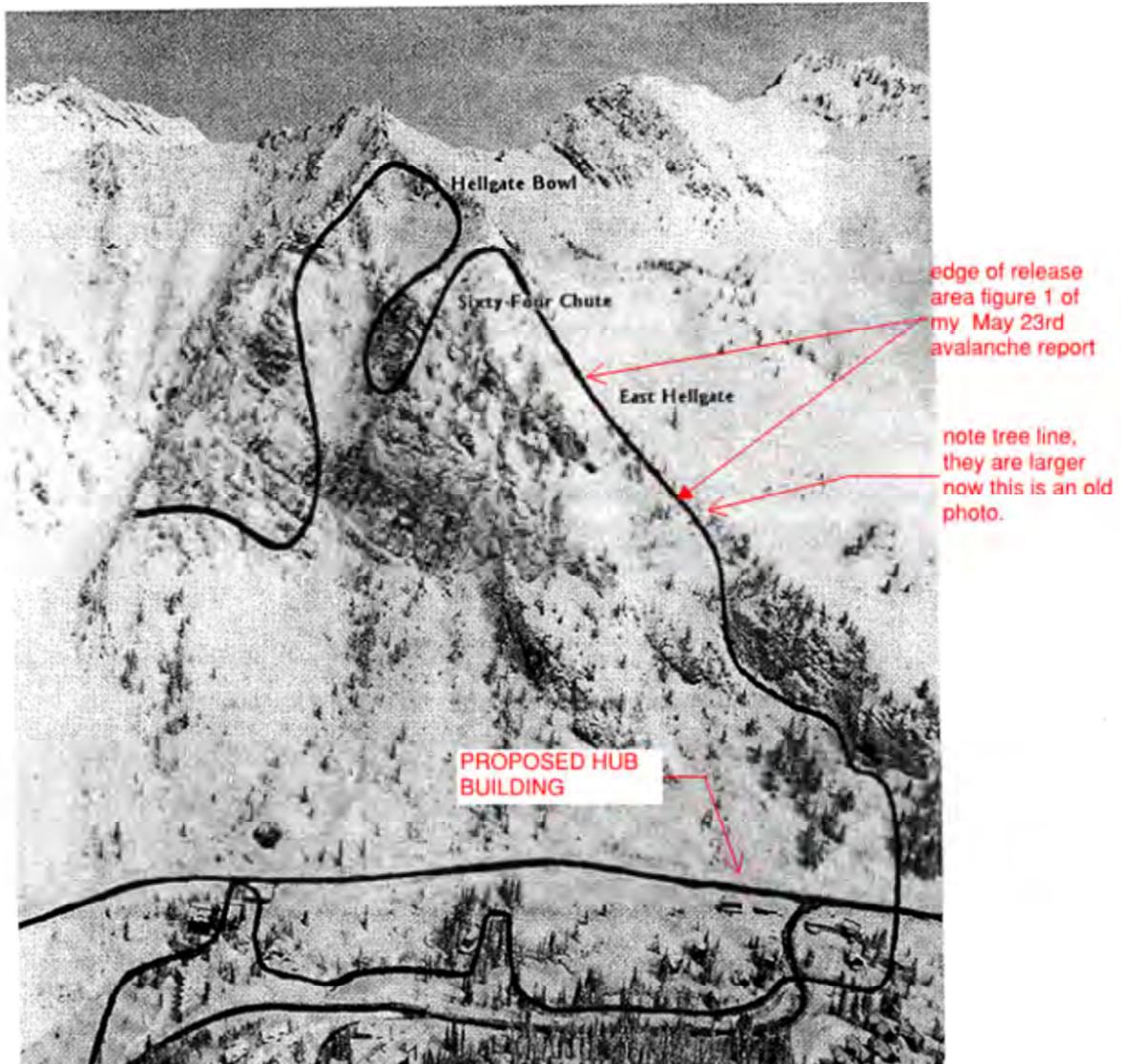
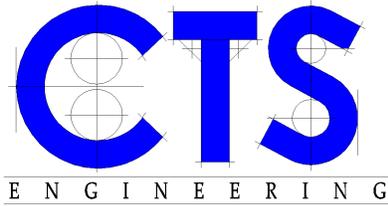


FIGURE IV HISTORICAL RELEASE AREAS PER UDOT ROAD ATLAS
CARDIFF BOWL





June 25, 2014

Page 1 of 7

Brian Christensen
Horrocks Engineers
2162 W Grove Parkway
Suite 400
Pleasant Grove, Utah 84062

Dear Brian,

As per our April 29, 2014 email I have completed my study to determine the velocity and flow heights of a snow avalanche traveling from north to south across SR210 at the location of the proposed new HUB building. I have calculated the lift effect of the proposed structure on the avalanche flow base height. This "lift" was determined by modeling the avalanche flows over the roof of the proposed structure and calculating the time the flow remains airborne as it crosses the road.

Design Criteria:

Based on the relative height of the proposed structure with respect to the road, the west end of the proposed structure will provide a greater "lift" to the avalanche flow. The "lift" will be calculated by determining the time it will take for a falling object to hit the ground when dropped from the south elevation roof height which is 20' above the road, (roof elevation of 8540 ft. minus existing ground of 8520 ft.). The formula utilized was: $t = \text{SQRT}\left(\frac{2xh}{g}\right)$; where g is the acceleration due to gravity, and h is the height of the roof above the highway.

This time, t , was then multiplied by the average velocity of the avalanche across the path, (road), segment to determine the distance traveled of the mass moving through the air, L . Air friction was accounted for utilizing the M/D and μ parameters in the PCM model for one segment. These velocity values conservatively match the velocity reduction determined in the RAMMS computer model of the avalanche flowing across the road surface. See figure V.

The velocity for the flow height calculations was determined by running a 2 meter slab avalanche in the program RAMMS, and utilizing design parameters based on a 100-year return period. L was determined to be 75 ft. Based on the site plan (attached figure I) the closest existing structure is approximately 70.5 ft. from the new structure. The flow base at 70.5 ft. from the new structure could be 3 ft. above the ground following the projection of the avalanche off the roof of the structure,

and utilizing the average velocity based on a PCM model and the RAMMS model as the avalanche crosses the road. The average velocity of the avalanche flowing off the roof of a new structure will actually be less due to the snow dropping out of the flow, since it is not flowing over snow cover, but is airborne, therefore this analysis is conservative. On the east side of the proposed new structure the roof height above grade is only 15 ft. and the avalanche will be airborne for only 65 ft., thus providing no "lift" to the avalanche flow, past the south edge of SR210.

The possible additional flow height of 3 ft. should be insignificant to the structures on the south side of the road due to the fact that if SR 210 is not plowed of snow the avalanche event could easily be flowing on a base up to 6 ft. above the road surface elevating the avalanche flow to a similar height as described above.

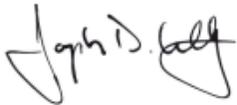
The total flow height of a design avalanche calculated by RAMMs would be approximately 8 feet as it flows across the road.

Summary

The new structure will cause approximately 3 feet of "lift" for the avalanche flow on the west end of the structure 70.5 ft. to the south at the location indicated in Figure I. The east end of the structure is not tall enough for the "lift" provided to extend past the width of SR 210. The additional "lift" at the west end of the proposed structure is insignificant when considering the "lift" provided by an unplowed road which could be as high as 6 ft. during a 100-year event.

Please call with any questions, (801) 274-2831.

Sincerely,



Joseph D. Crilly, S.E.



6/25/14

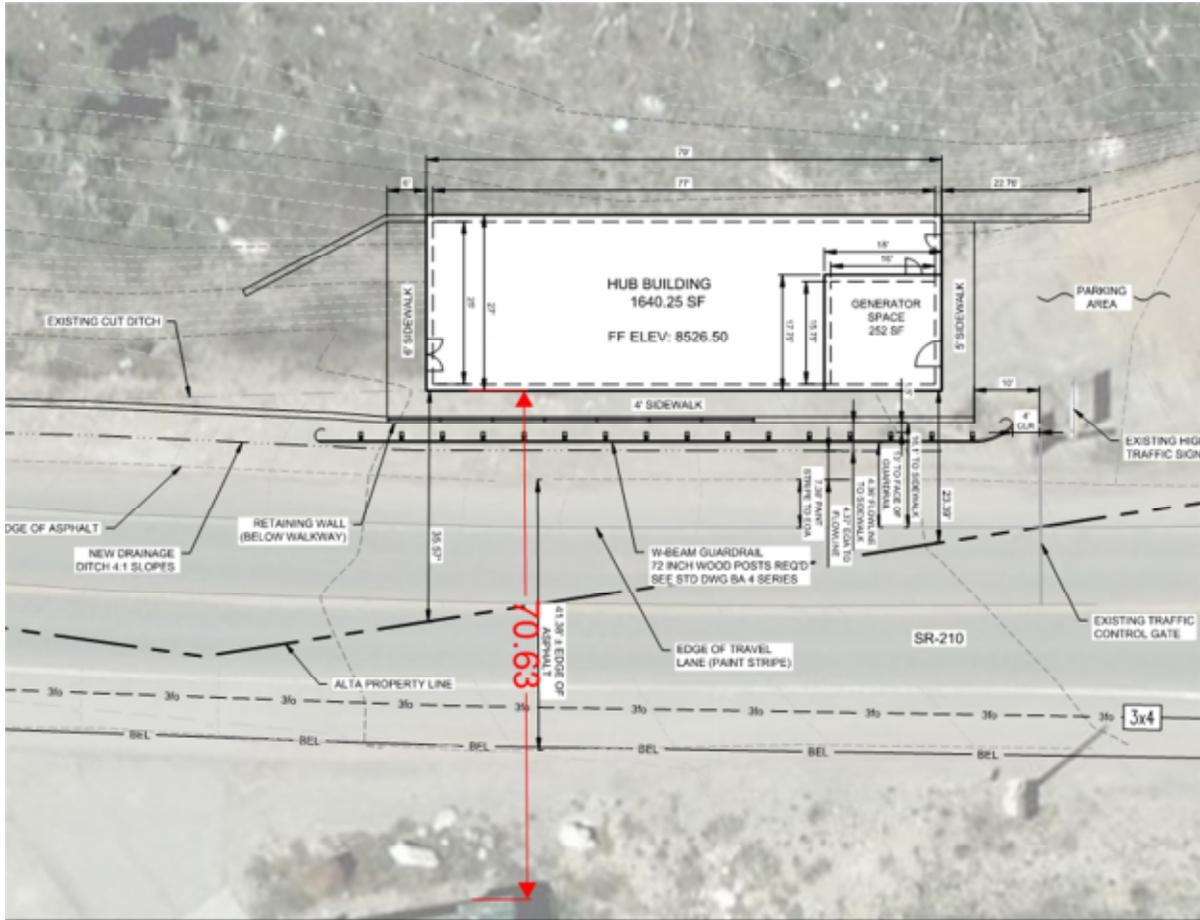


FIGURE I: SITE PLAN IMAGE:

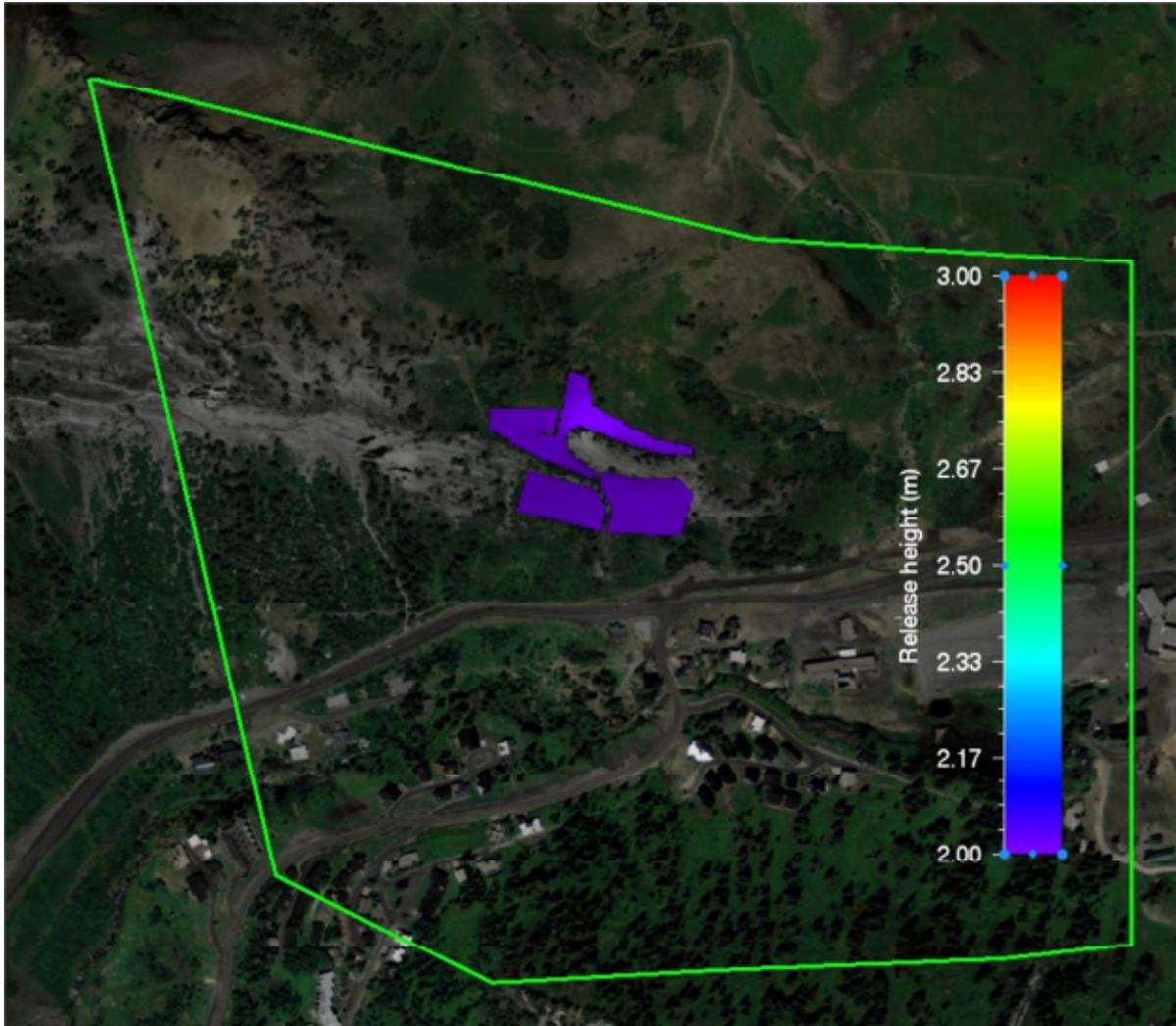
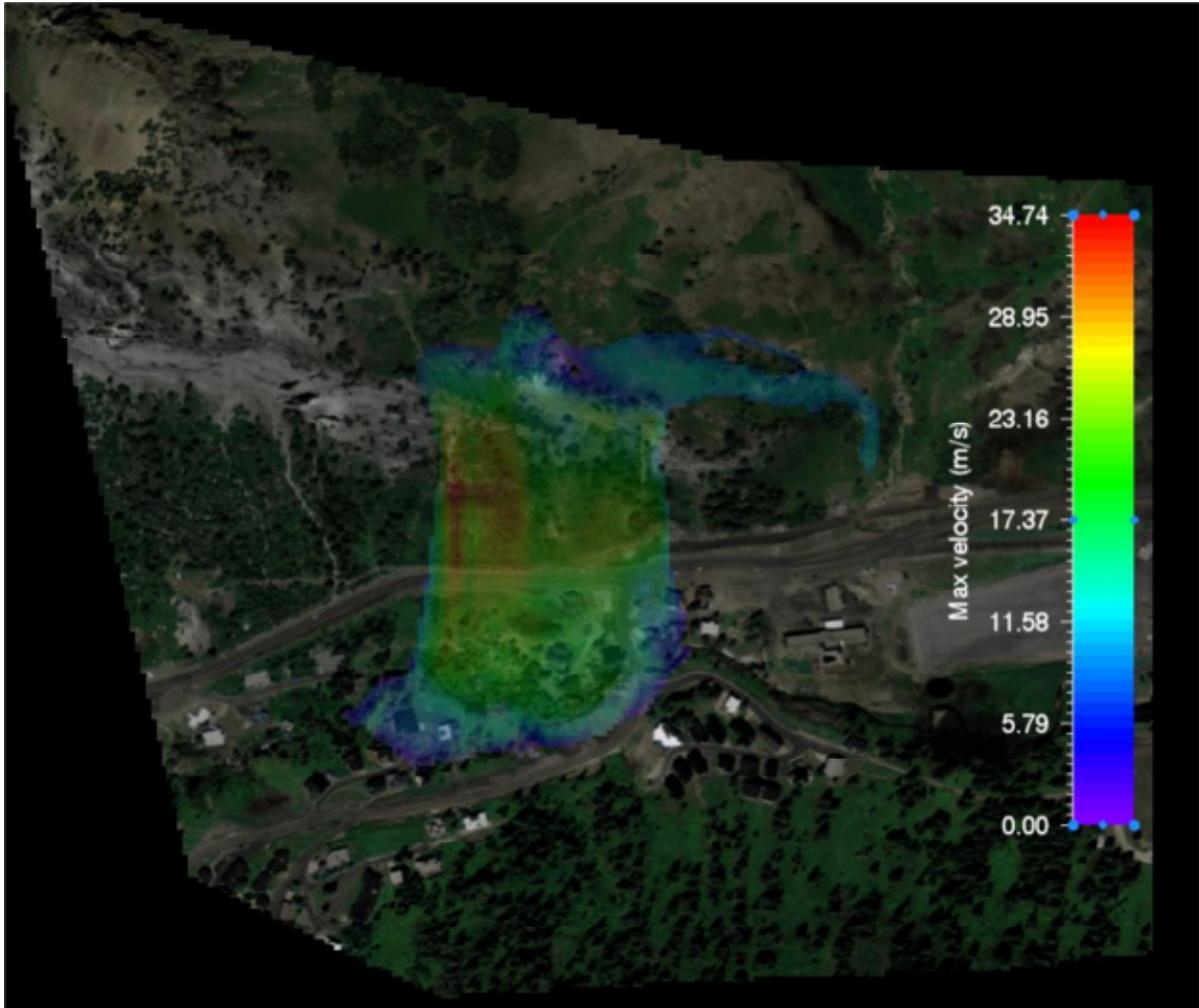
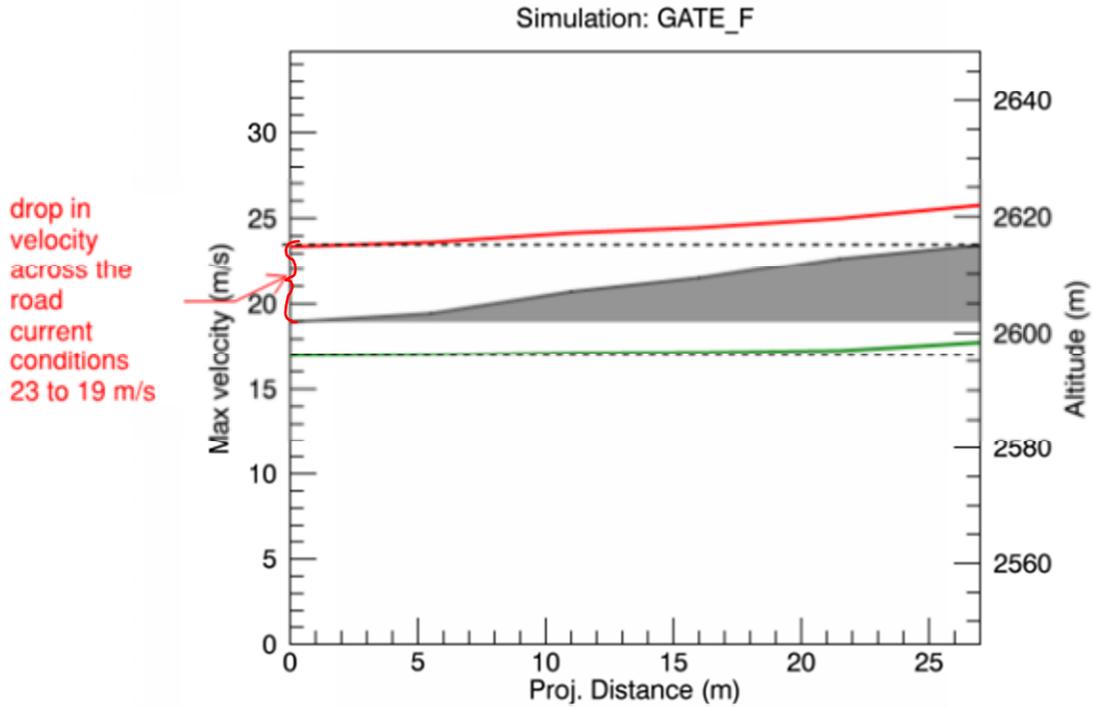


FIGURE II
RAMMS SCREEN SHOT:
RELEASE AREA, CALCULATION BOUNDARY



**FIGURE III
RAMMS SCREEN SHOT:
VELOCITY DISTRIBUTION**



VELOCITY PROFILE SOUTH TO NORTH ACORSS THE ROAD

**FIGURE IV
VELOCITY PROFILE RAMMS**

June 26, 2014

Mr. Rolen Yoshinaga, Director
Salt Lake County
Planning and Development Services
2001 S. State street suit N-3600
Salt Lake City, Utah. 84190-4050

Subject: Geologic Review
Proposed Communication Hub Building
10027 East Little Cottonwood Canyon Road
Mile Post 11.52 S.R. 210
Alta, Utah
SBI Project No: 2-14-500

Mr. Yoshinaga,

SBI was requested to review the documents referenced in Section 1.0 and to provide a professional opinion in regards to whether or not the proposed HUB Communications Building will comply with Section 19.84.060 D (Standards for Approval), of the Salt Lake County Code which states:

“The proposed use and site development plan shall not pose a serious threat to the safety of persons who will work on, reside on, or visit the property nor pose a serious threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.”

1.0 Documents Reviewed

- a. Salt Lake County Memorandum, to Spencer Sanders, from Curtis Woodward, regarding Interpretation of Chapter 19.75 regarding avalanche zones, dated April 3, 2013.
- b. Salt Lake County Planning & Development Services Staff Report, dated Wednesday, April 16, 2014.
- c. Salt Lake County Planning Commission Meeting, Meeting Minute Summary, dated Wednesday, April 16, 2014.

- d. CTS Engineering, Snow Avalanche Hazard Report, dated May 23, 2014, Little Cottonwood Canyon HUB, Highway 210, Alta, Utah, prepared for Horrocks Engineers 2162 W Grove Pkwy, Suite 400, Pleasant Grove, Utah 84062.
- e. CTS Engineering, untitled report, dated June 25, 2014 prepared for Horrocks Engineers 2162 W Grove Pkwy, Suite 400, Pleasant Grove, Utah 84062.
- f. Holland & Hart, Appeal of Preliminary Approval of Conditional Use Permit No. 28833, Wireless Telecommunications HUB Building, 10027 East Little Cottonwood Canyon Road.

2.0 SBI COMMENTS

The following comments are based on the premise that:

- a. All calculations submitted by the applicant's engineer, CTS Engineering, have been reviewed and approved by a Salt Lake County Structural Engineer.
- b. The requirements of the Salt Lake County Geologic Hazard Ordinance, Chapter 19.75 of the Municipal Code County of Salt Lake, Utah, have been met.

Based on our review, the concern expressed by others on whether or not the proposed project exacerbates or poses a serious threat to the safety of residents or the adjoining property below the site," has merit.

The May 23, 2014 CTS Engineering report concludes:

- a. The loads provided above are sufficient to mitigate the 100 - year snow avalanche.
- b. By extending the slope of grade over the building starting from a distance behind (north) of the building equal to or greater than 2 x the building height, the impact loads may be reduced to the loadings in line item 8 and 9.
- c. The drag force on the roof is also reduced, and the flow will continue off the roof in a down ward direction.
- d. The occupants of this structure should be aware of all the potential hazards at the site. People outside the structure should also be aware of the hazards posed by snow avalanches, and heed all local ordinances, and safety recommendations.

This report did not adequately address, in our opinion, the concern over whether or not the proposed project poses a serious threat to the safety of residents or the adjoining property below the site. Items 3 and 4 of this report could be interpreted to indicate the project might very well impact downslope properties.

Apparently, the June 25, 2014 CTS Engineering report was submitted, in part, to address downslope properties. The report concludes:

- a. Based on the site plan (attached figure I) the closest existing structure is approximately 70.5 ft. [*sic.*, may be greater than 70.5 feet) from the new structure. The flow base at 70.5 ft. from the new structure could be 3 ft. above the ground following the projection of the avalanche off the roof of the structure, and utilizing the average velocity based on a PCM model and the RAMMS model as the avalanche crosses the road. The average velocity of the avalanche flowing off the roof of a new structure will actually be less due to the snow dropping out of the flow, since it is not flowing over snow cover, but is airborne, therefore this analysis is conservative.
- b. On the east side of the proposed new structure the roof height above grade is only 15 ft. and the avalanche will be airborne for only 65 ft., thus providing no "lift" to the avalanche flow, past the south edge of SR210.
- c. The new structure will cause approximately 3 feet of "lift" for the avalanche flow on the west end of the structure 70.5 ft. to the south at the location indicated in Figure I.
 - a. The east end of the structure is not tall enough for the "lift" provided to extend past the width of SR 210.
 - b. The additional "lift" at the west end of the proposed structure is insignificant when considering the "lift" provided by an unplowed road which could be as high as 6 ft. during a 100-year event.

There might be issues remaining regarding the calculated "lift" at the west end of the proposed structure. CTS conclusion that such lift would be "insignificant" is apparently based on the premise that a hypothetical avalanche would occur when SR 210 is "unplowed." Avalanche history of Little Cottonwood Canyon would clearly suggest that avalanches have occurred when SR 210 has been plowed.

3.0 SBI RECOMMENDATIONS

Based on the documents reviewed, SBI recommends Salt Lake County not consider the June 23 and June 25, 2014 CTS reports complete from a geologic perspective until CTS provides the following:

- a. The additional "lift" at the west end of the proposed structure, during a 100-year event, when there is a *plowed* road.
- b. A clear and concise statement, with adequate supporting documentation, on whether or not the proposed building will exacerbate the avalanche hazard or increase the threat to the safety of residents or properties in the vicinity on the project, particularly properties down slope of the proposed structure.

4.0 CLOSURE

Comments and recommendations in this review are based on data presented in the referenced Consultant's report. SBI accordingly provides no warranty that the data in the Consultant's report or any other referenced reports are correct or accurate. SBI has not performed an independent site evaluation. Comments and recommendations presented herein are provided to aid Salt Lake County in reducing risks from geologic hazards and to protect public health, safety, and welfare.

All services performed by SBI for this review were provided for the exclusive use and benefit of Salt Lake County; no other person or entity may or is entitled to use or rely upon any of the information or reports generated by SBI as a result of this review.

Should you have any questions, please feel free to contact the undersigned. The opportunity to be of service to Salt Lake County is appreciated.

Very truly yours,

SBI

David B. Simon, P.G.
Principal Geologist



Dist.: 1/addressee
1/Greg Baptist, Salt Lake County

Simon • Bymaster Inc.

June 28, 2014

Mr. Rolen Yoshinaga, Director
Salt Lake County
Planning and Development Services
2001 S. State street suit N-3600
Salt Lake City, Utah. 84190-4050

Subject: Second Geologic Review
Proposed Communication HUB Building
10027 East Little Cottonwood Canyon Road
Mile Post 11.52 S.R. 210
Alta, Utah
SBI Project No: 2-14-500

Report: Second Untitled CTS Engineering report, dated June 25, 2014, prepared for Horrocks Engineers 2162 W Grove Pkwy, Suite 400, Pleasant Grove, Utah 84062.

Geologic Review Status: **COMPLETE**

Dear Mr. Yoshinaga,

SBI reviewed the above referenced June 25, 2014 CTS Engineering report. A prior untitled CTS Engineering report, also dated June 25, 2014, prepared for Horrocks Engineers, was also submitted to Salt Lake County. To minimize confusion, SBI will refer to the two untitled CTS reports dated June 25, 2014 as:

1. Initial Untitled CTS Engineering report, dated June 25, 2014
2. Second Untitled CTS Engineering report, dated June 25, 2014.

The Second Untitled CTS Engineering report, dated June 25, 2014, received by Salt Lake County on June 27, 2014, was apparently submitted in response to various conversations on June 25, 2014, between Salt Lake County, Horrocks Engineers, and CTS Engineering regarding prior CTS Engineering reports. The purpose of the Second Untitled CTS Engineering report, dated June 25, 2014, follows:

“As per our June 25, 2014 telephone conversation I have adapted my calculations to account for the proposed HUB structure being relocated to

the north and west of the previous location and which was analyzed in my May 6, 2014 letter [*sic.* May 3, 2014].”

Prior SBI Review

SBI was requested to review the Initial Untitled CTS Engineering report, dated June 25, 2014. The findings of the SBI review of the Initial Untitled CTS Engineering report, dated June 25, 2014, were presented in the following SBI review letter:

SBI Geologic Review, Proposed Communication HUB Building, 10027 East Little Cottonwood Canyon Road, Mile Post 11.52 S.R. 210, Alta, Utah (SBI Project No: 2-14-500), dated June 26, 2014), prepared for Mr. Rolan Yoshinaga, Director, Salt Lake County, Planning and Development Services, 2001 S. State street suit N-3600, Salt Lake City, Utah. 84190-4050.

SBI recommended Salt Lake County not consider the May 23, 2014, CTS report¹ and Initial Untitled CTS Engineering report, dated June 25, 2014, complete from a geologic perspective until CTS provides the following:

- a. The additional “lift” at the west end of the proposed structure, during a 100-year event, when there is a plowed road.
- b. A clear and concise statement, with adequate supporting documentation, on whether or not the proposed building will exacerbate the avalanche hazard or increase the threat to the safety of residents or properties in the vicinity on the project, particularly properties down slope of the proposed structure.

Conclusions of Second Untitled CTS Engineering report, dated June 25, 2014

The Second Untitled CTS Engineering report, dated June 25, 2014, concluded the following:

1. The new location of the HUB structure is far enough away from the northern most point of the residential structures across highway 210 to the south that the 100-year design avalanche flowing over the top of the structure will hit the ground prior to reaching the residential structures.

¹ CTS Engineering, Snow Avalanche Hazard Report, dated May 23, 2014, Little Cottonwood Canyon HUB, Highway 210, Alta, Utah, prepared for Horrocks Engineers 2162 W Grove Pkwy, Suite 400, Pleasant Grove, Utah 84062.

2. Based on this and the fact the HUB building will only slightly impede the flow of a snow avalanche there will be no impact on the residential structures to the south of the proposed new building.
3. This also means the snow avalanche impact force on the residential structures to the south and across highway 210 will not be increased due to the location of the new HUB building; these forces will most likely be reduced due to the energy loss of the snow moving across the roof of the HUB building as opposed to down the slope of the terrain as it is currently graded.

SBI Comments

An email dated June 27, 2014 to Gregory Baptist, Salt Lake County, from Brian Christensen, Horrocks Engineers, regarding "Letter from Joe Crilly," noted the following:

"Greg:

Here's the latest letter from Joe [Second Untitled CTS Engineering report, dated June 25, 2014]. I just noticed that on page 3 of the letter the dimension of 76 feet to the hub building is incorrect. As shown, the dimension arrow on the south side of the highway does not reach the building corner. The building corner is another 20 feet away from the end of the dimension line, meaning the hub building is 96 feet away from the building across the street. Joe is unfortunately out of town until next week, but, it is clear in the exhibit that the 76 feet is incorrect.

I will plan to have a copy of the letter with me on Monday, as we go before the planning commission."

SBI Conclusions

Based substantially in and on reliance of the technical documentation and assurances provided by CTS, including their opinions and conclusions, we conclude that the Second Untitled CTS Engineering report, dated June 25, 2014, has adequately responded to the issues presented in the June 26, 2014 SBI Review Letter, specifically that the proposed HUB Communication Building will *not* exacerbate the avalanche hazard or increase the threat to the safety of residents or properties in the vicinity on the project, particularly properties down slope of the proposed structure.

SBI Recommendations

SBI recommends Salt Lake County consider the CTS Engineering submittals complete from a geologic perspective.

Closure

Comments and recommendations in this review are based on data presented in the referenced Consultant's report. SBI accordingly provides no warranty that the data in the Consultant's report or any other referenced reports are correct or accurate. SBI has not performed an independent site evaluation. Comments and recommendations presented herein are provided to aid Salt Lake County in reducing risks from geologic hazards and to protect public health, safety, and welfare.

All services performed by SBI for this review were provided for the exclusive use and benefit of Salt Lake County; no other person or entity may or is entitled to use or rely upon any of the information or reports generated by SBI as a result of this review.

Should you have any questions, please feel free to contact the undersigned. The opportunity to be of service to Salt Lake County is appreciated.

Very truly yours,

SBI



David B. Simon, P.
Principal Geologist

Dist.: 1/addressee
1/Greg Baptist, Salt Lake County

Simon • Bymaster Inc.



MAYOR
TOM POLLARD

TOWN COUNCIL
CLIFF CURRY
MEREBEA DANFORTH
PAUL MOXLEY
HARRIS SONDAK

TOWN OF ALTA
P.O. BOX 8016
ALTA, UTAH
84092-8016
TEL (801)363-5105 / 742-3522
FAX (801)742-1006
TTY 711

June 25, 2014

Todd Draper
Salt Lake County Planning and Zoning
2001 South State Street
Salt Lake City, Utah 84109

Re: Crown Castle Fiber optics "HUB" building adjacent to the Town of Alta boundaries.

Dear Todd:

The Town of Alta has been working with Crown Castle and Horrocks Engineering on the above mentioned HUB building for the fiber optics work in Little Cottonwood Canyon. Both Crown Castle and Horrocks Engineering have been very responsive to the concerns of the Town and concerns raised by Alta residents south of the proposed building location.

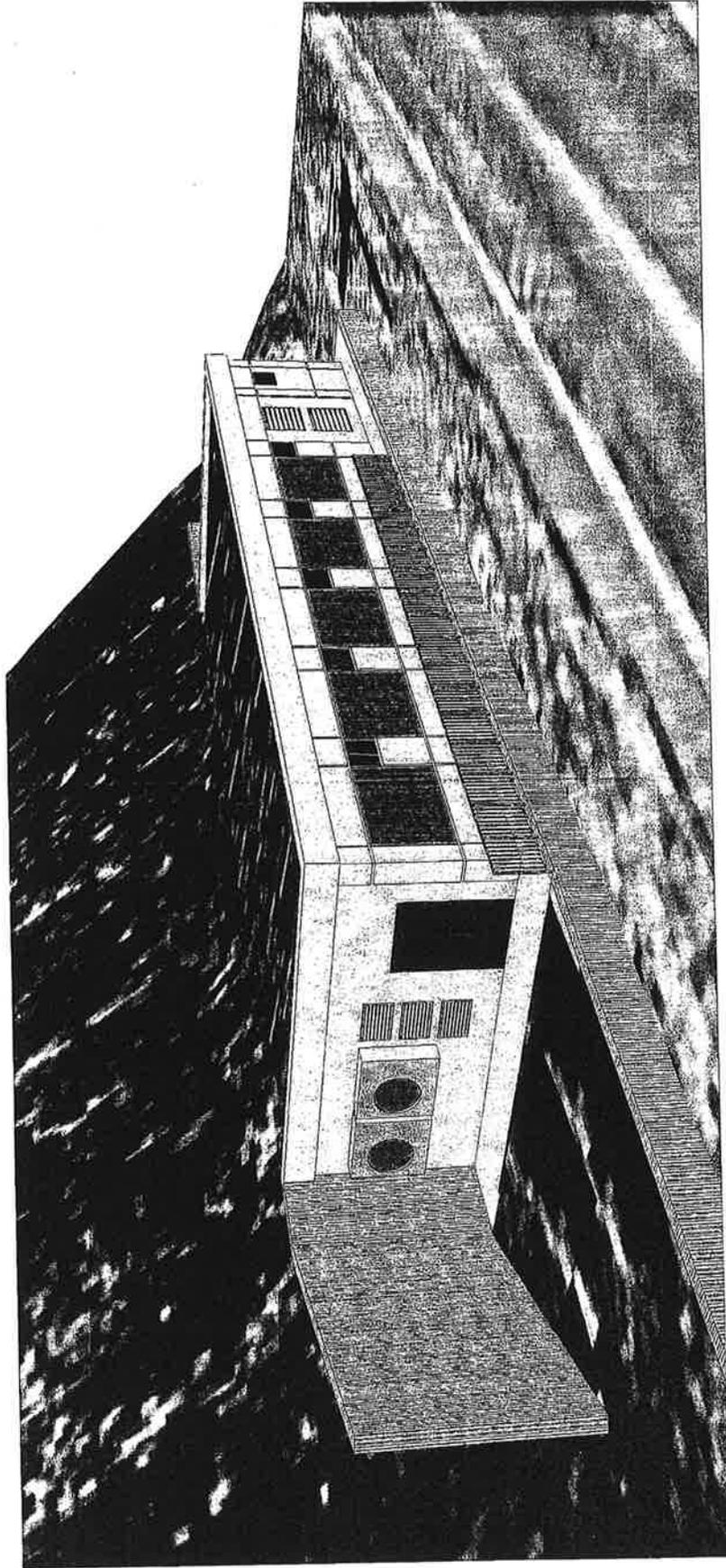
The Town is very supportive to the fiber optics proposal including the proposed HUB building so long as the following points are satisfied;

- The construction of the HUB building has no deleterious affect on the existing residences south of (below) the proposed structure. *RE: Avalanche Hazard*
- The exterior of the structure is enhanced, generally as attached, so that the building, basically the entry structure to the Town of Alta eliminates the stark industrial look as originally designed.
- Adequate on-site parking is identified and provided.
- Snow removal and snow storage operations do not impede or delay snow removal operations on the main road to the Town of Alta and,
- Snow removal and snow storage operations do not affect or use the private property south and south west of the proposed structure.

Thank you for the opportunity to comment on this project. All of Alta welcomes the addition of fiber optics to the Canyon. Ensuring the above concerns are satisfied, the project will be a welcome addition to our area.

Sincerely:

Tom Pollard
Mayor, Town of Alta



View of West End

Wireless Communication Hub Building • Little Cottonwood Canyon Road



June 30, 2014

VIA HAND DELIVERY

Salt Lake County Planning Commission
2001 South State Street, N3600
Salt Lake City, UT 84190

**Re: *Conditional Use Permit No. 28833, Wireless Telecommunications HUB Building,
10027 East Little Cottonwood Canyon Road***

Dear Commissioners:

Pending before the Salt Lake County Planning Commission (the “Commission”) is a request from Crown Castle International Corporation (“Crown Castle”) for final approval of a Conditional Use Permit (“Permit”) to construct a Telecommunications HUB Building (the “Project”) on land adjacent to Highway 210 in Little Cottonwood Canyon. The Permit should be denied for four reasons: (1) the Project violates the slope protection standards outlined in the Foothills and Canyons Overlay Zone Ordinance (the “FCOZ Ordinance”) requirements; (2) the Project violates the grading standards outlined in the FCOZ Ordinance; (3) the Commission may not approve the Project based upon the insufficient avalanche analysis submitted for formulation of the Staff Report recommendations; and (4) no valid justification exists to excuse a geotechnical report based on winter conditions at this time. For these reasons, as explained more fully below, Renfrew Brighton respectfully requests the Commission deny Crown Castle’s request until such time as Crown Castle submits a complete application that provides sufficient information and analysis to support a finding that the Project meets the requirements for approval of a Conditional Use Permit. Mr. Brighton also requests that this letter and any other documents provided by or on behalf of Mr. Brighton be made part of the record in this proceeding.

Background

This Commission previously approved the Permit with conditions, on April 16, 2014, despite the fact that Crown Castle’s application was incomplete. During the public meeting held prior to the Commission’s decision on April 16, 2014, interested parties including Mr. Brighton, whose home is directly down slope of the proposed project location, identified various issues with the Project that rendered it ineligible for a Conditional Use Permit. Mr. Brighton and the other public participants noted, as did the Commission, that Crown Castle’s application was incomplete and that notice of the Project was inadequate. They also noted the omission of adequate slope and geologic (including avalanche) hazard information and the failure to include sufficient information and analysis regarding hazards to surrounding properties. Mr. Brighton and the other public participants noted that approval, even with conditions, was not appropriate under these circumstances. Nonetheless, the Commission approved the Permit subject to the following conditions:

1. Revised architecture be submitted that: a) provides screening of the exterior HVAC units as seen from the roadway; and b) provides increased architectural details and treatment of the concrete building that has the effect of breaking up the mass and scale of the building. Approval of the revised architecture to be at the discretion of staff.
2. Submit a certified slope analysis to staff. **Encroachment into natural slopes exceeding 30% is not allowed except upon the granting of a separate waiver or variance.**
3. Compliance with all requirements of the individual reviewers and review agencies as identified through the completion of the technical review process.

Notably, the Commission's approval was not conditioned on Crown Castle providing information on or analysis of the Project's threat to the "safety of residents or properties in the vicinity" from avalanches as required by SLCO § 19.84.060.

Mr. Brighton timely appealed the Commission's April 16, 2014 approval with conditions to the Land Hearing Officer, raising the issues identified above.¹ Despite the fact that SLCO §19.84.080 specifically provides that "*any* decision rendered by the planning commission" is subject to appeal,² Mr. Brighton was informed that his appeal would not be heard until after "the Planning Commission has issued a final decision."³ Such a delay is inappropriate and unsupported by the ordinance, and the unresolved legal issues raised therein prejudice this proceeding and operates as a de facto denial of Mr. Brighton's appeal.

On May 28, 2014, Crown Castle submitted revised plans which indicate the location of the proposed Project has been moved 75 feet to the west—placing the Project directly upslope of Mr. Brighton's residence in the avalanche path. However, the recommendations in the Staff Report, dated June 19, 2014, upon which the Commission is supposed to base its decision, fails to even mention that the Project for which final approval is being requested is not the same Project the Commission approved with conditions in April. Moreover, the Staff Report contains no indication that the analyses required for approval of a Conditional Use Permit were updated to account for the changed location.

Since the April 16, 2014 meeting Mr. Brighton has attempted to work with both Crown Castle and Planning Department Staff to address his concerns regarding the Project; however, neither entity has been forthcoming with information. Mr. Brighton hasn't even been able to get

¹ A copy of Mr. Brighton's appeal is included as Attachment A.

² SLCO § 19.84.080.

³ Letter from Wendy Gurr, Salt Lake County Planning Commission Coordinator, to Renfrew Brighton c/o Megan DePaulis, Holland & Hart LLP, dated May 7, 2014. A copy of Ms. Gurr's letter is included as Attachment B.

a straight answer regarding the status of the Project. After being informed that final approval of the Permit for the Project wouldn't even be on the Commission's July agenda, Mr. Brighton was quite surprised to receive a notice last week that a special meeting of the Planning Commission had been scheduled for today, June 30, 2014, to hear Crown Castle's request for final approval.

The Staff Report for the Special Meeting, which was provided to Mr. Brighton on June 26, 2014, recommends approval of the Permit despite the fact that the conditions imposed by the Commission in April have not been satisfied, the Project as currently proposed does not meet the requirements for issuance of a Conditional Use Permit, and the location of the Project has been materially altered since April with no indication that required analyses have accounted for this change. For these reasons, as detailed below, approval of the Permit for the Project based on the information currently before the Commission would be arbitrary, capricious and lack substantial evidentiary support.

I. The Project Violates the Slope Protection Standards of the Foothill Canyon Overlay Zone Ordinance.

The representation in the Staff Report that the criteria for approval that "the proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance" has been met is unsupported by the record and misrepresents the requirements of the Foothill Canyon Overlay Zone (the "FCOZ Ordinance") regarding the permissibility of constructing the Project at the location proposed. The FCOZ Ordinance explicitly provides that "no development, including clearing, excavation, and grading shall be allowed on slopes greater than thirty percent"⁴ without a waiver from the Planning Commission.⁵ The Planning Commission is prohibited from granting a waiver that permits "development other than roads on slopes greater than forty percent."⁶ This Commission cannot grant Crown Castle's request because the information before it, which was submitted by Crown Castle, clearly shows that development will occur on slopes in excess of 40%.

The slope analysis attached to the Staff Report clearly indicates that much of the building site for the Project is located on slopes in excess of 30% and that slopes underlying the footprint of the proposed building exceeds 40% in many places.⁷ The drawing, prepared by Crown Castle's engineer, shows that the majority of the northeast corner of the structural element of the Project is located on a slope between 40- 50% and other portions of the northeast corner are on a slope between 50-60%. The drawing also shows that a portion of the southeast corner of the structural element of the Project is on a slope greater than 60%. Such development is simply not permitted under the FCOZ Ordinance.

⁴ SLCO § 19.72.030(B)(1).

⁵ SLCO § 19.72.060(B)(1)(a).

⁶ SLCO § 19.72.060(B)(1)(c).

⁷ Staff Report, Sheet No. SL-1 (June 19, 2014).



The Staff Report attempts to justify approval of this impermissible development by stating that “under the current FCOZ Ordinance, Slope averaging is permitted” and that the slope is “Averaged to be 22% grade.”⁸ Notably, the Staff Report does not provide any reference or citation for the assertion that “slope averaging” is permitted, because the FCOZ Ordinance does not contain any such allowance. The only place in the FCOZ Ordinance that slope averaging is even referenced pertains to the calculation of buildable area for compliance with the clustering requirement of the FCOZ Ordinance.⁹ Slope averaging is simply not provided for in the FCOZ Ordinance as a means to evade the clear and unambiguous prohibition on “development on slopes in excess of forty percent.”¹⁰

Moreover, the concept of slope averaging clearly contradicts Staff’s prior interpretation of the FCOZ Ordinance. The Staff Report for the April 16, 2014 public meeting on this Project clearly states that “[e]ncroachment into natural slopes over 30% is not permitted.”¹¹ Staff’s prior interpretation, in this very matter, was that no portion of the Project would be permitted on slopes over 30%. The Staff Report for this public meeting does not even attempt to justify this changed interpretation of the FCOZ Ordinance.

Even if slope averaging were allowed, approval of the Project would be arbitrary and capricious because the Staff Report contains no information on how the averaged slope was calculated. Without such information the Commission cannot make a determination that the average was accurately calculated. The FCOZ Ordinance prohibits “development” on slopes greater than 30%, without a waiver.¹² Accordingly, any averaging, if it were allowed in the first place, would be limited to the footprint of the development, which in this case is the structural element of the Project. The slope analysis provided indicates that the average slope underlying the footprint of the structural element of the Project is undeniably in excess of 30% rendering the determination that the average slope was 22% unsupportable. To reach an average of 22% substantial areas outside the development footprint would have to have been inappropriately included in the calculation. Therefore, even if averaging were allowed, the slope underlying the proposed Project still exceeds 30% and cannot be developed absent a waiver for which the Project does not qualify.

The FCOZ Ordinance prohibits development on slopes in excess of 40%, without exception. Because portions of the proposed Project encroaches on slopes in excess of 60% based on Crown Castle’s own submittals, the Commission is prohibited from granting Crown

⁸ *Id.* at 7.

⁹ SLCO § 19.72.030(A)(5)(b)(i).

¹⁰ SLCO § 19.72.060(B)(1)(c).

¹¹ Staff Report at 7 (April 4, 2014).

¹² SLCO § 19.72.030(B)(1) states that a waiver is only permitted in instances where the applicant affirmatively demonstrates that allowing the development on slopes between 30% and 40% would: (1) render the site completely undevelopable or (2) would result in a significant economic hardship not created by the applicant or otherwise self-imposed. Crown Castle could not meet either of these standards even if it had applied for a waiver.

Castle's request for approval of a Conditional Use Permit for the Project. Thus, approval of the Permit is outside the scope of the Commission's authority and the Permit must be denied.

II. The Project Violates the Grading Standards of the Foothill Canyon Overlay Zone Ordinance.

The plans for the Project attached to the Staff Report show that the natural grade at the north edge of the proposed Project will be lowered almost 13 feet to accommodate the Project.¹³ Such drastic alteration to the natural grade is not permitted by the FCOZ Ordinance.

The FCOZ Ordinance only allows the natural grade of a lot to be raised or altered more than 4 feet under two circumstances. First, the "original grade may be raised or lowered six feet if a retaining wall is used . . ." ¹⁴ Second, the "original grade may be raised or lowered more than six feet with terracing, as specified in subsection (C)(8)(b)." In this case the change in natural grade at the rear of the structure is greater than 6 feet and does not comply with the terracing specifications of subsection (C)(8)(b). The Commission cannot find that the Project complies with applicable zoning requirements and cannot grant Crown Castle's request for final approval of the Permit.

III. The Commission Cannot Approve the Project Based on the Avalanche Studies Submitted.

The proposed location of the Project sits directly upslope of occupied residences within the Hellgate Superior Avalanche Slide Path and has the potential to alter the impacts of an avalanche on those structures and threaten human safety. Because of this hazard, the Commission may only approve the Project once it is demonstrated that the Project's impact on avalanches will "not pose a serious threat to the safety of residents or properties in the vicinity," such as Mr. Brighton's residence.¹⁵ However, the information before the Commission is inadequate to support such a determination.

The only information regarding avalanche hazards included in the Staff Report is a "Snow Avalanche Hazard Report," prepared by Joseph D. Crilly, and dated May 23, 2014. However, the scope of this report is limited to:

1. Description of the snow avalanche hazard at the building site referenced above and indicated in figure 1;
2. 30 and 300 -year snow avalanche loads on proposed structure; and

¹³ Staff Report, Sheets CG-3 and AR-3 (June 19, 2014).

¹⁴ SLCO § 19.72.030(C)(3)(a).

¹⁵ SLCO § 19.84.060(D).

3. Loads on structure from change in avalanche slope.¹⁶

Notably absent from the analysis is any information on the impacts of the proposed Project on the avalanche hazard to down slope properties. Moreover, this analysis predates the modified site plans submitted on May 28, 2014, which significantly alters the location of the Project.¹⁷ This report is inapplicable to the Project for which Crown Castle is actually seeking approval and provides no basis for the Commission to determine that the Projects impact on avalanche hazard does not pose a serious threat to down slope properties.

In an apparent last ditch attempt to correct this deficiency, Crown Castle submitted a letter from Mr. Crilly, dated June 25, 2014, which purports to assess the impacts of the Project on the down slope residences. However, Mr. Crilly failed to account for the fact that the proposed location of the project was modified on May 28, 2014.¹⁸ This failure is apparent when the site plan upon which Mr. Crilly based his analysis is compared to the site plan included in the Staff Report. Therefore, Mr. Crilly's June 25, 2014 letter is insufficient to demonstrate that the Projects impact on avalanche hazard does not pose a serious threat to down slope properties and the Commission cannot properly grant Crown Castle's request for final approval of the Permit for the Project.

IV. No Valid Justification Exists for the Omission of the Required Geotechnical Report.

The Staff Report notes that a geotechnical report is required for approval of a Conditional Use Permit in areas subject to the FCOZ Ordinance.¹⁹ However, the Staff report suggests that compliance with this requirement should be excused in this instance "due to winter conditions."²⁰ While winter conditions may have been an adequate justification for not preparing a geotechnical report in April, when this Project was first before the Commission, it is not a sufficient justification one day prior to the start of July.

Conclusion

For the reasons set forth above, Mr. Brighton respectfully requests that the Commission deny Crown Castle's request for final approval of the Conditional Use Permit for the proposed project. Final approval should be withheld until such time as Crown Castle can demonstrate:

¹⁶ Snow Avalanche Hazard Report at 1 (attached to Staff Report (June 19, 2014)).

¹⁷ This fact raises a question whether any of the other analyses or consultations required prior to approval of the Permit remain based on a Project location that is no longer accurate. The Commission should not consider approval until it is demonstrated that all analyses and consultations have accounted for the revised Project location.

¹⁸ Letter from Joseph D. Crilly, to Brian Christensen, Horrocks Engineers, dated June 25, 2014, at 3. A copy of this letter is included as Attachment C.

¹⁹ Staff Report, at 7 (June 19, 2014).

²⁰ *Id.*

1. The location for the proposed Project does not encroach on slopes in excess of 30%;
2. All required analyses and consultations have been conducted based on an accurate Project location and site plan; and
3. The Projects impact on avalanche hazards are adequately assessed and a determination can be made that the Project does not pose any serious threat to residents or properties in the vicinity of the Project.

Until such time as Crown Castle has complied with these requirements, any decision by the Commission to approve the Conditional Use Permit for the Project would be arbitrary, capricious and illegal.

Sincerely,



Megan J. DePaulis

cc: Renfrew Brighton
Todd Draper, Salt Lake County Planning Department
Tanya Friese, Crown Castle International

ATTACHMENT A



April 28, 2014

**VIA HAND DELIVERY
& CERTIFIED U.S. MAIL
7013 0600 0000 5786 6359**

Land Hearing Officer
Planning Department/Land Use Hearing
2001 South State Street, N3600
Salt Lake City, Utah 84190

Re: *Appeal of Preliminary Approval of Conditional Use Permit No. 28833, Wireless Telecommunications HUB Building, 10027 East Little Cottonwood Canyon Road*

Dear Land Hearing Officer:

The Salt Lake County Planning Commission (“Commission”) held a public meeting on Wednesday, April 16, 2014. During the public meeting (“Hearing”), the Commission granted preliminary approval to Conditional Use Permit No. 28833 (“Permit”). I am writing on behalf of Renfrew (Mac) Brighton, whose property is directly across the street from the proposed Telecommunications HUB Building (“Project”) referenced above. Mr. Brighton is appealing the Commission’s decision approving the Permit because the application was incomplete and the decision does not contain conditions that address whether the Project poses a threat to the safety of surrounding properties. As such, the Commission’s decision is arbitrary, capricious and illegal, and is not supported by substantial evidence in the record. Mr. Brighton is requesting that the Land Hearing Officer reverse or alter the Permit to contain reasonable conditions to ensure the Project does not pose a threat to the safety of the surrounding persons or properties as required under Salt Lake County Ordinance (“SLCO”) Section 19.84.060(D). The Land Hearing Officer has jurisdiction to hear this timely appeal pursuant to SLCO Sections 19.92.050(A)(1), 19.84.080 and 1.04.030.

Crown Castle International Corp, (“Applicant”) made a presentation to the Commission that included the application packet, enclosed as Exhibit A.¹ Salt Lake County Planning and Development Services (“Planning”) presented a Staff Report, enclosed as Exhibit B. The Commission also received emails from concerned citizens and correspondence from the Town of Alta, and heard from other parties urging the approval of the Permit, approval of the Permit with conditions, or denial of the Permit.² Acting as Mr. Brighton’s representative, I outlined his main

¹ Additional renderings were provided to the Commission at the time of the Hearing, but the final record and minutes of the Hearing will not be completed before the ten-day appeal period has run.

² The Town of Alta correspondence was also not available to the public at the Hearing, but is anticipated to be part of the record.



concerns and urged the Commission to deny the Permit as presented unless reasonable conditions were imposed to mitigate Mr. Brighton's safety concerns.

Ultimately, the Commission granted preliminary approval to the Permit, but directed the Permit come before the Commission for final approval. The Commission expressed many concerns about the incompleteness of the Permit, the lack of notice and opportunity for public input, and other specific concerns about potential graffiti, snow removal and storage. While the Commission imposed some conditions to mitigate several of these concerns, the Permit was incomplete and the Commission's approval does not contain sufficient conditions to ensure that the conditional use will comply with the standards set forth in SLCO 19.84.060.

First, and foremost, the Commission's conditional approval is improper because the Commission is only authorized to consider a "complete" conditional use permit application.³ Throughout the Hearing, the Commission expressed concern that the application was incomplete. The Applicant did not have a complete or accurate slope analysis. For an application to be "deemed complete," and thus ready for presentation to the Commission for approval, it must include "[d]etailed site plans and specifications drawn to scale."⁴ While this requirement may be waived "by the director or the director's designee," such a waiver is inappropriate where the specifications and drawings fail to provide sufficient information to inform the Commission whether approval of the application is even allowed.

In this instance, due to the incompleteness of the application, the Commission has conditionally approved the Project based on incomplete drawings and specifications that fail to provide the Commission information necessary to determine that approval is legal. The unstamped slope analysis, which is not drawn to scale, indicates that the slope could be greater than forty percent.⁵ The Foothills and Canyons Overlay Zone where the Project is located prescribes that "no development . . . shall be allowed on slopes greater than thirty percent,"⁶ and in "no case shall the planning commission permit development other than roads on slopes greater than forty percent."⁷ Since the slope analysis submitted indicated the slope might be greater than forty percent, the Commission's approval of the Permit was arbitrary, capricious and illegal, and not supported by substantial evidence.

Second, the Commission did not impose conditions requiring the Applicant to mitigate slope and avalanche hazards that pose "a serious threat to the safety of persons . . . residents or

³ Salt Lake County Ordinance ("SLCO") 19.84.50 ("A planning commission decision shall be made on a complete conditional use application.").

⁴ SLCO 19.84.030(B).

⁵ Ex A, 8.

⁶ Ex. B, 1.

⁷ SLCO 19.72.060(B)(1)(c).



properties in the vicinity.”⁸ Prior to approval of any conditional use, the “conditional uses and accompany site development plans must be found to conform to” certain standards outlined in Section 19.84.060. One of the standards listed is that the “proposed use and site development plan shall not pose a serious threat to the safety of persons . . . residents or properties in the vicinity by failure to adequately address the following issues: . . . geologic hazards, soil or slope conditions, liquifaction potential, site grading/topography, storm drainage/flood control”⁹ A conditional use with “anticipated detrimental effects” may be approved only if the effects “can be mitigated with the imposition of reasonable conditions to bring about compliance with the standards outlined in Section 19.84.060.”¹⁰

In the Staff Report, Planning recommended the Commission grant “Approval with Conditions.”¹¹ When Planning evaluated the standard at issue however, Planning indicated the standard had been met, with the condition that “Final approval will not be granted by staff until compliance with the individual reviewers and reviewing agencies.”¹² The comments listed from the relevant reviewing agencies indicate that “avalanche mitigation features [must be] incorporated into design,” and an “avalanche hazard study will need to be performed.”¹³

The conditions recommended by the relevant agencies do not specify whether the avalanche hazard analysis takes into account whether the Project exacerbates or causes a “serious threat to the safety of persons . . . residents or properties in the vicinity.” Planning did not include an avalanche mitigation analysis with the Staff Report, and there is no express evidence indicating an avalanche analysis would take into account the safety of persons and property in the vicinity as required by Section 19.84.060. Thus, the Permit as approved fails to ensure that the project does not “pose a threat to the safety of . . . residents or properties in the vicinity” of the project and does not conform to the standards for approval.

Under SLCO Section 19.84.080, a “hearing officer may affirm, reverse, alter, or remand” the Permit. The hearing officer also has “the authority to stay the decision while the appeal is pending.”¹⁴ Since the Commission’s conditional approval of the Permit—based on the incomplete application presented—fails to meet the standards for approval pursuant to SLCO Section 19.84.060 and fails to address slope stability issues as required by SLCO 19.72.060(B)(1)(c), Mr. Brighton requests that the Land Hearing Officer either alter the Permit

⁸ SLCO 19.84.060.

⁹ SLCO 19.84.060(D).

¹⁰ SLCO 19.84.050(B)(2).

¹¹ Ex. B, 1.

¹² Ex. B, 3.

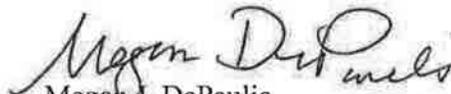
¹³ Ex. B, 6.

¹⁴ SLCO 19.84.080(E).



to include appropriate conditions to address the concerns raised at the hearing and in this letter regarding slope stability and threats to the safety of persons and property in the vicinity or reverse and remand the decision to the Planning Commission to address these concerns. Because further development of the property is currently proceeding without regard to the creation of hazardous conditions for properties in the vicinity of the project, Mr. Brighton also requests that the Land Hearing Officer stay the conditional approval during the pendency of this appeal.

Sincerely,


Megan J. DePaulis

MJD:tr

Enclosures

cc: Renfrew Brighton (via e-mail)
Tanya Friese, Crown Castle International Corp. (via e-mail)

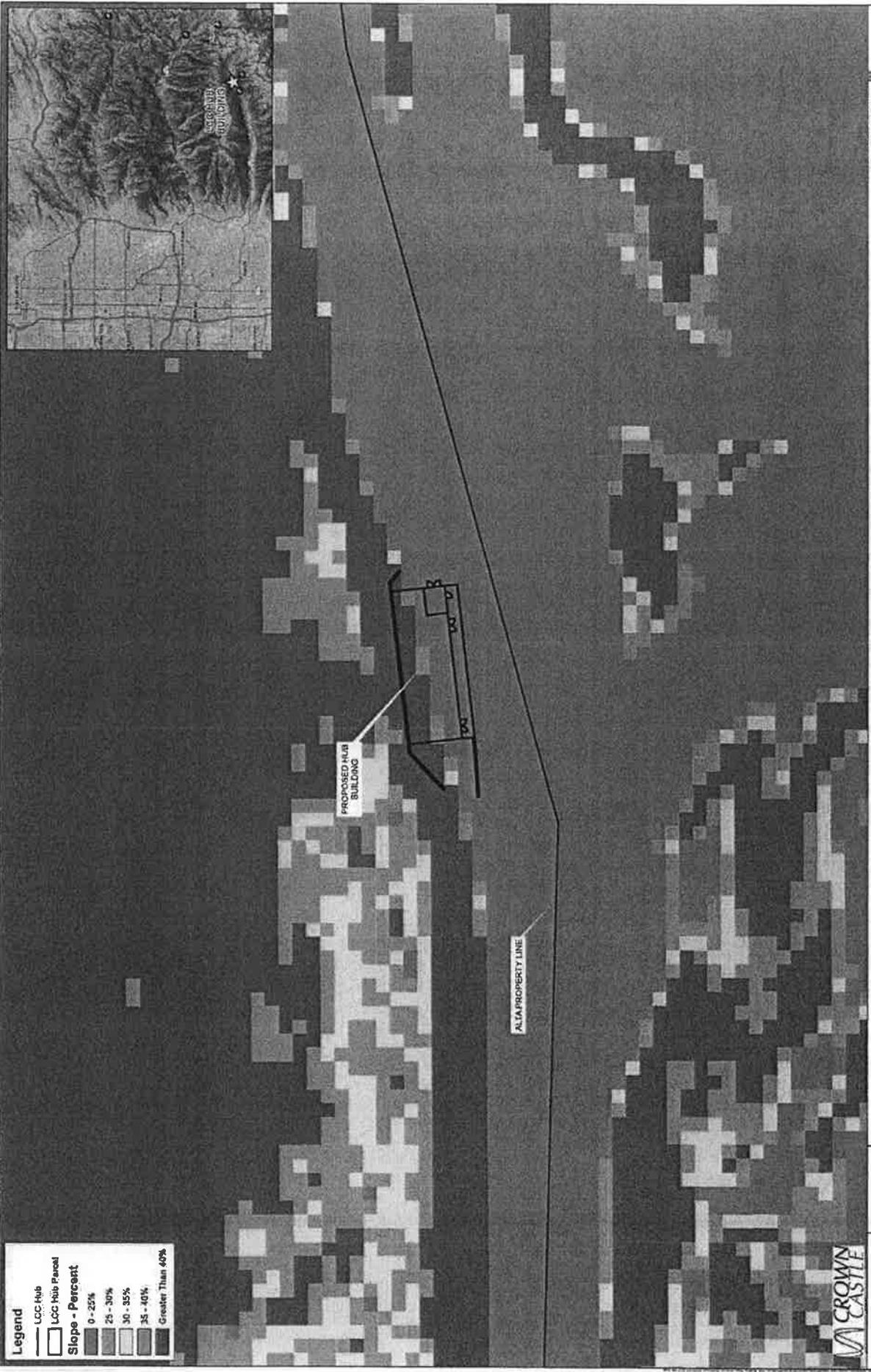
EXHIBIT A

File #28833

Aerial Map



Thu Mar 13 2014 02:49:07 PM.



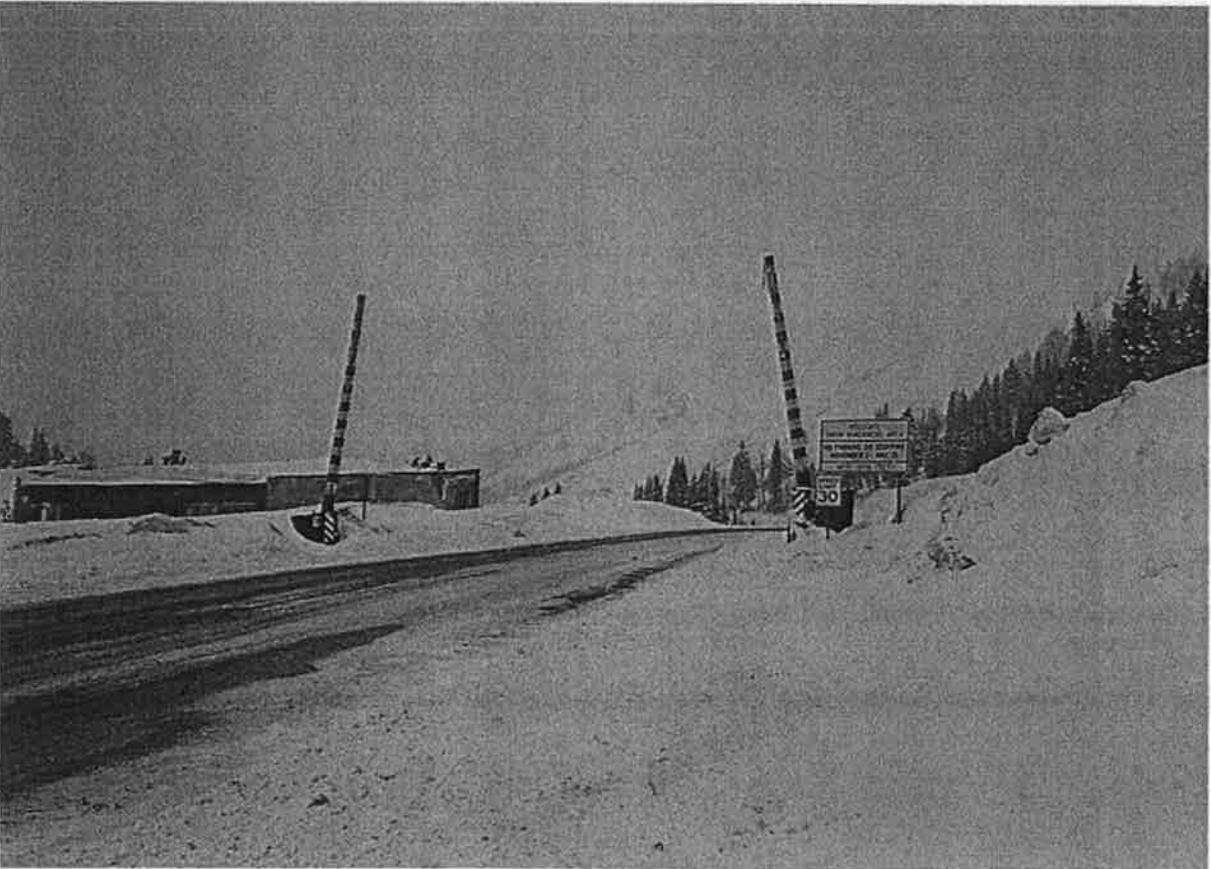
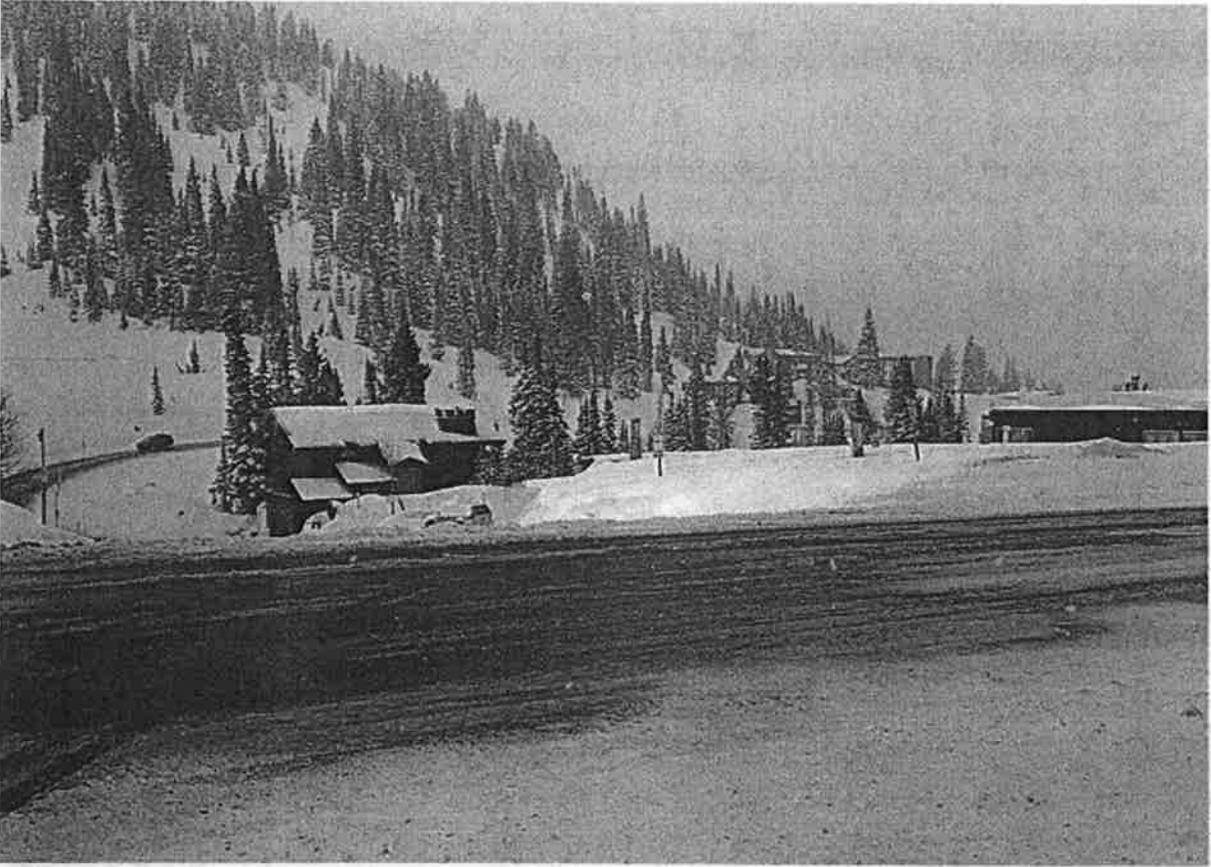
Legend

- LCC Hub
- LCC Hub Parcel
- Slope - Percent**
- 0 - 25%
- 25 - 30%
- 30 - 35%
- 35 - 40%
- Greater Than 40%

250 West Lakes Parkway
 Suite 100
 Mill Valley, CA 94941
CROWN CASTLE
HORROCKS
ENGINEERS

Proposed Hub Building - Slope Analysis
 Line Collarwood Canyon Blvd

3/1/2014
 RSC
 Figure 1



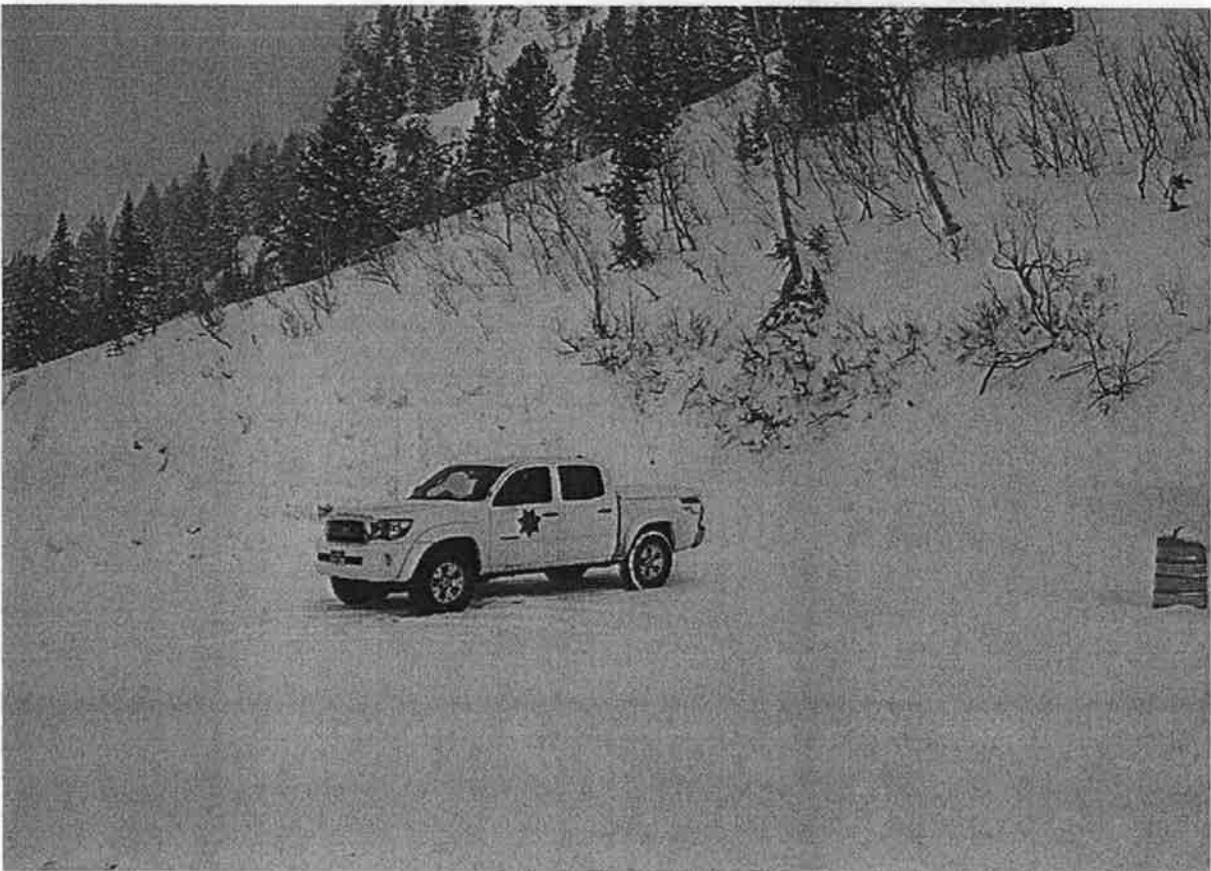
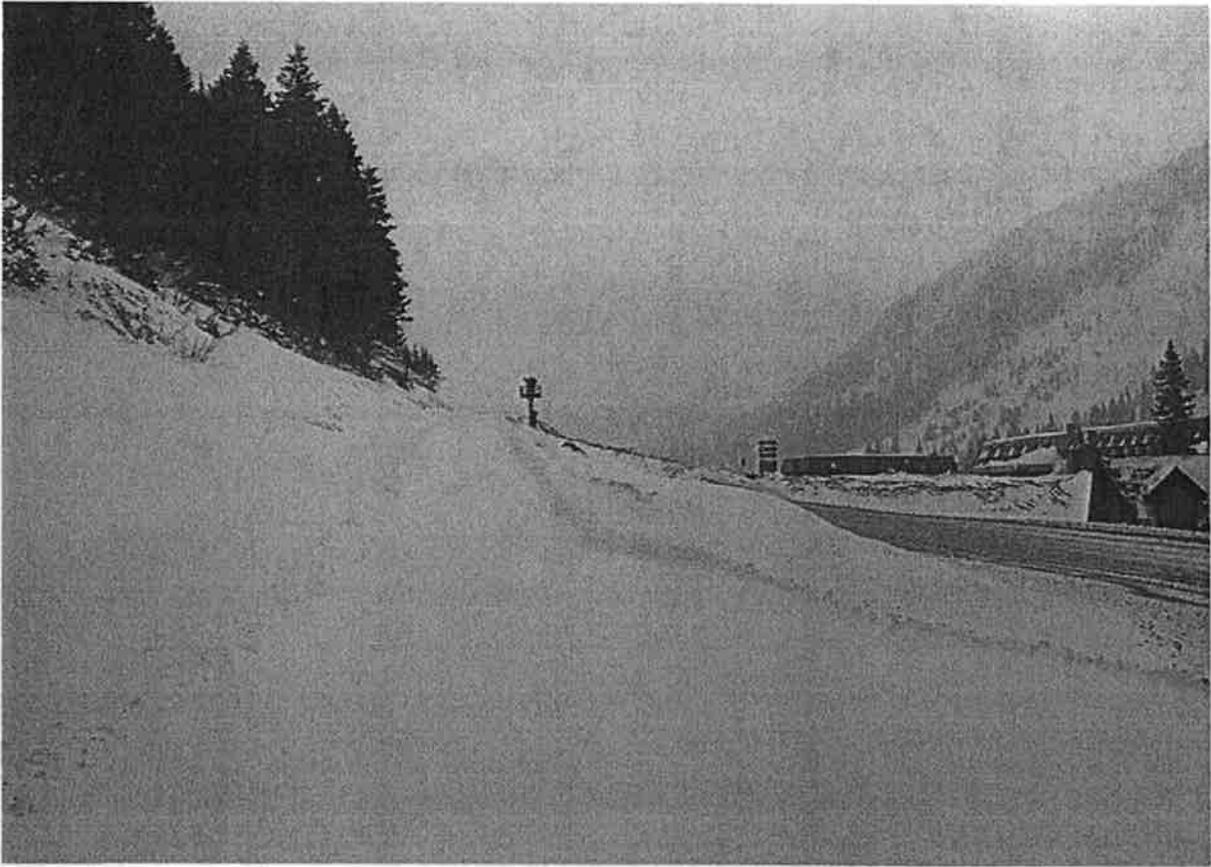


EXHIBIT B



STAFF REPORT

Executive Summary					
Hearing Body:	Salt Lake County Planning Commission				
Meeting Date and Time:	Wednesday, April 16, 2014	08:30 AM	File No:	2	8 8 3 3
Applicant Name:	Tanya Friese	Request:	Conditional Use		
Description:	FCOZ Conditional Use - Wireless Telecommunications HUB Building				
Location:	10027 East Little Cottonwood Canyon Road				
Zone:	FR-20 Forestry & Recreation	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Community Council Rec:	Approval with Conditions				
Staff Recommendation:	Approval with Conditions				
Planner:	Todd A. Draper				

1.0 BACKGROUND

1.1 Summary

Crown Castle International is requesting approval for construction of and operation of a Wireless Telecommunications HUB building on the subject property. This HUB will support a series of wireless towers that will be installed throughout Little Cottonwood Canyon on property owned either by the U.S. Forest Service or the Utah Department of Transportation. A similar project was recently completed in Big Cottonwood Canyon. Additionally, for clarification purposes the subject property for this application is a relatively large parcel under the ownership of Alta Ski Lifts Company, but located within the jurisdiction of the Unincorporated County. This project affects a relatively small portion of that property.

1.3 Neighborhood Response

No formal responses received as of the writing of this report.

1.4 Community Council Response

At their April 2, 2014 meeting, the Granite Community Council recommended approval of the proposal with conditions that the architecture of the building be modified to enhance screening of exterior equipment and to blend in more with its surroundings. Specifically the wood and concrete exterior of Snowbird was discussed. A formal recommendation from their group has not yet been received, but is expected to be provided to the Planning Commission at the Planning Commission Meeting.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input checked="" type="checkbox"/>	<u>Standard 'A':</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		<p>Discussion: The proposed building appears to meet most zoning standards with 2 notable exceptions:</p> <p>1) The building may encroach into natural slopes greater than 30%. As the slope analysis provided does not appear to meet required ordinance standards it is difficult to determine if zoning ordinance has been met or not with regards to the prohibition of development on steep slopes. Encroachment into man made slopes in excess of 30% has typically been allowed for the construction of retention structures in the past, however the position of the building relative to the location of the natural slope is difficult to determine at this time . Staff believes that this would best be sorted out through the subsequent technical review process and should it later be determined that a slope waiver or variance is necessary that a separate application could be submitted at that time.</p> <p>2) Un-faced concrete walls are discouraged by the FCOZ ordinance. Concrete walls should be split faced, stamped, or have other significant architectural elements added to it. The intent is to break up the mass and wall lines in an effort to avoid unbroken expanses of building mass and walls that can intrude into the natural canyon setting and dominate a site. The current proposal calls for architectural tooling lines in the concrete approximately every 6 feet on the building and stamped concrete on the retaining walls. In staffs opinion additional tooling or architectural features need to be added to help break up the wall mass (horizontal and vertical elements). Also there are few details provided regarding the treatment of the concrete roof structure. Staff would suggest that the the roof structure also have a concrete treatment, coloration, and/or other details added to differentiate it from the building walls and the retaining walls.</p> <p>Staff would support the addition of conditions that would satisfy these criteria.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard 'B':</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		Discussion: Compliance with this criterion will continue to be monitored throughout the subsequent technical review process and a final approval will not be issued unless this has been met to the satisfaction of the individual reviewers and reviewing agencies.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<i>Standard `C': The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		Discussion: The site is unmanned and will have limited traffic to and from the site relative to this specific use.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<i>Standard `D': The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		Discussion: Final approval will not be granted by staff until compliance with these issues is achieved with the individual reviewers and reviewing agencies through the subsequent technical review process.
YES <input checked="" type="checkbox"/>	NO <input checked="" type="checkbox"/>	<i>Standard `E': The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		Discussion: The proposed building would be fairly compatible with nearby buildings, with the exception of the sole use of concrete as the construction material which would affect how the massing and scale of the building is viewed. Staff believes however that reasonable conditions can be imposed that would have the effect of alleviating this concern.

2.2 Zoning Requirements

19.83.070 Color.

Monopoles, antennas, and any associated buildings or equipment shall be painted to blend with the surroundings which they are most commonly seen. The color shall be determined on a case-by-case basis by the planning commission for conditional uses and development services division for permitted uses. Within six months after the facility has been constructed, the planning commission or the development services division may require the color be changed if it is determined that the original color does not blend with the surroundings.

19.83.080 Sites in the foothills and canyons.

For the purpose of this chapter the foothills and canyons are defined as the areas shown on the maps in the document entitled "Salt Lake County Foothill and Canyon Development Standards."

A. Any grading for telecommunication facilities, including access roads and trenching for utilities, shall comply with the Uniform Building Code. Telecommunication facilities in the foothills and canyons shall comply with the FR zone requirements for grading (Section 19.12.100), natural vegetation (Section 19.12.110) and utilities (Section 19.12.120). Everything possible should be done to minimize disturbance of the natural environment.

B. A computer-generated visual simulation of the proposed structures is required for all sites in the foothills and canyons. The simulation shall show all structures including but not limited to monopoles, antennas, and equipment buildings.

C. Everything possible should be done to minimize disturbance of the visual environment. Site placement and color should be carefully considered to blend in with the surroundings.

D. Continuous outside lighting is prohibited unless required by the FAA for the monopole.

19.83.090 Additional requirements.

The following shall be considered by the planning commission for conditional uses:

A. Compatibility of the proposed structure with the height and mass of existing buildings and utility structures.

B. Location of the antenna on other existing structures in the same vicinity such as other monopoles, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc. where possible without significantly impacting antenna transmission or reception.

C. Location of the antenna in relation to existing vegetation, topography including ridge lines, and buildings to obtain the best visual screening.

D. Spacing between monopoles which creates detrimental impacts to adjoining properties.

E. Installation of, but not limited to, curb, gutter, sidewalk, landscaping, and fencing as per Sections 19.76.210 and 19.84.050

19.83.100 Accessory buildings.

Accessory buildings to antenna structures must comply with the required setback, height and landscaping requirements of the zoning district in which they are located. All utility lines on the lot leading to the accessory building and antenna structure shall be underground.

19.83.110 Non-maintained or abandoned facilities.

The building official may require each non-maintained or abandoned telecommunications facility to be removed from the building or premise when such a facility has not been repaired or put into use by the owner or agent within ninety calendar days after notice of non-maintenance or abandonment is given to the owner or agent. The applicant shall post a site specific bond when a permit is issued to guarantee removal of the facility and site restoration. The type of bond and amount shall be determined upon review by county staff. No bond shall be required for roof or wall mounted facilities.

19.84.050 Approval/denial authority.

The planning commission has the authority to approve, deny, or approve with conditions conditional use applications.

A. Planning Commission Approval.

1. The planning commission shall review and approve or deny each application during a public meeting.

2. The planning commission's decision shall be based on information presented through the public meeting process, including: the materials submitted by the applicant, the recommendation of the director or director's designee, and input from interested parties and affected entities.

3. If conditions are specified, the director or director's designee shall issue a final approval letter upon satisfaction of the planning commission's conditions of approval.

4. If the applicant fails to meet all conditions of approval within twelve months of the planning commission's decision, the application is deemed denied. A twelve-month extension may be granted upon the payment of an additional filing fee equal to the original filing fee.

5. A planning commission decision shall be made on a complete conditional use application within a reasonable time frame, not to exceed ninety days. The planning commission is authorized to review and take action on an application as outlined in Section 19.84.040 after having notified the applicant of the meeting date.

6. Failure by the applicant to provide information that has been requested by the planning commission, the director or director's designee to resolve conflicts with the standards in Section 19.84.060 (above) may result in an application being denied.

B. Decision. Each conditional use application shall be:

1. Approved if the proposed use, including the manner and design in which a property is proposed for development, complies with the standards for approval outlined in Section 19.84.060; or

2. Approved with conditions if the anticipated detrimental effects of the use, including the manner and design in which the property is proposed for development, can be mitigated with the imposition of reasonable conditions to bring about compliance with the standards outlined in Section 19.84.060; or

3. Denied if the anticipated detrimental effects of the proposed use cannot be mitigated with the imposition of reasonable conditions of approval to bring about compliance with the standards outlined in Section 19.84.060

19.84.075 Graffiti preventative materials or design.

A. Whenever the planning commission determines that there is a reasonable likelihood that graffiti will be placed on the surfaces of proposed improvements it shall require, as part of the conditional use approval, that the applicant apply an anti-graffiti material, approved by the development services division, to each of the surfaces to be constructed. The anti-graffiti material shall be used on surfaces from ground level to a height of nine feet. The planning commission may approve dense planting or appropriate design measures in place of anti-graffiti materials.

B. Whenever the planning commission becomes aware of graffiti having been placed on any surfaces constructed as part of development approved as a conditional use, it may require that the applicant or his/her successor in interest apply an anti-graffiti material to such surfaces where no such material was previously required.

2.3 Other Agency Recommendations or Requirements

Urban Hydrology Review - Review Conditionally Approved

The proposed plan is approved pending a technical review by this agency. The following is required to be submitted as part of the technical review:

1. Final drainage plan. Plan shall show the size of pipe, flow lines, type of pipe, ground cover over the pipe, and catch basin locations. Rim and invert elevation required on all pipe and boxes.
2. Profile and cross section of canal or ditch, including flow lines and high water mark elevations.
3. Plan and profile of drainage system (show all existing utilities)
4. A flood control permit from the Engineering Division.
5. Submitted plans shall contain the name and phone number of the registered professional engineer (PE stamp required, signed and dated), project name, address, north arrow, and scale (minimum 1 inch = 20 feet).
6. Approximate storm drain impact fee is \$0.00.

Salt Lake County Health Department - Review Pending

The following needs to be submitted prior to approval:

- 1) A Salt Lake City Watershed letter.
- 2) Secondary containment for any stored hazardous material is required.

UDOT - No response received

SLC Watershed - No response received

Traffic Review - No response received.

Geology - Review Conditionally Approved

The proposed use is approved or not regulated by this agency.

The proposed site plan is approved, pending a technical review by this agency.

The project site falls within East Hellgate avalanche slide path. Applicant has consulted other studies/experts and conferred with Geology (RBT). The likely impact pressure to be used as design for structure is 1800 psf. Geology conditionally approved if:

1. Structure is not designed for human habitation.
2. Structure is designed to 1800 psf impact pressure.
3. Structure has avalanche mitigation features incorporated into design.

Geology withholds formal approval until specific mitigation features can be assessed.

Grading Review - Review Conditionally Approved

1-Site was partially covered by snow at the time of field inspection

2-Site is in Hellgate Avalanche slide path. A structure cannot be used for human occupancy due to the avalanche study area. An avalanche hazard analysis will need to be performed.

3-Area of development has slopes in excess of 30% and will require a Geo-technical report prepared by a registered design professional as to special conditions of the site will be required.

4-Grading plans are not signed or stamped by an Engineer

5-Need submit a certified slope analysis

6-Retaining walls will be required to be design by a registered design professional

7-Need to provide erosion controls and copy of N.O.I.

2.4 Other Issues

Planning Review - Review conditionally approved

1. Encroachment into natural slopes over 30% is not permitted.
2. Slope analysis appears to be incorrect, does not utilize 2 foot contour intervals, and is not certified.
3. No details provided on the color or treatment of the roof. Staff would suggest looking at options such as a green roof or color change that help it blend better into the surrounding setting as seen from above.
4. Limits of disturbance fencing and calculations needs to be shown on the site plan.
5. Drainage from the roof needs to be addressed.
6. Need to indicate on the site plan how snow storage will be accommodated.
7. Retaining walls limited to 6 feet in height. A combination of 2 walls may be required.
8. Additional details regarding re-vegetation need to be provided. The current plan only shows existing conditions and must include proposed re-vegetation measures and details.
9. Access must be approved by UDOT
10. The limited architectural treatment of the concrete face of the building does not meet the intent of the FCOZ ordinance with respect to the integration of concrete walls with their site and surroundings, please revise and resubmit.
11. Please submit a more detailed color scheme for the doors, trim, and exterior mechanical equipment.

Staff does note the desires of the Community Council for the use of wood and similar architectural elements to help blend the building in with its surroundings and other nearby structures. Staff would suggest that if the Planning Commission concurs with an/or requires such elements that they be utilized more as an accent and remain simplistic and minimal in character.

2.5 Subdivision Requirements

Not applicable. The area will likely be leased separately to the operator by the Alta Ski Lift Company.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) Revised architecture be submitted that; a) provides screening of the exterior HVAC units as seen from the roadway, and b) provides increased architectural details and treatment of the concrete building that has the effect of breaking up the mass and scale of the building. Approval of the revised architecture to be at the discretion of staff.
- 2) Submit a certified slope analysis to staff. Encroachment into natural slopes exceeding 30% is not allowed except upon the granting of a separate waiver or variance.
- 3) Compliance with all requirements of the individual reviewers and review agencies as identified through the completion of the technical review process.

3.2 Reasons for Recommendation

- 1 The Listed conditions are needed to ensure that the proposal meets specific ordinance requirements as well as the intent of the ordinances.
- 2) The listed conditions represent reasonable and implementable measures for the mitigation of potential negative impacts to surrounding properties and the public in general.

3.3 Other Recommendations

None at this time.



Salt Lake County Public Works Department
Planning and Development Services Division
 2001 S. State Street #N-3600, Salt Lake City, UT 84190-4050
 Phone: Phone 385-468-6700 FAX: 385-468-6674
 Visit our web site: <http://www.pwpds.slco.org>

Form 2013_10_09_v3
 Land Use Hearing Officer

File # 28833

Land Use & Development Application

- FCOZ
 RCOZ
 DWSP
 Watershed
 Over Pressure
 Magna Main
 Natural Hazards
 Other _____

FR-20 Forestry &
 Zone: Recreation Community Council: _____ Planner: Todd A. Draper
 Parent File # 28833 Date: April 28, 2014

Property Address: _____ Parcel #: _____
 10027 East Little Cottonwood Canyon Road

Name of Project: _____ Property Acreage: _____
 Wireless Telecommunications HUB Building

Please describe your request:
 Appeal preliminary approval of conditional use permit #28833

<p><u>New Development:</u></p> <input type="checkbox"/> Use and / or Site Plan Approval <input type="checkbox"/> Subdivision # lots: _____ <input type="checkbox"/> PUD #lots: _____	<p><u>Modify an Existing Development:</u></p> <input type="checkbox"/> Change Conditions of Approval <input type="checkbox"/> Change the Site Plan <input type="checkbox"/> Change the Use <input type="checkbox"/> Condo Conversion <input type="checkbox"/> Lot Consolidation <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Mobile Store <input type="checkbox"/> Signs	<p><u>Other:</u></p> <input checked="" type="checkbox"/> Land Use Hearing Officer Review <input type="checkbox"/> Exception Request <input type="checkbox"/> Non-Conforming <input type="checkbox"/> RCOZ Appeal (Option C) <input type="checkbox"/> Research or GRAMA Request <input type="checkbox"/> Re-zone <input type="checkbox"/> Vacate a Street
---	---	--

Is a key or gate code required to access the property? Yes No If yes, code: _____ (or provide key)

Driving Directions to Property:
 10027 East Little Cottonwood Canyon Road - Drive up Little Cottonwood Canyon Road; Near Alta Gates

*note: all correspondence will be sent to the applicant's address:

Applicant(s): Crown Castle International Corp./Tanya Friese

Address: _____

City, State, Zip: Phoenix, Arizona

Phone Number(s): (602) 677-0957 e-mail: tanya.friese@crowncastle.com

Property Owner(s): Alta Ski Lifts Company

Address: 8920 S. Collins Road, P.O. Box 8007

City, State, Zip: Alta, UT 84092

Phone Number(s): _____ e-mail: _____

Professional(s): Engineer Architect Other Petitioner

Company: _____

Contact: Renfrew Brighton c/o Megan DePaulis

Address: Holland & Hart LLP, 222 South Main, Suite 2200, Salt Lake City, UT 84101

Phone Number(s): (801) 799-5947 e-mail: mjdepaulis@hollandhart.com

To facilitate Salt Lake County's land use notice and review process, the undersigned hereby authorize the County to reproduce this application and all documents attached to the application for staff, officials, and the interested public:


Applicants Signature

April 28, 2014

Date

Megan DePaulis, on behalf of Petitioner



Salt Lake County Public Works Department
Planning and Development Services Division
 2001 S. State Street #N-3600, Salt Lake City, UT 84190-4050
 Phone: 385-468-6700 FAX: 385-468-6674
 Visit our web site: <http://www.pwpds.slco.org>

Form 2011_07_01_v3
 Affidavit

File #

AFFIDAVIT – Property Owner

STATE OF UTAH }
 } SS N/A
 COUNTY OF SALT LAKE }

I (we) _____ being duly sworn, depose and say that

I (we) am (are) the owner(s) of the property(s) located at:

_____.

My (our) signature below attests that I (we) have reviewed the proposal by _____

requesting review and approval of _____

and that I (we) consent to the statements and information provided in the attached plans and exhibits and that all information presented is true and correct to the best of my (our) knowledge.

Property Owner _____

Property Owner _____

Subscribed and sworn to me this _____ day of _____, 20_____.

 (Notary)

Residing in Salt Lake County, Utah

My commission expires: _____

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Salt Lake County Public Works Department
Planning and Development Services Division
 2001 S. State Street #N-3600, Salt Lake City, UT 84190-4050
 Phone: 801-385-6700 FAX: 801-385-6674
 Visit our web site: <http://www.pwpds.slco.org>

Handout 2013_10_09
 Hearing Officer Supplemental

File #

Land Use Hearing Officer Supplemental Form

What is your request?

Variances: [19.92.040]

- Front Yard Setback from _____ to _____
- Side Yard Setback from _____ to _____
- Rear Yard Setback from _____ to _____
- Lot Area from _____ to _____
- Lot Width from _____ to _____
- Lot Coverage from _____ to _____
- Building Height from _____ to _____
- Other: _____

Special Exceptions: [19.92.060]

- Addition to or Enlargement of a Non-Complying Building or Structure or a Building or Structure Occupied by a Non-Conforming Use.
- Reconstruction of a Non-Conforming Building or Structure or a Building or Structure Occupied by a Non-Conforming Use.
- Relocation of a Non-Conforming Building or Structure or a Building or Structure Occupied by a Non-Conforming Use.
- Extension of a Use across Zone Boundary
- Appeal of a Staff Interpretation of the Zoning Ordinance
- Other: _____

Appeals: [19.92.050]

Explain the reason for your request:

See enclosed.

If you are requesting a Variance please explain how your request complies with each of the following criteria: (Attach additional sheets if necessary)

Criteria Met		VARIANCE CRITERIA	N/A
Yes	No	The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met. [19.92.040.C]	
		1. The Land Use Hearing Officer may grant a variance only if: [19.92.040.B.1]	
		<p>a. Would literal enforcement of the zoning ordinance...cause an <i>unreasonable hardship</i> for the applicant that is not necessary to carry out the general purpose of the zoning ordinance? See Criteria for determining unreasonable hardship at the bottom of this form, also refer to 19.92.040.B.2.</p> <p>Please explain your position:</p>	
		<p>b. Are there special circumstances attached to the property that do not generally apply to other properties in the same district?</p> <p>Please explain:</p>	
		<p>c. Is granting the variance is essential to the enjoyment of a substantial property right possessed by other properties in the same district?</p> <p>Please explain:</p>	
		<p>d. Granting this variance will not substantially affect the general plan and will not be contrary to the public interest.</p> <p>Please explain:</p>	

Criteria Met		VARIANCE CRITERIA
Yes	No	The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met. [19.92.040.C]
		e. In granting this variance the spirit of the zoning ordinance is observed and substantial justice is done. Please explain:

Criteria for Determining Unreasonable Hardship: 19.92.040.B.2

- a. In determining whether or not enforcement of the zoning ordinance would cause unreasonable hardship under subsection (B)(1), the land use hearing officer may not find an unreasonable hardship unless the alleged hardship:
 - i. Is located on or associated with the property for which the variance is sought; and
 - ii. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
- b. In determining whether or not enforcement of the zoning ordinance would cause unreasonable hardship under subsection (B)(1), the land use hearing officer may not find an unreasonable hardship if the hardship is self-imposed or economic.

Criteria for Determining Special Circumstances: 19.92.04.B.3

In determining whether or not there are special circumstances attached to the property under subsection (B)(1), the land use hearing officer may find that special circumstances exist only if the special circumstances:

- a. Relate to the hardship complained of; and
- b. Deprive the property of privileges granted to other properties in the same district.

ATTACHMENT B



Planning and Development Services Division

May 7, 2014

Renfrew Brighton c/o Megan DePaulis
Holland & Hart LLP
222 South Main Street, Suite 2200
Salt Lake City, Utah 84101

Regarding: File #28833
Crown Castle International Corp. and Alta Ski Lifts Company
10027 East Little Cottonwood Canyon Road

Ms. DePaulis,

Salt Lake County is in receipt of your application to appeal the Salt Lake County Planning Commission's decision on April 16, 2014, to grant preliminary approval of Application #28833, subject to the Planning Commission's consideration of the application for final approval at a future date per County Ordinance 19.84.095(C). A hearing date before the Land Use Hearing Officer for your appeal will be scheduled once the Planning Commission has issued a final decision. You are welcome to attend the public meeting wherein the Planning Commission will consider final approval, which will be part of the record on appeal. If you have any questions, you may contact me or Zachary Shaw at the District Attorney's Office (385-468-7789).

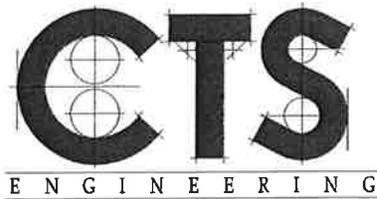
Sincerely,

A handwritten signature in black ink, appearing to read 'Wendy Gurr', written over a circular stamp or seal.

Wendy Gurr
Planning Commission Coordinator
Salt Lake County Townships
Planning & Development Services
2001 S State Street N3600
Salt Lake City, UT 84114
P: (385) 468-6707
wgurr@slco.org

Cc: James Harward, Salt Lake County Land Use Hearing Officer
Tom Christensen, Salt Lake County District Attorney's Office
Zachary Shaw, Salt Lake County District Attorney's Office
file

ATTACHMENT C



4625 South 2300 East, Suite 105, Holladay, UT 84117
Phone 801-274-2831 Fax 801-274-2832
brian@horrocksengineering.net
www.ctsengineering.net

COMMITMENT TO ENGINEERING EXCELLENCE AND SERVICE

June 25, 2014

Page 1 of 7

Brian Christensen
Horrocks Engineers
2162 W Grove Parkway
Suite 400
Pleasant Grove, Utah 84062

Dear Brian,

As per our April 29, 2014 email I have completed my study to determine the velocity and flow heights of a snow avalanche traveling from north to south across SR210 at the location of the proposed new HUB building. I have calculated the lift effect of the proposed structure on the avalanche flow base height. This "lift" was determined by modeling the avalanche flows over the roof of the proposed structure and calculating the time the flow remains airborne as it crosses the road.

Design Criteria:

Based on the relative height of the proposed structure with respect to the road, the west end of the proposed structure will provide a greater "lift" to the avalanche flow. The "lift" will be calculated by determining the time it will take for a falling object to hit the ground when dropped from the south elevation roof height which is 20' above the road, (roof elevation of 8540 ft. minus existing ground of 8520 ft.). The formula utilized was: $t = \text{SQRT}\left(\frac{2xh}{g}\right)$; where g is the acceleration due to gravity, and h is the height of the roof above the highway.

This time, t , was then multiplied by the average velocity of the avalanche across the path, (road), segment to determine the distance traveled of the mass moving through the air, L . Air friction was accounted for utilizing the M/D and μ parameters in the PCM model for one segment. These velocity values conservatively match the velocity reduction determined in the RAMMS computer model of the avalanche flowing across the road surface. See figure V.

The velocity for the flow height calculations was determined by running a 2 meter slab avalanche in the program RAMMS, and utilizing design parameters based on a 100-year return period. L was determined to be 75 ft. Based on the site plan (attached figure I) the closest existing structure is approximately 70.5 ft. from the new structure. The flow base at 70.5 ft. from the new structure could be 3 ft. above the ground following the projection of the avalanche off the roof of the structure,

and utilizing the average velocity based on a PCM model and the RAMMS model as the avalanche crosses the road. The average velocity of the avalanche flowing off the roof of a new structure will actually be less due to the snow dropping out of the flow, since it is not flowing over snow cover, but is airborne, therefore this analysis is conservative. On the east side of the proposed new structure the roof height above grade is only 15 ft. and the avalanche will be airborne for only 65 ft., thus providing no "lift" to the avalanche flow, past the south edge of SR210.

The possible additional flow height of 3 ft. should be insignificant to the structures on the south side of the road due to the fact that if SR 210 is not plowed of snow the avalanche event could easily be flowing on a base up to 6 ft. above the road surface elevating the avalanche flow to a similar height as described above.

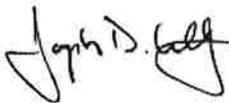
The total flow height of a design avalanche calculated by RAMMs would be approximately 8 feet as it flows across the road.

Summary

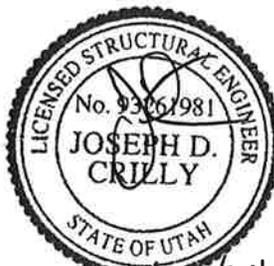
The new structure will cause approximately 3 feet of "lift" for the avalanche flow on the west end of the structure 70.5 ft. to the south at the location indicated in Figure I. The east end of the structure is not tall enough for the "lift" provided to extend past the width of SR 210. The additional "lift" at the west end of the proposed structure is insignificant when considering the "lift" provided by an unplowed road which could be as high as 6 ft. during a 100-year event.

Please call with any questions, (801) 274-2831.

Sincerely,



Joseph D. Crilly, S.E.



6/25/14

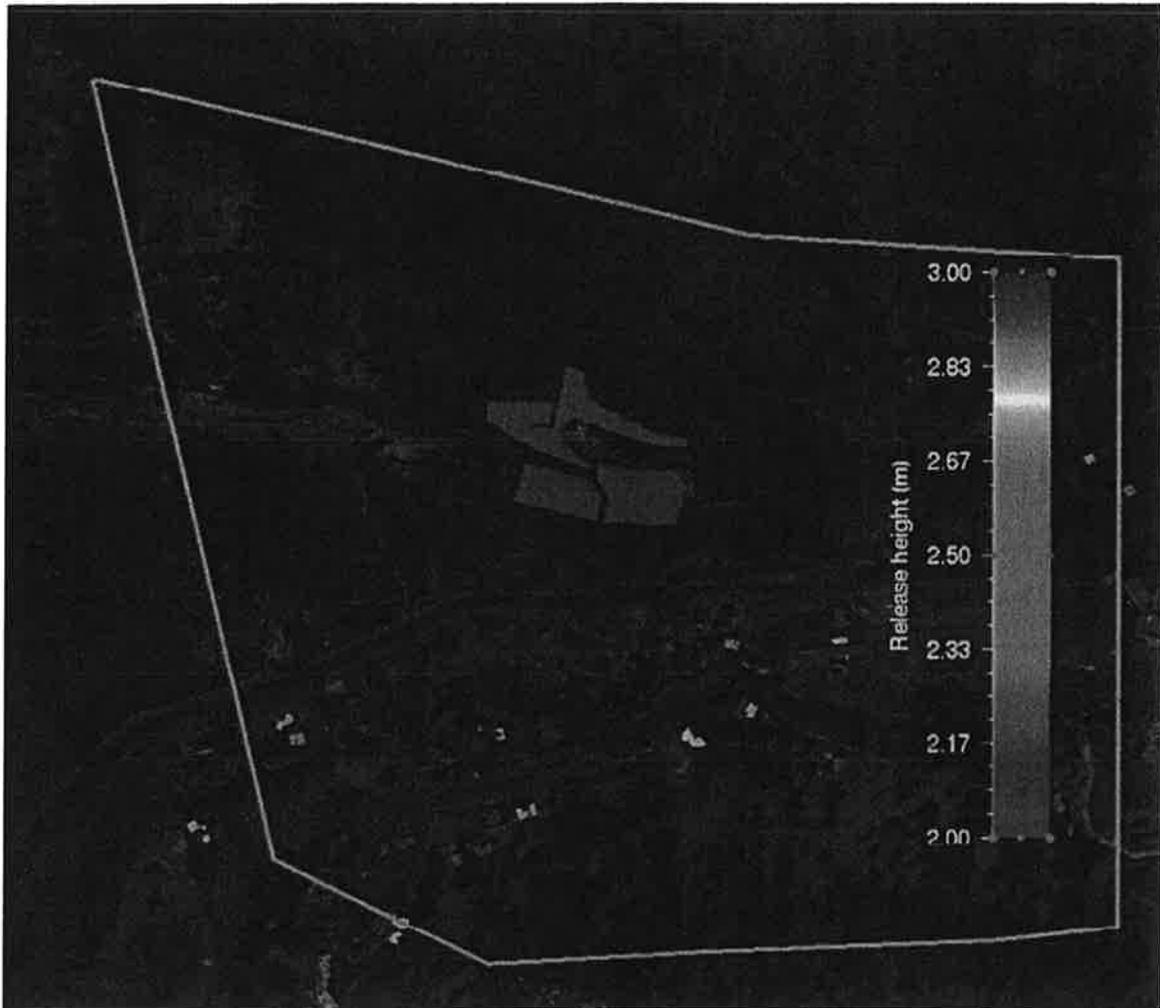
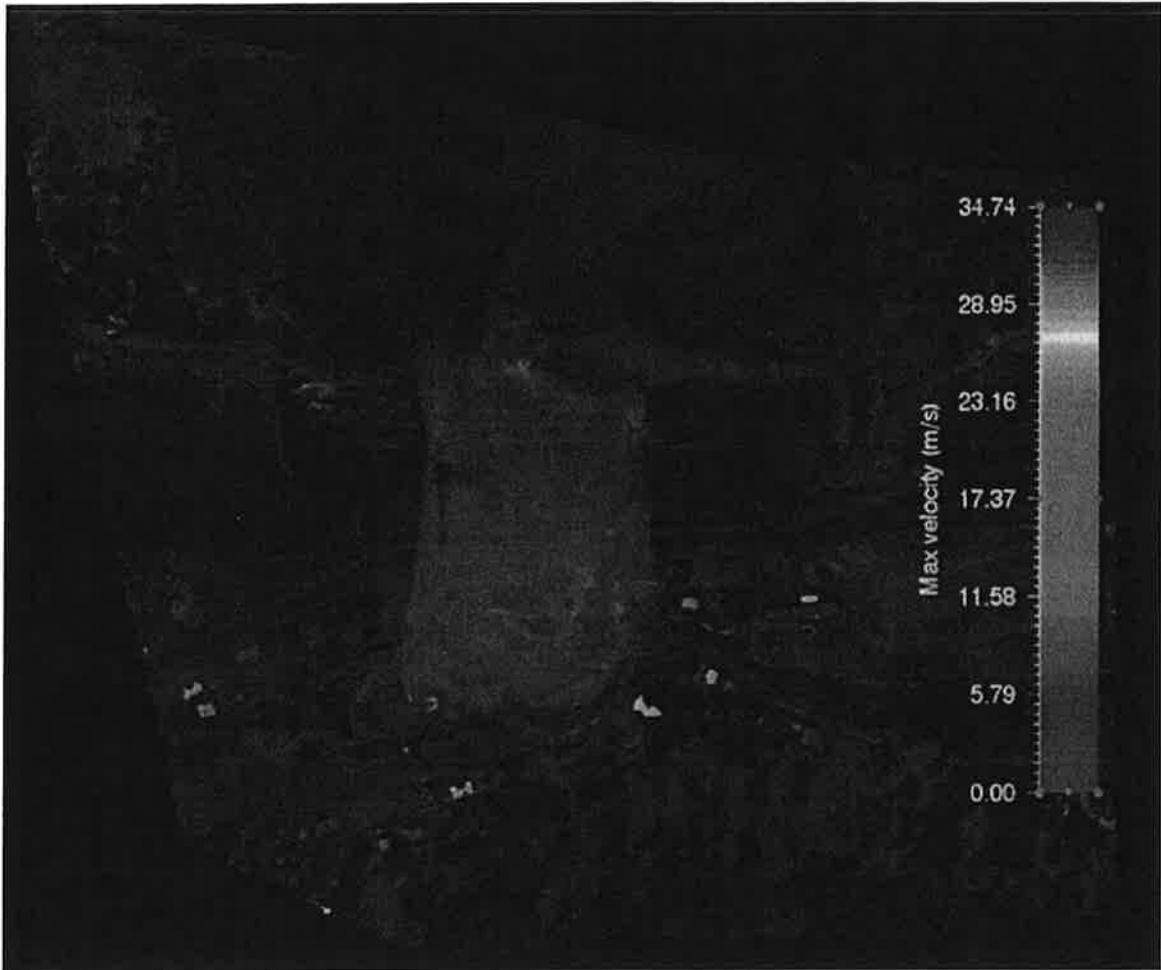
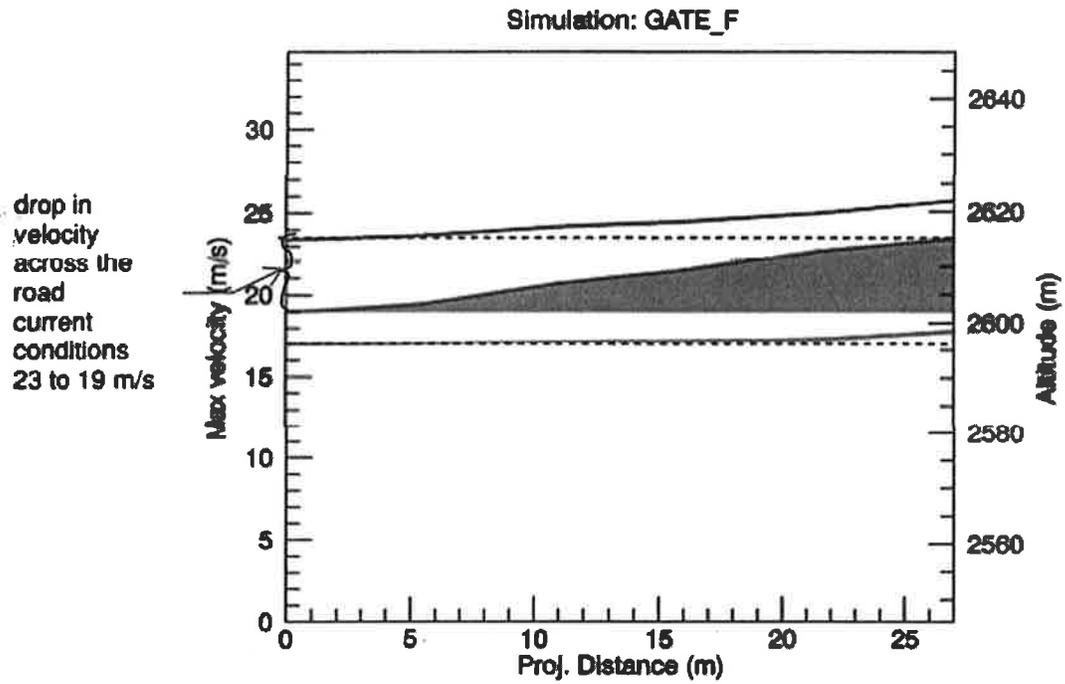


FIGURE II
RAMMS SCREEN SHOT:
RELEASE AREA, CALCULATION BOUNDARY



**FIGURE III
RAMMS SCREEN SHOT:
VELOCITY DISTRIBUTION**



VELOCITY PROFILE SOUTH TO NORTH ACORSS THE ROAD

FIGURE IV
VELOCITY PROFILE RAMMS

**FIGURE V:
FALLING OBJECT EQUATIONS,
PCM EQUATIONS, AND VELOCITY VERIFICATION**

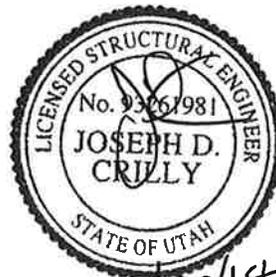
FALLING OBJECT EQUATIONS

	23.0	
VELOCITY =	m/s	
Average velocity =	20.8359	
		20.0
h =	6.1 m	ft
t =	1.1 s	$(2 \cdot h/g)^{1/2}$
g =	9.8 m/s	
		76.2
L =	23.2 m	V * t
		ft
h (70') =	0.9 m	2.9 ft
t (70') =	1.0 s	
		70.5
d =	21.5 m	ft

PCM equations:

Segment 2 data:

						Li = 21.5 m
Theta =	0.017 rad	1.0	deg	relief	0	m
ViB =	18.7 m/sec	54	ft/sec		37	mph
ViA =	23.0 m/sec	66	ft/sec		45	mph
ai = g x (sin theta - FF2 x cos theta)				Bi = 2 x Li / (M/D)i		
	αi = -1.3001					
	βi = -0.2865					
	(M/D)i = 150					
	μ = 0.15					



SALT LAKE COUNTY
DEPARTMENT OF PUBLIC WORKS
DEVELOPMENT SERVICES DIVISION

MEMORANDUM

MEMO TO: BILL MARSH
DEPUTY DIRECTOR

28 JANUARY 1999

FROM: ED BELLISTON *EB*
COUNTY GRADING ENGINEER

RE: SECTION 19.72.070 OF THE COUNTY ZONING ORDINANCE
FOOTHILLS AND CANYONS OVERLAY ZONE (FCOZ) — DEFINITIONS

RECENTLY AN APPLICANT BROUGHT TO MY ATTENTION THE DEFINITION OF "SLOPE" FOUND IN SECTION 19.72.070 OF THE COUNTY ZONING ORDINANCE.

THE DEFINITION READS AS FOLLOWS:

SLOPE — "THE LEVEL OF INCLINATION FROM THE HORIZONTAL DETERMINED BY DIVIDING THE HORIZONTAL RUN OF THE SLOPE INTO THE VERTICAL RISE OF THE SAME SLOPE AND CONVERTING THE RESULTING FIGURE INTO A PERCENTAGE VALUE. FOR THE PURPOSE OF REGULATION AND MEASUREMENT, SLOPES MUST COVER AT LEAST TWENTY-FIVE (25) FEET VERTICALLY AND FIFTY (50) FEET HORIZONTALLY."

I'M AFRAID I HAVE BEEN IMPLEMENTING THE ORDINANCE UNAWARE OF THE QUALIFIER (SECOND SENTENCE) IN THE DEFINITION.

AFTER DISCUSSIONS WITH SUSAN CROOK, TOM SCHAFFER, AND CARL ERIKSSON — I HAVE COME TO THE CONCLUSION THAT THE QUALIFIER REQUIRES THAT WHEN MEASURING SLOPES I CANNOT LOOK AT LESS THAN 25 FEET OF VERTICAL CHANGE OR 50 FEET OF HORIZONTAL DISTANCE. APPLICATION OF THE QUALIFIER WILL REQUIRE THAT I IGNORE SHORT SECTIONS OF STEEP SLOPES. IT WILL ALLOW DEVELOPMENT ON SHORT SECTIONS OF SLOPES STEEPER THAN 30 PERCENT, AND (BECAUSE OF THE AVERAGING EFFECT) IT WILL ALLOW ENCROACHMENT ONTO SLOPES STEEPER THAN 30 PERCENT WHERE THAT ENCROACHMENT IS NEAR THE SLOPE TRANSITION.

36' Run

UNLESS ADVISED OTHERWISE I WILL IMMEDIATELY CHANGE MY PROCEDURES TO BE CONSISTENT WITH THE QUALIFIER IN THE SLOPE DEFINITION. THIS CHANGE WILL WORK TO THE APPLICANT'S ADVANTAGE AS IT WILL, IN MANY CASES, SOFTEN THE RESTRICTIONS IMPOSED UNDER SECTION 19.72.030(B) OF THE ORDINANCE.

PLEASE LET ME KNOW IF YOU REQUIRE ANY FURTHER INFORMATION.

CC C. ERIKSSON
C. SCHNELLER
S. CROOK
T. SCHAFFER
G. BAPTIST

SALT LAKE COUNTY
DEPARTMENT OF PUBLIC WORKS
DEVELOPMENT SERVICES DIVISION

MEMORANDUM

MEMO TO: BILL MARSH
DEPUTY DIRECTOR

28 JANUARY 1999

FROM: ED BELLISTON *EB*
COUNTY GRADING ENGINEER

amend slope as follows:

RE: SECTION 19.72.070 OF THE COUNTY ZONING ORDINANCE
FOOTHILLS AND CANYONS OVERLAY ZONE (FCOZ) — DEFINITIONS

RECENTLY AN APPLICANT BROUGHT TO MY ATTENTION THE DEFINITION OF "SLOPE" FOUND IN SECTION 19.72.070 OF THE COUNTY ZONING ORDINANCE.

THE DEFINITION READS AS FOLLOWS:

SLOPE — "THE LEVEL OF INCLINATION FROM THE HORIZONTAL DETERMINED BY DIVIDING THE HORIZONTAL RUN OF THE SLOPE INTO THE VERTICAL RISE OF THE SAME SLOPE AND CONVERTING THE RESULTING FIGURE INTO A PERCENTAGE VALUE. ~~FOR THE PURPOSE OF REGULATION AND MEASUREMENT, SLOPES MUST COVER AT LEAST TWENTY-FIVE (25) FEET VERTICALLY AND FIFTY (50) FEET HORIZONTALLY.~~"

30

10

I'M AFRAID I HAVE BEEN IMPLEMENTING THE ORDINANCE UNAWARE OF THE QUALIFIER (SECOND SENTENCE) IN THE DEFINITION.

AFTER DISCUSSIONS WITH SUSAN CROOK, TOM SCHAFER, AND CARL ERIKSSON — I HAVE COME TO THE CONCLUSION THAT THE QUALIFIER REQUIRES THAT WHEN MEASURING SLOPES I CANNOT LOOK AT LESS THAN 25 FEET OF VERTICAL CHANGE OR 50 FEET OF HORIZONTAL DISTANCE. APPLICATION OF THE QUALIFIER WILL REQUIRE THAT I IGNORE SHORT SECTIONS OF STEEP SLOPES. IT WILL ALLOW DEVELOPMENT ON SHORT SECTIONS OF SLOPES STEEPER THAN 30 PERCENT, AND (BECAUSE OF THE AVERAGING EFFECT) IT WILL ALLOW ENCROACHMENT ONTO SLOPES STEEPER THAN 30 PERCENT WHERE THAT ENCROACHMENT IS NEAR THE SLOPE TRANSITION.

UNLESS ADVISED OTHERWISE I WILL IMMEDIATELY CHANGE MY PROCEDURES TO BE CONSISTENT WITH THE QUALIFIER IN THE SLOPE DEFINITION. THIS CHANGE WILL WORK TO THE APPLICANT'S ADVANTAGE AS IT WILL, IN MANY CASES, SOFTEN THE RESTRICTIONS IMPOSED UNDER SECTION 19.72.030(B) OF THE ORDINANCE.

PLEASE LET ME NO IF YOU REQUIRE ANY FURTHER INFORMATION.

CC C. ERIKSSON
C. SCHNELLER
S. CROOK
T. SCHAFER
G. BAPTIST

SALT LAKE COUNTY
DEPARTMENT OF PUBLIC WORKS
DEVELOPMENT SERVICES DIVISION

MEMORANDUM

MEMO TO: BILL MARSH
DEPUTY DIRECTOR

29 JANUARY 1999

FROM: ED BELLISTON *EB*
COUNTY GRADING ENGINEER

RE: SECTION 19.72.070 OF THE COUNTY ZONING ORDINANCE
FOOTHILLS AND CANYONS OVERLAY ZONE (FCOZ) — DEFINITIONS
APPLICATION OF THE DEFINITION FOR "SLOPE"

REFERENCE MY MEMORANDUM DATED 28 JANUARY 1999 REGARDING THE DEFINITION FOR "SLOPE" FOUND IN SECTION 19.72.070 OF THE COUNTY ZONING ORDINANCE. FOR YOUR CONVENIENCE I HAVE ATTACHED A COPY HERETO.

PLEASE ACCEPT THIS MEMORANDUM AS AN ADDENDUM TO MY MEMORANDUM OF 28 JANUARY 1999.

DURING DISCUSSION WITH THE "FCOZ" COMMITTEE I FOUND FURTHER CLARIFICATION IS REQUIRED TO BE ABLE TO APPLY THE "QUALIFIER" IN THE "SLOPE" DEFINITION UNIFORMLY.

UNLESS ADVISED OTHERWISE -- IN THE APPLICATION OF THE "50 FEET OF HORIZONTAL DISTANCE" RULE — I WILL ALWAYS WORK THE SEGMENTS FROM THE FLATTER SLOPES ONTO THE STEEPER SLOPE. THE AVERAGING THAT WILL RESULT FROM THIS APPROACH WILL ALWAYS WORK TO THE BENEFIT OF THE APPLICANT. WHERE A SLOPE TRANSITION IS TAKING PLACE — THIS APPROACH WILL ALWAYS ESTABLISH THE LINE IDENTIFYING "30 PERCENT SLOPE" BEYOND WHERE THE ACTUAL GROUND SLOPE IS GREATER THAN 30 PERCENT.

PLEASE LET ME NO IF YOU REQUIRE ANY ADDITIONAL INFORMATION.

CC C. ERIKSSON
C. SCHNELLER
S. CROOK
T. SCHAFER
G. BAPTIST

RECEIVED

JAN 29 1999

SALT LAKE COUNTY
PLANNING DIVISION

SALT LAKE COUNTY
DEPARTMENT OF PUBLIC WORKS
DEVELOPMENT SERVICES DIVISION

MEMORANDUM

MEMO TO: SUSAN CROOK

10 FEBRUARY 1999

FROM: ED BELLISTON *EB*
COUNTY GRADING ENGINEER

RE: CHAPTER 19 OF THE COUNTY ZONING ORDINANCE (FCOZ)
APPLICATION OF GRADING STANDARDS TO DRIVEWAYS

IN RESPONSE TO YOUR INQUIRY REGARDING THE APPLICATION OF GRADING STANDARDS (SECTION 19.72.030.C) TO DRIVEWAY DESIGN/CONSTRUCTION — I HAVE PUT TOGETHER THE FOLLOWING:

PARAGRAPH NO. 2 OF SECTION 19.72.030.C OF THE COUNTY ZONING ORDINANCE (FCOZ) ESTABLISHES SOME RESTRICTIVE GRADING STANDARDS. THE ORDINANCE SPECIFIES THAT ORIGINAL/NATURAL GRADE CANNOT BE RAISED OR LOWERED MORE THAN FOUR (4) FEET EXCEPT WITH THE USE OF RETAINING WALLS. FURTHER RETAINING WALL HEIGHT CANNOT EXCEED SIX(6) FEET EXCEPT WITH TERRACING. WITH TERRACING THE MAXIMUM GROUND ELEVATION CHANGE CANNOT EXCEED TWELVE (12) FEET. (c-2)

DRIVEWAY STANDARDS WITHIN THE FOOTHILLS AND CANYONS OVERLAY ZONE ARE ESTABLISHED IN SECTION 19.72.030.E OF THE COUNTY ZONING ORDINANCE. WITH SOME EXCEPTIONS FOR VERY SHORT SECTIONS --- DRIVEWAYS MAY NOT CROSS GROUND SLOPES STEEPER THAN THIRTY (30) PERCENT. ALSO, DRIVEWAY GRADES MAY NOT EXCEED TWELVE (12) PERCENT. *(except as authorized by Public Works Engineer (15*

EARLY IN THE APPLICATION OF THE ORDINANCE IT BECAME READILY APPARENT THAT THE TWO SECTIONS OF THE ORDINANCE CREATED INCONSISTENCIES THAT COULD NOT BE EASILY RESOLVED. AFTER DISCUSSIONS WITH THOSE RESPONSIBLE FOR DRAFTING THE ORDINANCE AND MANAGEMENT IT WAS DETERMINED THAT THE THIRTY (30) PERCENT RULE REGARDING DRIVEWAY CONSTRUCTION WOULD BE USED AS THE PRIMARY STANDARD. THUS, THE GRADING STANDARDS (SECTION 19.72.030.C) ARE NOT APPLICABLE TO DRIVEWAY DESIGN OR CONSTRUCTION. *

PLEASE FEEL FREE TO CALL IF YOU HAVE ANY QUESTIONS.

CC C. ERIKSSON
B. MARSH
G. BAPTIST
BELLISTON'S WORKING FILE



MEETING MINUTE SUMMARY

Salt Lake County Planning Commission Meeting

Wednesday, April 16, 2014 8:30 a.m.

Meeting Minutes were approved May 14, 2014.

Approximate meeting length: 4 hours 56 minutes

Number of public in attendance: 15

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Young

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent
Tod Young – Chair	x	x	
Neil A. Cohen	x	x	
Jeff Creveling	x	x	
Ronald Vance – Vice Chair	x	x	
Clare Collard			x
Todd Sutton			x
Bryan O’Meara	Teleconference		

Planning Staff / DA	Public Mtg	Business Mtg
Todd Draper	x	x
Wendy Gurr	x	x
Max Johnson	x	x
Lyle Gibson	x	x
David Gellner	x	x
Adam Miller (DA)	x	x
Zach Shaw (DA)	x	x
Tom Christensen (DA)	x	
Greg Baptist	x	x
Robert Thompson	x	x
Patrick Leary	x	x
Rita Lund	x	x

BUSINESS MEETING

Meeting began at – 8:40 a.m.

- 1) Township Services Introduction, Patrick Leary

Patrick Leary, Township Executive provided insight into Township services Planning Commission Support and a letter addressed to each Planning Commissioner, contact information and organizational chart. Commissioner Young advised they need lawfully annual training, in regards to legal and ethical issues, and boundaries training. Commissioner Creveling would like continued education, and background on county and State. Commissioner Young advised he has reviewed the resource manual and reviewed County and State Law. Mr. Leary advised the manual is a work in progress and would like this to be a useful resource. Township Services is to provide assistance to do their job. Commissioner Cohen asked if there is a meeting for the Utah Chapter. Staff David Gellner provided some feedback regarding conferences and meetings. They would like an update and quick briefing monthly regarding the fall conference. Commissioner Creveling confirmed our goal is to make sure our commitment is to confirm everyone is a member of American Planning Association. Mr. Leary advised we would like to have a few meetings annually and get feedback. Commissioner Young thinks the Commissioners from all Planning Commissions

should meet once a year, to see each and talk to each other would be beneficial. He also reiterated that he can't tell the members of the public that they will not accept written comments. He said we need to work hard to inform the public. Mr. Leary wants to make sure everyone is comfortable with the goal and communications.

PUBLIC HEARINGS

Hearings began at – 8:56 a.m.

Commissioner Cohen recused himself from the meeting at 8:58 am

Conditional Use –

28643 – (Continued from 03/12/2014 meeting) – Snowbird Resort is requesting minor site and floor plan amendments to a previously approved condo project at Snowbird Ski Resort known as Alpen Vista or Superior Lodge. The request is being driven by an updated avalanche study for this site. **Location:** 9525 East Little Cottonwood Canyon. **Zone:** FR-20, Foothills and Canyons Overlay Zone (FCOZ). **Planner:** Lyle Gibson

Staff Lyle Gibson provided an analysis of the Staff Report. Commissioner Young asked if Commissioner O'Meara was following the Meeting packets, Commissioner O'Meara stated that he was.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Behalf of the Applicant (Architect)

Name: Brian McCarthy

Address: 1025 South 800 East, Salt Lake City

Comments: He stated the project is still within the conditions placed upon from October, 2013. It is 26 units not 28 and is six inches shorter. The additional square footage is in addition to the owner's storage, so it is not being relocated, just added. There were multiple iterations of plans between October and this past submission, the hall space had already been incorporated into the original units. The elevator was located in the East space corridor since 2006. Having the additional space at the Southeast is only prudent for transportation. He reference the letter from Mr. Horne, working with planning staff and applicant to make sure the architect is working within the area and facility.

Commissioner Creveling questioned two drawings. The building being presented has two significant changes to the footprint of the building. Looking at the Northeast and Southeast for the avalanche protection, there is nothing being shown on the Northwest side on additional pressures being shown on the engineering study, nothing is being done the entire length of the building. Mr. McCarthy stated that they have increased the bearing capacity as it sits. It is constructed with 20 inch walls tied unilaterally into the floor slab. Tying and dragging the load from the building and dragging it back down into the soil. Commissioner Creveling advised the avalanche has to go all the way across the Canyon. Mr. McCarthy stated he designed the building based upon engineering studies not "what ifs". The only occupiable space outdoors is on the Northeast and Southeast corners. It is unreasonable to ask that they use an avalanche study that shows lesser loads. They must to work with what they have to resist the load. Decisions were made for an approach without the applicant being present at a meeting. The building footprint is as it sat until 2013 which added a 3rd floor. From October to December, more square footage was added to the footprint that goes right to the property line.

Counsel Zach Shaw advised the Planning Commission to look only at the proposed change, apply the factors of the Conditional Use ordinance and determine if it complies with zoning and other County ordinance, and if there is a traffic problem. Commissioner Creveling asked if the mitigation is in place and that his approach is in looking at it. Counsel advised the decisions of the Planning Commission need to be supported with substantial evidence that satisfies the County ordinances. They would need to have evidence to rebut and refute.

Commissioner Creveling doesn't believe enough evidence is in front of him to make the decision. He doesn't have evidence that the building itself or that these loads could be resisted. Counsel indicated the lack of evidence that the current building is adequate is not substantial evidence. Commissioner Young referred to Mr. Leary's earlier presentation for Planning Commissioner Training. Commissioner Young repeated the first paragraph of the staff report.

Speaker # 2: Citizen

Name: Jarod Johnson

Address: 675 East 500 South, #400, Salt Lake City

Comments: He had a new avalanche study using a Joseph Crilly study. As they took the report that was developed, the avalanches are in order of magnitude, to take the new forces and overturning on the walls was beyond all practicability from 2006. They have a 20 inch wall and foot thick floor. They have faith in the new calculations of the forces that they were given.

Commissioner Young reminded the Commissioners they are not able to recognize economics. Commissioner Creveling spoke about load pressures to the footings. There is an existing foundation but, the building has not been built.

Commissioner Creveling motioned to reopen the Public Meeting, Commissioner Vance seconded that motion.

Speaker # 3: Save our Canyons

Name: Carl Fisher

Address: 824 South 400 East, #B115, Salt Lake City

Comments: He stated they have looked at the staff packets and read the analysis. They don't feel the Planning Commission can approve, because it doesn't meet the criteria for geological and Avalanche conditions. There are two classifications in red and blue zones. He quoted the definition and ordinance of a red zone. The avalanche study provided doesn't talk much of pounds per square foot, 600 pounds per square feet is 28.73 kilopascals. We should not put a building like this in an avalanche area, whether the avalanche is a hazard or not a hazard. He spoke to the avalanche engineer who helped to create the avalanche ordinance and there is not 600 pounds per square foot cutoff to define the red zone. They defined the red zone based on fail safe techniques in Switzerland and the "no build rule" should not be suspended in any instance. There is a table with two pages that show impact pressures, that most all of them are near 80 kilopascals.

Speaker # 4: Geologist

Name: Bob Thompson

Address: 2001 South State Street, N3100

Comments: He looked at both studies and new studies are appropriate. He looked at the studies and numerous buildings. Originally the blue and red zones were further back. Basically after they saw the engineering and determined it could meet the criteria in his professional opinion the ordinance requirements are satisfied.

Speaker # 5: Save our Canyons

Name: Carl Fisher

Address: 824 South 400 East, #B115, Salt Lake City

Comments: He asked the Commissioners to read the ordinance stated if this application were approved, it would be in violation of the ordinance. Save our Canyons would challenge a decision to approve.

Counsel has reviewed this issue with others in the District Attorney's Office. Where the County Geologist and Applicant's expert Geologist has determined that avalanche risk can be mitigated, the requirements of the ordinance have been met. The Planning Commission has the ability to approve the project, as the avalanche issues have been mitigated.

Speaker # 6: Behalf of the Applicant (Architect)

Name: Brian McCarthy

Address: 1025 South 800 East, Salt Lake City

Comments: Following up they believe this project will be an attribute to the canyon and an attribute to the area and safe. They do assume some liability as the designer.

Speaker # 7: Snowbird Representative

Name: Jerry Giles

Address: 5770 South 590 West, Murray

Comments: He is an employee in the Little Cottonwood Canyon for 43 years. Every site has avalanche danger. Snowbird village and Alta village are in avalanche zones. The way the avalanche ordinance was written was to allow the buildings be built, provided they have the structural integrity. If the avalanche went over the building and could withstand those forces, you would be allowed a permit. Every building at Snowbird was built under this pretense. In the past, a few of the buildings at Snowbird have been hit with an avalanche and they have withstood. Over the years they have an excellent safety record. They follow protocol, they have a protocol that keeps people inside buildings and in safe areas of the buildings. In 43 years there has not been an injury, within the Snowbird village due to an avalanche. He thinks this is an excellent opportunity to clean up a bad situation that right now is an eye sore. He thinks they have met all the FCOZ issues and they have a nice looking building and it is not distracting the view or by-pass roads within the village area. He honestly believes there is no avalanche danger the way this building is being built. He has to put faith in the avalanche experts that they've hired. The structural engineers have been the structural engineers at every building at Snowbird. There has not been any structural failures for any of the buildings and he believes they have done due diligence and he wants the Planning Commission to approve.

Commissioner Creveling asked Mr. Giles who the Structural Engineers were on the other buildings, Mr. Giles answered they are the same engineers the current developers are using.

Commissioner Vance motioned to close the Public Meeting, Commissioner Creveling seconded that motion.

PUBLIC PORTION OF MEETING CLOSED

Counsel raised an issue and is talking with the Geologist Bob Thompson.

Geologist Bob Thompson stated it is a best guess for red and blue zones. They were developed in Europe where they have more than 75 years of records and knowledge. Salt Lake County followed that model and it is not perfect. 600 pounds per square foot is low for a red zone, a structural engineer could answer that question. Every report existing in the canyon is in the red zone. Counsel provided advice concerning the interpretation of not allowing building in a red zone. To not allow for mitigation would be in violation of state law. Counsel Tom Christensen advised this needs to be on the record.

Commissioner Young read a letter dated April 3, 2013 from Curtis Woodward to Spencer Sanders and provided a copy.

Commissioners and Counsel Tom Christensen had a brief discussion regarding the existing conditional use permit, mitigating factors and the current application.

Commissioner Creveling invited the architect to come back up, to discuss a drawing and indicate where the loads are on the North and South ends.

Motion: to deny application #28643 to modify the mitigation pieces and parts based on a failure to meet three standards of the Conditional Use permit process of standards A, B, and D.

Motion by: Commissioner Creveling

2nd by: Commissioner Vance

Vote: Commissioner Young abstained, unanimous in favor (of commissioners present)

Commissioner Cohen rejoined the meeting at 10:49 am.

BUSINESS MEETING (cont.)

Meeting began at – 10:52 a.m.

2) Approval of Minutes from the March 12, 2014 meeting

Motion: to approve the minutes from the March 12, 2014 meeting with the amendment of the word properties to property's.

Motion by: Commissioner Creveling

2nd by: Commissioner Vance

Vote: Commissioner Cohen abstained, unanimous in favor (of commissioners present)

Commissioner Creveling motioned to move Business Item #3 to the end of the meeting, Commissioner Cohen seconded that motion.

Commissioner O'Meara excused himself at 10:59 am

PUBLIC HEARINGS (cont.)

Hearings began at – 11:00 a.m.

28833 – Tanya Friese for Crown Castle International Corp. and Alta Ski Lifts Company– Request for a Conditional Use Permit for construction and operation of a Wireless Telecommunications HUB building. **Location:** 10027 East Little Cottonwood Canyon Road. **Zone:** FR-20, Foothills and Canyons Overlay Zone (FCOZ). **Community Council:** Granite. **Planner:** Todd A. Draper

Staff Todd Draper provided an analysis of the Staff Report.

Commissioners and Staff Todd Draper had a brief discussion regarding the Staff Report and information received after the Granite Community Council met, including the Town of Alta's concern with snow removal.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Crown Castle International Corp.

Name: Tanya Friese

Address: 5350 North 48th Street, Chandler, AZ

Comments: They have been working with staff and taking feedback from the community council in fine tuning the exterior. Some of the points from the Staff report have been addressed. As far as UDOT, they are using their right of way to connect to that building.

Commissioner Creveling asked about the retaining wall why it is squared off rather than sloped. There is a wrap-around walk. He pointed out the A/C is on the west and asked if it they could be on the inside of the building. Mr. Christensen confirmed the condenser units are on the outside of the building, because of all the equipment on the inside. He confirmed they will be used on a limited basis.

Speaker # 2: Architect

Name: Brian Christensen

Address: 2162 West Grove Parkway #400, Pleasant Grove

Comments: He handed out drawings and verified the retaining wall is sloped. He advised changes have been made to the plans since the Community Council meeting.

Commissioners and Counsel had a brief discussion. Mr. Christensen added they have approached Century Link regarding space on their microwave tower, but Century Link's tower is not sufficient to handle their Wireless Telecommunications. Ms. Friese advised they worked with Alta the owner, as well as other parties and this is the preferred location for the Town of Alta and Alta Ski Area.

Speaker # 3: Granite Community Council

Name: Mary Young

Address: 3260 East Wasatch Pines Lane, Granite

Comments: She advised they met with the applicant at their April 2nd meeting and raised some concerns with the exterior design and screening the HVAC equipment, which have been resolved. They believe it would still be nice if they did a little bit of screening, whether by fencing or with vegetation. She sent a letter to Planning Staff, wondering if there was a possibility of extending the roadway. She spoke to applicant prior to this and was told if ever it were to be done, it would be done on the other side of the road. The Community Council recommends approval.

Commissioner Creveling had a question regarding property owned by Town of Alta. Staff Todd Draper confirmed the property is owned by Alta ski lifts, not the Town of Alta. Ms. Young advised there was a question raised at the Community Council meeting if there were any Alta residents in attendance and there were none.

Commissioners had a brief discussion.

Speaker # 4: Alta Ski Area

Name: Ryan Brueggeman

Address: 9632 Aspen Hills Circle, Sandy

Comments: He is for this project. He is happy with the HUB. He believes this would be good for the traffic on highway 210. At least 10,000 people on any given day in the winter and busy in the summer as well. They are limited by the existing Century Link microwave tower.

Commissioners had a question for Mr. Brueggeman. The snow removal is to east of the building. He advised the snow removal will be done by UDOT.

Speaker # 5: Architect

Name: Brian Christensen

Address: 2162 West Grove Parkway #400, Pleasant Grove

Comments: He coordinated with UDOT and the individuals at Alta, as they remove the snow and deposit to the east of the location with a large snow blower. The snow will be blown up and over the building and further away.

Commissioners had a brief discussion.

Speaker # 6: Citizen

Name: Karen Travis

Address: 9871 East Peruvian Acre Road

Comments: She is not opposed to the project, but opposed to the building. Her lot is adjacent and she is concerned with snow removal. She complained she didn't get the notice card until the day after the Community Council meeting. Her property is cleared by a private company. Alta ski lift does not do snow removal. She ended up with her neighbor's snow, and she has a slope that goes into a gully. When all the snow melts, she gets erosion problems. She said they will have to get a snow blower on the roof, she said on average they get 500 inches. There was a study done on Alta and one of the problems was they didn't have a welcoming entrance to Alta. She doesn't know why this can't be put with the other pole, there is not a problem with graffiti. She hasn't been told if they are connecting to water and sewer. She won't give permission to have snow plowed onto her property. She isn't certain the town of Alta really agrees that is the best place for this. This location is wrong and should be changed. Speaking of the gutter along the road, there isn't a gutter on that location, it is only flat.

Speaker # 7: Representative of a Citizen

Name: Megan DePaulis

Address: 222 South Main Street, Suite 2200, Salt Lake City

Comments: She is here on behalf of Mac Brighton, he owns property directly across the street from the proposed location. He did not receive notice of this meeting. She urges to deny the application for a few reasons. Mr.

Brighton does not oppose the project, he prefers it not be across the street from his house and if it is, he wants to make sure all the safety considerations are taken into account. The public has had very little input. He is concerned with the stability of the slope, which is not addressed in the application. She understands there may be a separate slope variance. It is in an avalanche path, and Mr. Brighton has had an avalanche come through his front door. There is no consideration under Standard 'D'. Noted regarding pending approval from the geologist. Asked if the antennas be directly located on the roof of the nearby property. Questioned their use of a generator as back up and what decimal level that will be. Felt that condensers placed outside the building would be quite noisy. Urged the commission not to approve.

Commissioner Young asked Ms. DePaulis to identify this person's location. Ms. DePaulis attempted to point out the property. Ms. Travis identified residents surrounding the property.

Speaker # 8: Save our Canyons

Name: Carl Fisher

Address: 824 South 400 East, #B115, Salt Lake City

Comments: He shares a lot of concerns regarding the impacts. State road 210 is a scenic byway, so some of those considerations should be taken to heart when looking at a development. The junction with the Alta bypass road is prone to avalanches. Storage of that snow is stored there on this sight. Some sort of traffic analysis needs to accompany this project to make sure there aren't any additional roadside hazards that take place. When the gates close, people are shoved onto the bypass road. He had issues with the slope map, it shows the building encroaching onto slopes of more than 40% and he wants it required to go before the Board of Adjustment to get the variance. Concerns are with visual and environmental, impacts and with consistency with the zoning ordinances in place.

Speaker # 9: Crown Castle International Corp.

Name: Tanya Friese

Address: 5350 North 48th Street, Chandler, AZ

Comments: Residents had concerns of water and sewer, it will not have any. There are no antennas. When there is a room full of equipment, it will have HVAC. They will not use generators all the time, only during electrical failure.

Commissioners had a few questions for the Applicant. Ms. Friese advised 35 foot utility poles connected by fiber optic cable underground that provides network monitoring and signal in and out of the canyon. The resorts will be connecting as well. There was an open house for the HUB building in November, hardly anyone attended, but they were all invited.

Speaker # 10: Architect

Name: Brian Christensen

Address: 2162 West Grove Parkway #400, Pleasant Grove

Comments: He presented his revised slope analysis from his earlier handout. He stated the slopes around the building are at 30-40%.

Staff Todd Draper asked if the backfill behind the building was anything other than aesthetic. Mr. Christensen answered no.

Speaker # 11: Crown Castle International Corp.

Name: Laird Stabler

Address: 11280 Marks Drive, Conifer, CO

Comments: He would like to think if they addressed some of the concerns from the residents this would be mitigated.

Commissioners had questions for Mr. Stabler. Mr. Stabler stated the generator can be programmed to turn on once a week to be tested during high travel hours. The generator is a natural gas generator with a full enclosure.

Commissioners had a brief discussion regarding the drawings. Mr. Stabler advised the exhaust pipe cap would be spring loaded and they advised they could make revisions to the drawings. Commissioner Cohen advised they received copies of letters from neighbors and John Guldner's letter dated April 14th. Staff Todd Draper advised that identified issues will be addressed in a technical review.

Commissioners, Staff Todd Draper and Counsel Zach Shaw had a brief discussion.

Speaker # 12: Alta Ski Area

Name: Ryan Brueggeman

Address: 9632 Aspen Hills Circle, Sandy

Comments: He advised he is Alta Ski Area Representative. He did not add anything further.

Commissioner Vance motioned to close the Public meeting, Commissioner Cohen seconded that motion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners, Staff and Counsel had a brief discussion.

Commissioner Creveling motioned to reopen the Public meeting, Commissioner Vance seconded that motion.

PUBLIC PORTION OF MEETING REOPENED

Speaker # 13: Crown Castle International Corp.

Name: Tanya Friese

Address: 5350 North 48th Street, Chandler, AZ

Comments: They have evaluated working with property owners and UDOT and they know if they can't meet the requirements, they won't get a permit. As far as relocating, that is not an option.

Commissioner Vance motioned to close the Public meeting, Commissioner Cohen seconded that motion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Staff had a brief discussion.

Motion: to preliminarily approve application #28833 as presented with Staff recommendations and two additional conditions:

- 1) Application will come back to the Planning Commission when complete for final approval.
- 2) Anti-graffiti material to be added.

Motion by: Commissioner Creveling

2nd by: Commissioner Cohen

Vote: unanimous in favor (of commissioners present)

Rezone –

28823 – Scott Carlson for AES Investments LLC and MRL Real Estate Development LTD. – Request to rezone subject properties from R-1-10 z/c (Residential Single Family, 10,000 sq. ft. min. lot size, includes zoning conditions) to R-1-10 (Residential Single Family, 10,000 sq. ft. min. lot size) and R-1-15 (Residential Single Family, 15,000 sq. ft. min. lot size). **Location:** 3677 East Little Cottonwood Road.

Community Council: Granite. **Planner:** Todd A. Draper

Staff Todd Draper provided an analysis of the Staff Report.

Commissioners and Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Representative of three ownership groups

Name: Scott Carlson

Address: 2264 North 1450 East, Lehi

Comments: All three owners are neighbors to the north and all family. They have resided there for a long time. The parcels to the south and southwest have been occupied for many years over the decades. They purchased the parcels, two acres in total, zoned for R-1-10 z/c, 3.8 units per acre are allowed which would allow seven units. The owners felt that is more than they wanted to have. They want larger lots and nicer homes. The conditions created on the current zone were from about ten years ago and they had a plan for each home at that time. They are asking for standard zoning conditions. Reasons for the 10,000 square foot lots, is they are uncertain how much they have to give to UDOT for the road. They spoke to neighbors about height, and they were satisfied with the discussion. The lots in the subdivisions to the north were both created a couple decades ago and lot ten is one of the largest lots in the subdivision.

Speaker # 2: Granite Community Council

Name: Mary Young

Address: 3260 East Wasatch Pines Lane

Comments: She said they are interested to see in a down zone. They questioned the reason for the up zone, they have received very satisfying answers. Concerns from the council, of property owners to the north, which they own the property. They approve of rezone.

Speaker # 3: Citizen

Name: Robert Grow

Address: 9767 Little Cottonwood Place

Comments: He owns Lot 22 and his son-in-law owns Lot 21. He built a park on Lots 10 and 11. They would love to get this settled. He has spoken to all the neighbors on the North side and they are very happy not to have the road running behind their homes.

Speaker # 4: Citizen

Name: Karl Sun

Address: 9751 Little Cottonwood Place

Comments: He stated one of the parcels is an old boarded up home and has been that way at least 7 years. He did buy that parcel and he owns two parcels parents live at one.

Speaker # 5: Citizen

Name: Lori Okino

Address: 3697 East Quiet Ridge Circle

Comments: She supports this proposal and believed this is a good idea for their community. They love their community and how friendly everyone is. This should bring in families. She spoke with Todd Draper of Staff to find out about the proposal. She prefers a roof over a road any day.

Commissioner Cohen motioned to close the Public meeting, Commissioner Creveling seconded that motion.

PUBLIC PORTION OF MEETING CLOSED

Motion: to approve application #28823 as presented.

Motion by: Commissioner Creveling

2nd by: Commissioner Vance

Vote: unanimous in favor (of commissioners present)

BUSINESS MEETING (cont.)

Meeting began at – 1:26 p.m.

- 3) Mountain Accord Introductory Presentation

Staff David Gellner provided a power point presentation.

- 4) Other Business Items (as needed)

MEETING ADJOURNED

Time Adjourned – 1:36 p.m.



MEETING MINUTE SUMMARY

Salt Lake County Planning Commission Meeting

Monday, June 30, 2014 8:15 a.m.

Approximate meeting length: 59 minutes
Number of public in attendance: 10
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Young

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
Tod Young – Chair	x	x		Todd Draper	x	x
Neil A. Cohen	x	x		Wendy Gurr	x	x
Jeff Creveling			x	Max Johnson	x	
Ronald Vance – Vice Chair	x	x		Zach Shaw (DA)	x	x
Clare Collard	x	x		Greg Baptist	x	x
Todd Sutton	x	x		Tom Christensen (DA)	x	
Bryan O’Meara		x				

BUSINESS MEETING

Meeting began at – 8:15 a.m.

- 1) Other Business Items (as needed)

No Other Business Items to discuss.

PUBLIC HEARINGS

Hearings began at – 8:16 a.m.

28833 – Tanya Friese for Crown Castle International Corp. and Alta Ski Lifts Company– Requesting final approval of a Conditional Use Permit for construction and operation of a Wireless Telecommunications HUB building. **Location:** 10027 East Little Cottonwood Canyon Road. **Zone:** FR-20, Foothills and Canyons Overlay Zone (FCOZ). **Community Council:** Granite. **Planner:** Todd A. Draper

Todd Draper of Staff provided details from the Staff Report.

Commissioner Cohen said a letter was received from the Town of Alta and they had some concerns and were curious if Todd Draper had any concerns. Todd Draper of Staff stated as far as the Town of Alta, had indicated the last time they met, they were most concerned with the aesthetics. The Town of Alta was happy and worked directly with the applicant, to move the location back further into the hillside and to enhance the exterior. Commissioner Cohen said the exterior of the building is acceptable as far as the Granite Community Council and Alta are concerned. Todd Draper of Staff indicated that there is an attachment to the letter received from the Town of Alta that still shows a railing out front, but that has

since been eliminated. Commissioner Cohen said the Engineer reports stated the avalanche impact will not increase. Commissioner Cohen pointed out that on-site parking is identified. Todd Draper of Staff said this is a different review process with UDOT because UDOT is partnering with the applicant on this building and UDOT will have capacity with their fiber optic and traffic systems. UDOT has already approved the parking and access. Commissioner Cohen asked about snow removal and if UDOT has that figured out. Todd Draper of Staff indicated that this will not change the UDOT snow removal typically they're blowing the snow. He believes even with the current location, it will be blown over the top of the building.

Commissioner O'Meara recused himself. He has had some discussions and interactions as a member of Big Cottonwood Canyon Community Council and doesn't think he can be impartial.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Crown Castle International Corp

Name: Tanya Friese and Brian Christensen with Horrocks Engineering

Address: 5350 North 48th St., 305. Chandler, AZ

Comments: She confirmed they have been working closely with the Granite Community Council, Town of Alta and Alta Ski Resorts on the adjustments to the building. They request the approval of the conditional use permit. Mr. Christensen had a follow up with a couple of the items. The snow melt system that will be installed under the sidewalks and concrete is an electric snow melt system and will not have fluids involved, so there is not a potential hazard. They presented the proposed building to Granite Community Council and they expressed their support and also met with the Town of Alta, Tom Pollard and John Guldner and they've expressed their support as well. They have a letter of support from them, along with the property owner Alta Ski Lifts. This is an unmanned facility and the parking is utilized once or twice a month by one or two technicians, so it would have a very low, use traffic. They have worked directly with UDOT as they are a partner in this project and will work with them to modify the snow removal operations if needed.

Speaker # 2: Alta Ski Area

Name: Mike Maughan

Address: Not provided

Comments: He confirmed they are supportive of this project and have been working with the Town and the Residents and they've asked the Contractors to try and address all the concerns. They support it in a way it can be done and benefits all.

Speaker # 3: Town of Alta

Name: John Guldner

Address: Not provided

Comments: They are in support of fiber optics, including the HUB Building. They have worked very well with Horrocks and Crown Castle and they have been very receptive and responsive to all points. Whatever is approved takes care of the concerns of the residents across the street. The building has been redone and doesn't look like an industrial building anymore. They are worried about parking and that it doesn't overflow into the street and the snow removal and storage doesn't interfere with UDOT operations and doesn't spill over onto the other side of the street onto the resident's properties and houses. They are strongly in support.

Commissioner Cohen wants to know if the residents have been informed of the reports that state the avalanche hazard is not going to increase the impact to the houses. Mr. Guldner doesn't know if any of the neighbors have seen the report, but he knows they have been informed verbally.

Todd Draper of Staff added that the purpose of attending the Planning Commission meeting is to get information out to the public. Commissioner Young asked if the residents would be provided with copies of the documentation that has been produced. Todd Draper of Staff advised if they want a copy, they could obtain one, this is public record.

Speaker # 4: Representative of a Citizen

Name: Megan DePaulis

Address: 222 South Main Street, Suite 2200, Salt Lake City

Comments: She is here on behalf of Mr. Brighton, whose residence is 75 feet away from this building. She noted Mr. Brighton was not provided copies of all the updated reports. She brought materials to distribute to outline the reasons why she believes this application violates the ordinances set out in the Foothills and Canyons Overlay Zones.

Ms. DePaulis provided a handout and Commissioner Young asked for a moment to review the information.

Commissioner Young asked if these documents were provided to Staff. Ms. DePaulis confirmed all documentation was either from the application file or provided from April 16th. Commissioner Young asked to confirm with Staff they have reviewed the letter dated April 28th and what do they do next. Counsel Tom Christensen confirmed they did receive the April 28th letter asking for an Appeal and they have reviewed that. They just received the June 30th letter for the first time this morning. Commissioner Young asked what the recommendation is to them from Counsel. Counsel stated there is adequate evidence before them to make a decision at this meeting. Commissioner Vance said in his opinion, until the final decision is made there is nothing to appeal. Ms. DePaulis addressed Commissioner Vance's question, stating that in the ordinances, any Planning Commission decision may be appealed within 10 days regardless of the decision. Rather than go to District Court, Mr. Brighton has attempted to work with Crown Castle and the parties involved to resolve the issues. She said information has been lost and there have been no effort made to inform Mr. Brighton of updated studies nor directly address his concerns, so the appeal still stands. She believes that this inaction is a de facto denial under our ordinances and it should go to the hearing officer. Commissioner Young asked her what issues have not been resolved. She stated that one issue is the slope analysis. A majority of the building is on a 30-40%, and sometimes 40-60% slope. She believes slope averaging is not allowed under the ordinances. She said the only time slope averaging is mentioned in FCOZ is to determine when a certain amount of buildings can be clustered. Under the ordinance, this body doesn't have authority to waive slope analysis or building permit for grades above 40%. She stated that proposed grading also violates the standards and they are digging in deeper into the hill. The avalanche analysis that was submitted to the Staff for review, and the Staff report that was formulated on June 19th, with updated documentation dated June 25th or June 28th, she can't imagine the Staff came in on a Saturday and took a look at all of this information. She believes the information that is actually within the Staff report is insufficient, as it doesn't show there is an increased threat to nearby residences. In the Geotechnical review in the Staff report, the Agency says they are unable to do a geotechnical review because of winter conditions. However, we are in mid-summer. The slope is clear and there is no valid justification for not undertaking a geotechnical review at this time. There is no evidence or anything in the record to suggest the slope is manmade. Regardless, there is nothing in the ordinances that would allow you to encroach into the slope at 40%. Mr. Brighton has engaged an avalanche expert to talk about his analysis of information that has been presented.

Speaker # 5: Principal Engineer

Name: Rand Decker, Ph.D

Address: 83 El Camino Tesoros, Sedona, AZ

Comments: He stated he is in favor of improved telecommunications in Little Cottonwood Canyon. Would like to provide basis for concern with respect to the avalanche danger to Mr. Brighton's home. The Geologist reports supported by the Engineer's report say, "These forces most likely will be reduced". If an avalanche hits Mr. Brighton's home on a 100 year return, his house might crack, despite the fact it is engineered to accept impact and he's stuck with that. The downstream impact has to be mitigated by the upstream developer. If the same avalanche comes down and hits over the building and breaks Mr. Brighton's his home, are they prepared to stand behind this decision? He can't guarantee the impact forces are going to be reduced, he would like to suggest alternatives that can be built into the design of this structure, which are energy dissipaters that will slow an avalanche down over the facility and would reduce the impact force on Mr. Brighton's home. He is also curious if this building has to be exactly where it is within the footprint. He suggests moving it up East of the gate. For the developer, there is a variety of equipment on the exterior part of the building you don't want torn off by an avalanche.

Commissioner Cohen questioned Mr. Decker, if there is an avalanche and there is no building there, and the persons house that he built in the avalanche path is already impacted, what's the problem with the building that may reduce the impact? Mr. Decker stated it's not his problem it's yours. The Planning Commission can't say, nor can he that it will most likely reduce the avalanche force. Commissioner Cohen said if there is no building there, then there is no building there, and if the avalanche comes full force it is not going to increase it, if anything it is going to reduce it.

Counsel Tom Christensen reiterated that the legal standard is whether this building would increase the risk, not effectively decrease it. The question is whether the construction will substantially increase the risk of damage to the buildings below. If it doesn't increase the risk it doesn't increase any liability to the property owners or to the County. Commissioner Young is concerned with the slope standards and doesn't know where to proceed with that. Counsel Tom Christensen advised the County Staff Greg Baptist can address the issues.

Speaker # 6: Salt Lake County

Name: Greg Baptist

Address: 2001 South State Street, N3600

Comments: Mr. Baptist referred to documentation and advice from back when the ordinance was written in 1998-1999, the definition of slope and an averaging provision in there, referred to the documentation by the County Grading Engineer at that time dated January 28, 1999, quoted "Slopes must cover at least twenty-five (25) feet vertically and fifty (50) feet horizontally" as written under the ordinance of slope. There was a determination that doesn't work necessarily under the ordinance, so they came up with a policy determination and they have been doing it this way since 1999, there is over twenty-five foot of vertical change and a 86 foot horizontal run. Going from the low side of the slope onto the steeper slopes.

Speaker # 7: Citizen

Name: Karen Travis

Address: 9871 East Peruvian Acre Road

Comments: She lives next to Mr. Brighton, across the street from the proposed project. This ought to be based on what is actually there not what could be there if it was smoothed out. The slope averaging is using the side of the highway as a flat slope to counter 30 and 40% actual slope. Should be based on actuality. The letter from the town concerns are accurate. She hasn't seen anything that shows on-site parking. Not sure that a UDOT snow blower will be able to blow snow over the top of the building on a 40% slope. She hasn't received any thing from Todd and would like to have copies of what has been provided. Would like to know if there is going to be a road and if UDOT is going to blow the snow on private land or her property or load up the 40% slope.

Todd Draper of Staff provided Ms. Travis copies of documentation handed out at the meeting.

Commissioner Sutton motioned to close, Commissioner Collard seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion. Commissioner Sutton's concern was the slope averaging, but that has been addressed. Commissioner Cohen had a question about the process. The planning commission received information they hadn't received prior to the meeting and there are reports addressing concerns raised after the preliminary approval. The Engineers report the avalanche hazard is not going to be increased and the geologist provided a summary accepting the reports of the engineers. Also the commissioners received information there was an appeal filed by one of the residents, the attorney for Mr. Brighton makes some statements about violating FCOZ ordinances. Commissioner Young asked for Counsel's advice and what direction they go. Counsel Tom Christensen said this is being confused and is being treated like an appeal. Counsel stated there is a lot of material coming in that is inappropriate for a planning commission decision. Their decision should apply the standards of the ordinance for approving a conditional use and if there is belief there is adequate evidence, then they can make a decision. As far as the planning commission is concerned just apply the criteria of the ordinance. The property owner

under state law has the benefit of the doubt if they present evidence and there's conflicting evidence. State law says you shall approve the conditional use if they can demonstrate there is not a health, safety or welfare problem based on the Engineer's and geologist reports. If contested, the appellant will have that same burden of proof at this level. If the Planning Commission feels like they need more time to look at the reports that have been submitted, they can continue.

Motion: to approve application #28833, subject to Staff Recommendations.

Motion by: Commissioner Sutton

2nd by: Commissioner Vance

Vote: unanimous in favor (of commissioners present)

MEETING ADJOURNED

Time Adjourned – 9:14 a.m.

DRAFT



Planning and Development Services Division

July 3, 2014

Richard Welch
Garbett Homes
273 North East Capitol Street
Salt Lake City, Utah 84103

Regarding: File #28937
Treseder at Little Cottonwood
3601 and 3611 Little Cottonwood Road

Mr. Welch,

Attached please find a bate stamped copy of Salt Lake County's record, consisting of draft written minutes, and all written documents submitted to the planning commission.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wendy Gurr', is written over the typed name and title.

Wendy Gurr
Planning Commission Coordinator
Salt Lake County Townships
Planning & Development Services
2001 S State Street N3600
Salt Lake City, UT 84114
P: (385) 468-6707
wgurr@slco.org

Cc: James Harward, Salt Lake County Land Use Hearing Officer
Tom Christensen, Salt Lake County District Attorney's Office
Zachary Shaw, Salt Lake County District Attorney's Office
File



STAFF REPORT

Executive Summary									
Hearing Body:	Salt Lake County Planning Commission								
Meeting Date and Time:	Wednesday, May 14, 2014	08:30 AM	File No:	2	8	8	8	7	
Applicant Name:	Rich Welch	Request:	Conditional Use						
Description:	15-lot Treseder at Little Cottonwood PUD Subdivision								
Location:	3601 Little Cottonwood Road								
Zone:	R-1-10 Residential Single-Family	Any Zoning Conditions?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>					
Zoning Condition:	See text below								
Community Council Rec:	Not yet received								
Staff Recommendation:	Approval with Conditions								
Planner:	Todd A. Draper								

1.0 BACKGROUND

1.1 Summary

The applicant is proposing to redevelop the existing property into a 15 lot Planned Unit Development (PUD) subdivision to be know as Treseder at Little Cottonwood. As a PUD is listed as a conditional use within the R-1-10 zone (Residential, 10,000 sq. ft. min. lot size) review of both of the conditional use elements and mitigation measures of the PUD as well as the Preliminary Subdivision Plat is required.

The property has a storied history and has a result there are known soil contamination issues that will be addressed and re-mediated as part of the overall development process.

The current zoning for the property is also a bit unusual as the zoning conditions that were attached to the property do not conform to the zoning ordinance regulations pertaining to zoning conditions. The zoning conditions (see text below for specific conditions) were written based upon a an earlier PUD proposal for the property that ultimately was never realized. Accordingly the proposed project has been developed to meet the intent of those zoning regulations as allowed under the PUD ordinance.

The zoning conditions which apply to the properties at this time are as follows:

- 1. Dwelling units shall be limited to a maximum density of 3.8 dwelling units per acre, based on the acreage of the property after the area necessary for dedication to Little Cottonwood Creek Road is subtracted from the total acreage, and a maximum of 22 dwelling units, which ever is less.*

2. The homes shall be limited to single-story from original grade. Single Story shall mean the first floor elevation shall be no more than 3 feet above original grade. Second floor living space will be limited to an office-style space within the pitched roof over the first floor, with a dormer-style window facing the inside of the PUD and a skylight on the opposite side of the window facing up at the same angle as the roof. Walk out basements below the main floor may be allowed if existing topography supports walk out basements.

1.3 Neighborhood Response

A number of neighborhood residents have called with questions and concerns about the project. Many have simply desired additional information while some have expressed concerns ranging from the potential density of the project to the architectural details including materials and colors of the exterior finishes. Most all have expressed a desire to see the property re-developed and improved from its current state.

1.4 Community Council Response

This application is scheduled to be presented to the Granite Community Council at their May 7, 2014 meeting. Any comments, issues, or recommendations from that meeting will be provided directly to the Planning Commission at the May 14, 2014 meeting.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A`:</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		Discussion: The proposed PUD plan complies with parking requirements, and building heights. In conformance with the imposed zoning conditions the second floor of all units is designed as a office style space within the roof over the first floor. No basement plans have been proposed, but if they are added they would be subject to the listed height requirements. The main windows on the second floor face the interior of the PUD and the new private street while clerestory windows have been added to the opposite wall facing the perimeter of the development (meeting the intent of the skylight provision). The proposed building setbacks measured to the perimeter of the development meet or exceed the minimum 15 foot requirement. However, homes on lots 11, 12 and 13 have proposed rear yard setbacks that are less than 15 feet. Simple changes such as locating the home on the lot closer to the private road, or utilization of different floor plan would bring the homes on these lots in line with the typical 15' rear yard setback. Staff suggests a condition be added that all homes maintain a 15' minimum rear yard setback from the property line. Distances from the private road to the front of the garage will also meet the minimum standard of 20 feet. Distances from the private right of way to the homes are between 25 and 15 feet based upon the layout provided.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B'</u> : <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		Discussion: Conceptually the plans comply with all other applicable laws and ordinances. Identified deficiencies are mainly technical in nature and can be handled through the subsequent technical review process with staff. Final approval will not be granted until revised plans are submitted, reviewed, and verified to meet all applicable laws, ordinances, and requirements of the individual reviewers and reviewing agencies.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C'</u> : <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		Discussion: The access drive is designed to connect to Little Cottonwood Road at an existing intersection. As the project connects to a Utah Department of Transportation (UDOT) roadway and not a road under the control of Salt Lake County, review and approval of the roadway connection and any mitigation measures related to anticipated traffic increases are handled by UDOT. UDOT has indicated their acceptance of the plan conceptually, but that further technical review will be required.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D'</u> : <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		Discussion: The preceding list of issues are reviewed and addressed during the subsequent technical review phase with staff. The following individual reviewers and reviewing agencies have made specific preliminary comments related to the identified issues. In most cases additional information is being sought as part of the technical review process. Please see their individual comments provided in the agency review section of the staff report. While some have recommendations of denial at the moment, staff believes that the issues can be adequately resolved through the subsequent technical review process. Geology Unified Fire Authority Grading Urban Hydrology SLCo Health Department
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E'</u> : <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		Discussion: Existing homes along the periphery of the development are predominately Two-story homes with basements. Existing neighborhood homes are constructed of wood framing with exterior finishes of stucco, siding, rock, and brick. The proposed homes are compatible with other nearby homes in the neighborhood in terms of size, scale, and height. The range of plans proposed will help to insure sufficient variation in the development to help blend in with the more "custom built" neighborhood. The new homes will also be in compliance with residential standards contained within the Granite Community Master Plan.

2.2 Zoning Requirements

19.14.040 Lot areas and widths

R-1-10

Minimum lot area = 10,000 square feet

Minimum lot width = 60 feet at a distance of 25 feet from the front lot line.

19.14.050 Yards

R-1-10

Front Yard = 25 feet

Interior Side Yard = 8 feet

Side Yard facing a street = 20 feet

Rear Yard without Garage = 30 feet

Rear Yard with a Garage = 15 feet

19.14.060 Building height.

Except as otherwise specifically provided in this title no building or structure shall exceed the following height (see Section 19.04.095 (A) for definition of "height"):

A. Main Buildings.

1. Thirty feet on property where the slope of the original ground surface exceeds fifteen percent or the property is located in the hillside protection zone. The slope shall be determined using a line drawn from the highest point of elevation to the lowest point of elevation on the perimeter of a box which encircles the foundation line of the building or structure. Said box shall extend for a distance of fifteen feet or to the property line, whichever is less, around the foundation line of the building or structure. The elevation shall be determined using a certified topographic survey with a maximum contour interval of two feet.
2. Thirty-five feet on properties other than those listed in number one of this subsection.
3. No dwelling shall contain less than one story.

B. Accessory Buildings.

1. No building which is accessory to a single-family dwelling shall exceed twenty feet in height. For each foot of height over fourteen feet, accessory buildings shall be set back from property lines an additional foot to allow a maximum height of twenty feet.

19.14.055 Density.

The allowable density for planned unit developments shall be determined by the planning commission on a case by case basis, taking into account the following factors: recommendations of county and non-county agencies; site constraints; compatibility with nearby land uses; and the provisions of the applicable general plan. Notwithstanding the above, the planning commission shall not approve a planned unit development with density higher than the following:

R-1-10 = 4.0 units per (gross) acre.

The imposed zoning conditions (z/c) for this property limits the density in this development to 3.8 units per net acre (after dedication, if any).

19.78.020 Purpose.

The purpose of the planned unit development is to allow diversification in the relationship of various uses and structures to their sites and to permit more flexibility in the use of such sites. The application of planned unit concepts is intended to encourage good neighborhood, housing, or area design, thus ensuring substantial compliance with the intent of the district regulations and other provisions of this title related to the public health, safety and general welfare and at the same time securing the advantages of large-scale site planning for residential, commercial or industrial development, or combinations thereof.

19.78.030 Planned unit development defined.

"Planned unit development" for the purpose of this chapter, means an integrated design for development of residential, commercial or industrial uses, or combination of such uses, in which one or more of the regulations, other than use regulations, of the district in which the development is to be situated, is waived or varied to allow flexibility and initiative in site and building design and location in accordance with an approved plan and imposed general requirements as specified in this chapter. A planned unit development may be:

- A. The development of compatible land uses arranged in such a way as to provide desirable living environments that may include private and common open spaces for recreation, circulation and/or aesthetic uses;
- B. The conservation or development of desirable amenities not otherwise possible by typical development standards;
- C. The creation of areas for multiple use that are of benefit to the neighborhood.
- D. The adaptive improvement of an existing development.

19.78.040 Review and approval.

A planned unit development may be approved by a planning commission in any zoning district. The approval of a PUD shall consist of a final approval letter and a final approved site plan. A PUD permit shall not be granted unless the PUD meets the use and density limitations of the zoning district in which it is to be located.

In order to assist the planning commission with the approval process, the director or director's designee shall administer an application and review procedure with the following components:

- A. A pre-submittal review, which may include:
 - 1. Submission of an information form, conceptual site plans, property plat map, other supplemental materials, and a pre-submittal fee as required under Title 3, Revenue and Finance.
 - 2. Referral of the plans to affected entities and other regulatory agencies.
 - 3. An informational meeting with planning staff, regulatory agencies, and the applicant in which preliminary information and feedback is given to the applicant based on the preliminary plans.
 - 4. A preliminary meeting with the planning commission in which the application is discussed by the applicant, planning commission, and concerned neighbors in order to allow the applicant an opportunity to hear the planning commission members' and neighbors' areas of concern prior to submitting an application with finished site plans.
 - 5. Upon completion of the foregoing pre-submitted review process and upon payment of all applicable fees, the application shall be deemed complete.

B. An application and review procedure, which shall include:

1. Submission of finished site plans and application fees;
2. The creation of a planning file by which the applicant, staff, and the public can refer to the proposed land use;
3. An on-site review by the director or director's designee as allowed in Utah Code Section 17-27a-303;
4. Review of the submitted site plans and elevations for compliance with the zoning ordinance;
5. Referral of the application and site plans to those government agencies and/or affected entities necessary to protect the health, safety, and welfare of the public and to ensure the project's compliance with all applicable ordinances and codes;
6. Recommendation from planning and development services to the planning commission.

C. An approval/denial procedure, which shall include:

1. A planning commission decision based on whether the proposed development complies with ordinance requirements and development standards of approval and whether anticipated impacts can be mitigated with appropriate conditions of approval.
2. The integration of the recommendations from the other government agencies and affected entities involved in subsection (B)(5) of this section and any planning commission conditions of approval into the final site plan;
3. An approval or denial letter indicating the approval or denial of the application with appropriate conditions or findings;
4. Provision of the approved site plan with approval letter or the denial letter to the applicant in a timely manner.

19.78.060 Grading and drainage plans.

A grading and drainage plan shall be submitted to the planning commission with the application.

19.78.080 Development ownership.

The development shall be in single, partnership or corporate ownership, or under option to purchase by an individual or a corporate entity at the time of application, or the application shall be filed jointly by all owners of the property.

19.78.090 Effect on adjacent properties.

The planning commission shall require such arrangement of structures and open spaces within the site development plan, as necessary, to assure that adjacent properties will not be adversely affected.

A. Height and intensity of buildings and uses shall be arranged, around the boundaries of the planned unit development, to be compatible with existing adjacent developments or zones. However, unless conditions of the site so warrant, buildings located on the periphery of the development shall be limited to a maximum height of two stories.

B. Lot area, lot width, yard and coverage regulations shall be determined by approval of the site plan.

C. Density of dwelling units per acre shall be the same as allowed in the zone in which the planned unit development is located.

19.78.100 Preservation of open space.

Preservation, maintenance and ownership of required open space within the development shall be accomplished by:

- A. Dedication of the land as a public park or parkway system;
- B. Granting to the county a permanent open space easement on or over the private open spaces to guarantee that the open space remain perpetually in recreational use with ownership and maintenance being the responsibility of the owner or an owner's association established with articles of association and bylaws which are satisfactory to the county; or
- C. Complying with the provisions of the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated (1953), as amended, which provided for the payment of common expenses for the upkeep of the common areas and facilities.

19.78.110 Landscaping.

Site landscaping shall be as specified in Chapter 19.77 of this title.

19.78.130 Site plan requirements.

The applicant shall submit a planned unit development plan for the total area within the proposed development. If the planned unit development is to be developed on a phase basis, each phase shall be of such size, composition and arrangement that its construction, marketing and operation is feasible as a unit independent of any subsequent phases. The general site plan shall show, where pertinent:

- A. The use or uses, dimensions, sketch elevations and locations of proposed structures;
- B. Dimensions and locations of areas to be reserved and developed for vehicular and pedestrian circulation, parking, public uses such as schools and playgrounds, landscaping, and other open spaces;
- C. Architectural drawings and sketches outlining the general design and character of the proposed uses and the physical relationships of the uses;
- D. Such other pertinent information including, but not limited to, residential density, coverage and open space characteristics shall be included as may be necessary to make a determination that the contemplated arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this chapter.

19.78.150 Construction limitations.

A. Upon approval of a planned unit development, construction shall proceed only in accordance with the plans and specifications approved by the planning commission and in conformity with any conditions attached by the commission to its approval.

B. Amendments to approved plans and specifications for a planned unit development shall be approved by the planning commission and shown on the approved plans.

C. The building inspector or any other county department shall not issue any permit for any proposed building, structure, activity or use within the project unless such building, structure, activity or use is in accordance with the approved development plan and any conditions imposed in conjunction with its approval.

D. The development services division director shall issue a certificate of occupancy for any building or structure upon its completion in accordance with the approved development plan.

19.78.160 Plan review at public meeting.

Preliminary development plans, including site plan, (buildings, open space, parking, landscaping, pedestrian and traffic circulation) building elevations and general drainage and utility layout with topography shall be submitted for the purpose of staff analysis and planning commission review at a regularly scheduled meeting. Landscaping shall be as specified in Chapter 19.77 of this title.

19.78.170 Scope of planning commission action.

In carrying out the intent of this chapter, the planning commission shall consider the following principles:

- A. It is the intent of this chapter that site and building plans for a planned unit development shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The commission may require the applicant to engage such a qualified designer or design team.
- B. It is not the intent of this chapter that control of the design of a planned unit development by the planning commission be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this chapter.
- C. The planning commission may approve or disapprove an application for a planned unit development. In approving an application the commission may attach such conditions as it may deem necessary to secure compliance with the purposes set forth in Sections 19.84.050 through 19.84.090 of this title. The action of the planning commission may be appealed to the land use hearing officer.

2.3 Other Agency Recommendations or Requirements

Boundary and Subdivision Engineering Review

1. Record of Survey must be received by County Surveyor's office before plat can leave Planning and Development.
2. Final plat must be on regular County Titleblock.
3. All required improvements must be bonded for before plat can be recorded.
4. Show easement for ingress/egress on private road.
5. Streets must be named and approved by Addressing.
6. Show Fire Hydrants on Final Plat.
7. Note to keep Fire turnaround open at all times must be on plat.
8. A digital copy of Final Civil drawings signed by Licensed Engineer for all improvements is required after Final approval of the plans has been given.
9. Label all areas to be dedicated to County as "Area Hereby Dedicated to Salt Lake County".
10. All Streets within 200 ft. of the proposed subdivision must be shown on plat.
11. Include the area to be dedicated to county within the perimeter boundary description.
12. Label all utility and drainage easements on final plat
13. A preliminary report of title will be required at the final stage of the project.

Geology Review

Review Denied

1. Western end of the proposed PUD falls in the fault special study area; specifically lots 1 and 8 on plat. A fault study must be prepared in accordance with 19.75.060 part B.

Building Plans Review

1. Building permits need to be obtained for the demolition of existing buildings where the new property lines will create building code issues.
2. Building permits are required for the construction of the new homes and any other proposed structure regulated by the building code. At time of building permit application, provide two sets of the complete building plans showing compliance with current building code.
3. At time of building permit application, provide fire flow verification and show how compliance is going to be made with any Unified Fire District Guidelines.

Grading Review

Review Denied

1. Site is located in an area of potential contaminated soils from the Flaggstaff-Davenport smelter operation.
2. A clean letter from the DEQ and EPA will be required to be submitted prior to the development of any homes.
3. Need to submit a copy of the Geotechnical report and environmental reports for review and comment.
4. Previous reports have identified hot spots remaining at the site.
5. The site is in excess of one acre and will require a Storm Water Pollution Prevention Plan (SWPP) for both the clean up and the development of the project.
6. The retaining wall along the north property line will need to be reviewed by a structural engineer to determine the stability for the proposed construction.
7. Need to submit site grading and drainage plans showing how the site grading and drainage will be addressed.
8. Site clean up will need to be under the supervision of the DEQ, Salt Lake County Health and the EPA
9. Pending the design of the stormwater facilities a stormwater maintenance agreement and management plan maybe required to be recorded.

Health Department Review

Need to submit sewer and water availability letters.

Sanitation Review

Will need a private lane agreement.

Traffic Engineer Review

1. UDOT approval required.
2. Curb Gutter and sidewalk is required, unless UDOT tells us otherwise in writing.
3. The gate needs to include a fire department access box.
4. Roads greater than 150 feet have a maximum allowable grade of 10% and a minimum width of 20 feet.
5. Vehicle turn-arounds must meet the fire department specifications.

UDOT Review

1. Overall this development is headed on the right track, they will need to submit a complete application to UDOT meeting UDOT requirements and standards.
2. This location will need to address drainage along the UDOT right of way and their proposed landscaping. Also both UDOT and SL County need to evaluate what if any dedication is needed.

Fire Authority Review

1. Fire department lock box for the gate required. Minimum 12 foot road width per side next to the gate. Gate must also open to 12 foot width.
2. Verification of fire flow is required.
3. Show existing and proposed fire hydrants on the plans.
4. Fire impact fees - Single family residential is \$546.30 per unit.
5. No parking signs required on private roadway.

Urban Hydrology Review

1. The developer shall grade the property in accordance with the approved site grading and lot drainage plan, so as not to discharge any stormwater onto adjacent properties. It is important that stormwater is controlled and routed/piped to connect into the county system.
2. The developer shall be required to permanently contain all generated water on the property or route to a county drainage system.
3. There are storm drain systems in both Little Cottonwood Road and Little Cottonwood Lane.
4. Must provide a final drainage plan with required calculations, plans and profile drawings of the drainage system, and the plan must be stamped signed and dated by a registered professional engineer (P.E.).
5. Need plans showing the connections to the existing storm drain system including a plan and profile of the drainage system.
5. Storm drain impact fees are required. Approximate amount is \$3,729 per acre.

2.4 Other Issues

Planning Review

Outstanding Issues

1. Dimension the setback distances for each lot on the site plan.
2. Dimension the PUE distances for each lot on the site plan.
3. Show all existing and proposed conditions on the Preliminary plat.
4. All existing buildings to be removed prior to recordation of the subdivision plat. Demolition permits are required for each building.
5. Show topography on preliminary plat, grading plan, and utility plan.
6. Show existing irrigation systems on utility plan.
7. Indicate the FEMA Flood zone on the plans.
8. Show existing and proposed detention or retention facilities on the utility plan.
9. Preliminary plat must show the nearest fire hydrants within 500 feet, as well as any proposed hydrants to be added.
10. Identify any proposed roadway dedication.
11. Show typical building pad for each lot on the preliminary plat.
12. Indicate which areas are private, common or limited common areas on the preliminary plat.
13. Preliminary Plat is missing a tie to the nearest benchmark or monument.
14. Dimension and call out the width/halfwidth of Little Cottonwood Road.
15. Name of the subdivision, address, section, township and range need to be included at the top of the preliminary plat.
16. Name and address of the applicant and developer need to be on the preliminary plat.
17. Preliminary Plat must be on regular County titleblock.
18. Provide plat revision blocks on the Preliminary Plat.
19. Show the overall project boundary and provide a legal description and approximative total acreage on the preliminary plat.
20. Include the square footage of each lot with the lot number and acreage.

21. Show and label all existing and proposed walls and fences. A solid visual barrier around the perimeter of the development is required. Fencing details including materials and colors must be provided.
22. A vicinity map must be included on the preliminary plat.
23. Show all existing and proposed easements on the preliminary plat.
24. Show and label all existing structures on neighboring properties within 50 feet of the PUD subdivision.
25. Show any existing septic tanks or leach fields. Show the location of sewer and water and other utility connections for each lot.
26. Provide typical street cross sections and profiles.
27. Entry gate requires approval from the traffic engineer, fire department , and likely UDOT.
28. The required landscape grading plan has not been provided. Existing trees to be removed, including their caliper sizes, must be shown on that plan.
29. Existing trees of 4" caliper or greater that are removed must be replaced on a caliper for caliper basis. The trees are in addition to any other required trees for the site under the landscaping ordinance.
30. No hydrozones are called out on the landscaping plans as required.
31. No irrigation plans provided with the landscape plan package as required.
32. No water usage calculations provided with the landscape plans.
33. Front yard depths of no less than 15 feet between the buildings and the edge of the private street require that street trees cover a minimum of 75 percent (at maturity) of the landscape area. Open decorative fencing may also be required on the interior of the landscaped area.
34. Based upon the calculations provided on the landscape plan only 41% of the site is landscaped. A minimum of 50% open space is required (landscaped area plus any walking paths/sidewalk). A reduction to 42% open space is allowed, but only if 4 additional recreational amenities are included in the project. Based upon preliminary analysis staff believes that the potential exists to expand the size of the playground to 3,000 sq ft. and the size of the picnic area to 1,000 sq. ft., this would when account for 5 of the 6 required amenities and the applicant would only need to add one additional amenity to meet the minimum requirements. More accurate calculations together with potential reductions in the size of the homes or driveways may also boost the amount of open space up to 44% eliminating the requirement of a 6th amenity.
35. As the playground is next to the street it must be fenced.
36. A number of technical deficiencies also exist with the landscape plans, these range from the provision of a design intent statement to a signature box for County acceptance of the plans. The designer needs to review the submittal requirements of 19.77.100 when updating the plans.
37. Colors and materials are not specified on the elevation drawings, the renderings provided are a representation only. More specific materials and a color palate and will need to be designated and provided prior to final approval.
38. A discrepancy exists regarding the overall size of the property. Also dedication amounts for the roadway have not yet been determined by UDOT. According to the County Assessors records the total size of the property is 3.94 acres, according to the plans provided the size is 4.15 acres. If the property size is indeed 3.94 acres or smaller (after dedication along Little Cottonwood Road) only 14 units would be allowed ($3.94 \times 3.8 = 14.97$ units - unit calculations are not rounded up).

2.5 Subdivision Requirements

18.08.010 Procedure generally

The planning commission shall be the land use authority for subdivisions. In order to assure that each subdivision fully complies with the provisions of this title, the director or director's designee shall administer formal application and review procedures for subdivisions. An application shall not be deemed complete until the full application, fees and all required materials have been submitted. The payment of a partial fee and submission of preliminary plans for a pre-submittal review does not constitute a complete application.

Each process shall include the following components:

A. An application procedure, which shall include:

1. Submission of an application form, as designed by the director or director's designee to clearly indicate the type of application, property address, applicant information, and other pertinent information;
2. Submission of supplementary materials, including a legal description, property plat, the required number of plans/preliminary plats, and mailing labels (if required) for notifications;
3. Payment of fees, as required under Title 3, Revenue and Finance.

B. A review procedure, which shall include:

1. An on-site review by the director or director's designee as provided by Utah Code 17-27a-303;
2. Review of the submitted site plan/preliminary plat for compliance with county land use ordinances;
3. Reference of the application and site plan/preliminary plat to any other government agency and/or affected entity which the director or director's designee deems necessary to protect the health, safety, and welfare of the public and to ensure the project's compliance with all applicable ordinances and codes;
4. The processing of any exception requests that have been made in conjunction with the subdivision application.

C. A preliminary plat approval procedure, which shall include:

1. Confirmation that all necessary agencies have responded to the requests for recommendation with a recommendation of approval or approval with conditions;
2. Integration of the recommendations from the other government agencies and affected entities involved above into the preliminary plat;
3. Receipt of a recommendation from the planning staff;
4. Approval of the preliminary plat as outlined in Section 18.12.030, and issuing a preliminary plat approval letter.

D. A final plat approval procedure, which shall include:

1. An engineering review to ensure that the final plat complies with all conditions of approval of the preliminary plat and to ensure that the final plat complies with the design standards, codes, and ordinances and with minimum engineering/surveying requirements;
2. A check of appropriate background information, such as: lot access, property title, record of survey, field boundary verification, etc.;
3. The collection of the necessary approval signatures (planning commission representative, director or director's designee, health department, district attorney, county mayor or their designees) on the final plat;
4. Payment of final fees and bond;
5. Recordation of the plat.

18.08.015 Time limits

Subdivision applications are subject to expiration according to the following schedule unless, for good cause shown, the applicant is granted an extension of time by the director or director's designee:

- A. A subdivision application shall expire if the applicant has not filed any of the required documents for preliminary plat approval within six months of the submission of a complete application.
- B. A subdivision application shall expire if the final plat is not submitted to planning and development services within six months of the preliminary plat approval.
- C. A subdivision application shall expire if the final plat has not been signed by the county mayor within six months of the approval of the director or director's designee.
- D. A subdivision application shall expire if the final plat has not been recorded within six months of the date of the county mayor's signature on the plat.

18.12.030 Preliminary plat approval or disapproval.

Following a review of the preliminary plat the planning commission shall act on the preliminary plat as submitted or modified. If the plat is approved, the director or director's designee shall sign the plat. One copy of the preliminary plat shall be provided to the subdivider. One signed copy shall be retained by the planning and development services division, and one copy of the approved plat shall be returned to the developer's engineer. If the preliminary plat is disapproved, the director or director's designee shall notify the developer in writing and give reasons for such disapproval. The receipt of a signed copy of the approved preliminary plat shall be authorization for the subdivider to proceed with the preparation of specifications for the minimum improvements required in Chapter 18.24 of this title and with the preparation of the final plat.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1)Correct outstanding requirements and technical issues with the Preliminary Plat, Subdivision Plans, Architectural Elevations, and Landscape Plans with staff. Comply with all requirements and recommendations of the individuate reviewers and reviewing agencies.
- 2) Construct improvements in conformance with final approved plans.
- 3) All homes to meet the following minimum setbacks:
 - Front Yard to the Home (from the nearest edge of the private street or sidewalk) = 15 feet
 - Front Yard to the Garage (from the nearest edge of the private street or the sidewalk) = 15 feet
 - Rear Yard = 15 feet
 - Interior side yards = 5 feet minimum
 - Street Side Yards = 20 feet
 - Side Yard next to the perimeter of the development = 15 feet
- 4) Provide staff with an updated colors and materials list in accordance with the renderings provided.
- 5) Provide the additional recreational amenities requisite to the actual reductions in open space. Total open space provided shall not be less than 42% in any case. Staff to approve of the location and manner in which the additional recreational amenities are provided.
- 6) If final net acreage is 3.94 acres or less only 14 dwelling units are permitted and the revised site plan must return to the Planning Commission for preliminary review and approval.

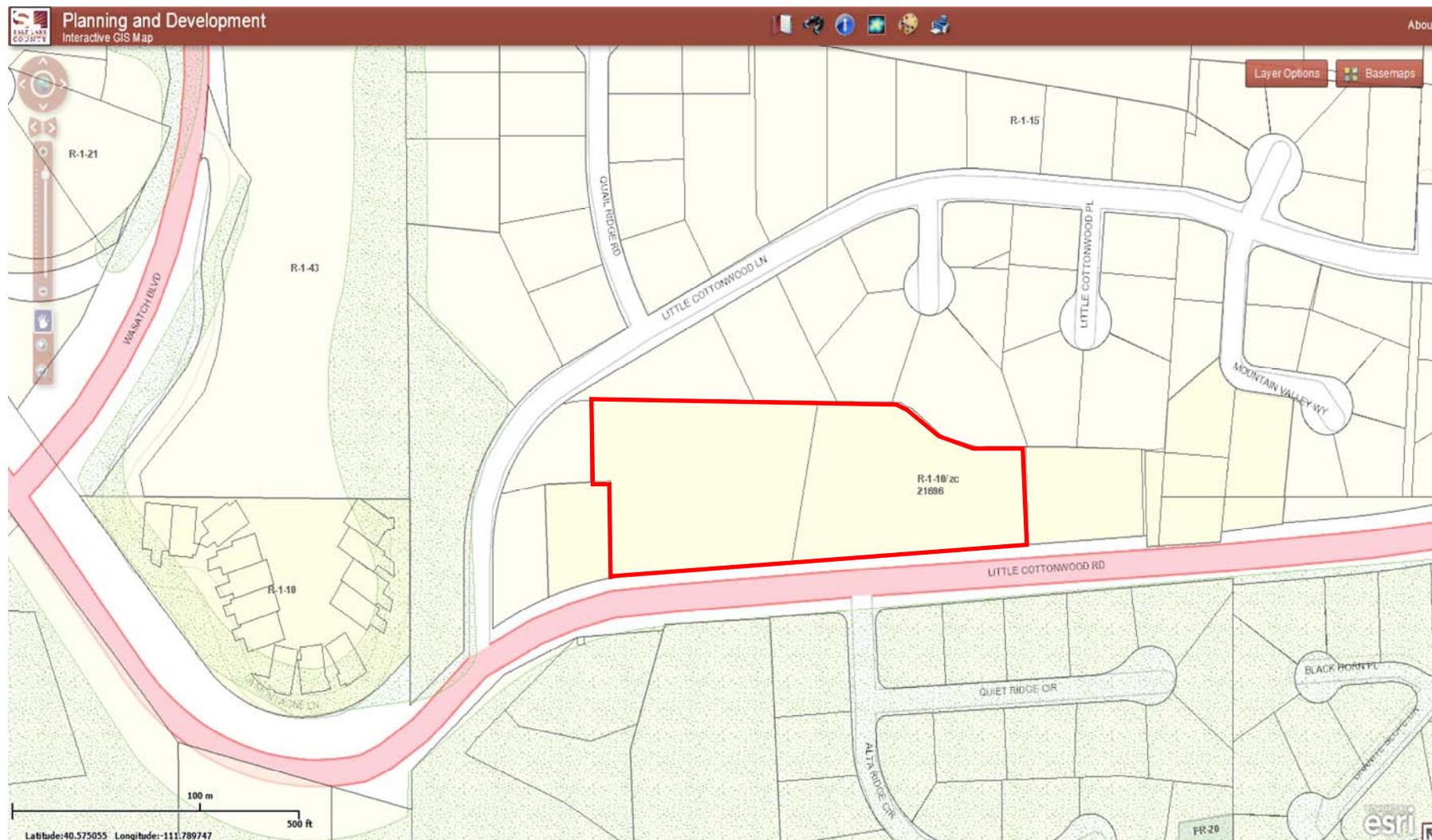
3.2 Reasons for Recommendation

- 1) Conceptually the Conditional Use PUD and Preliminary Subdivision Plat are able to meet a majority of the basic ordinance requirements.
- 2) The outstanding issues with the Preliminary Plat, Subdivision Plans, Architectural Elevations, and Landscape Plans are mainly technical in nature, or can easily be addressed with staff through the subsequent technical review process.
- 3) Impacts to the neighborhood are minimal and appropriate mitigation measures are in place as part of the proposal.
- 4) Additional recreational amenities are required based upon the submitted plans and the calculated amounts of open space.

3.3 Other Recommendations

Given the outstanding items that have yet to be resolved related to fencing, open space, recreational amenities, colors, materials, and acreage calculations the Planning Commission may wish exercise one of two options available to them:

1. Continue the item for up to 3 months (August 13, 2014 meeting) to allow the applicant more time to revise the plans and provide the additional details, information and plans before the Planning Commission makes a decision, or;
2. Require that the the project come back before the Planning Commission for final approval.



The screenshot displays the ArcGIS Viewer for Flex interface. At the top, the header reads "Planning and Development Interactive GIS Map" with the Salt Lake County logo on the left and navigation icons on the right. The main map area shows an aerial view of a residential neighborhood with two parcels highlighted: a red parcel on the left and a blue parcel on the right. Two information windows are open on the left side of the map. The top window is titled "Identify" and contains the following data:

Identify

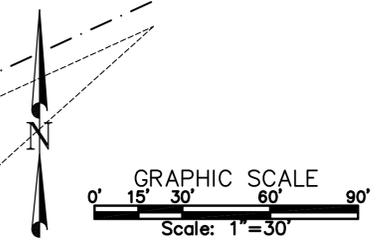
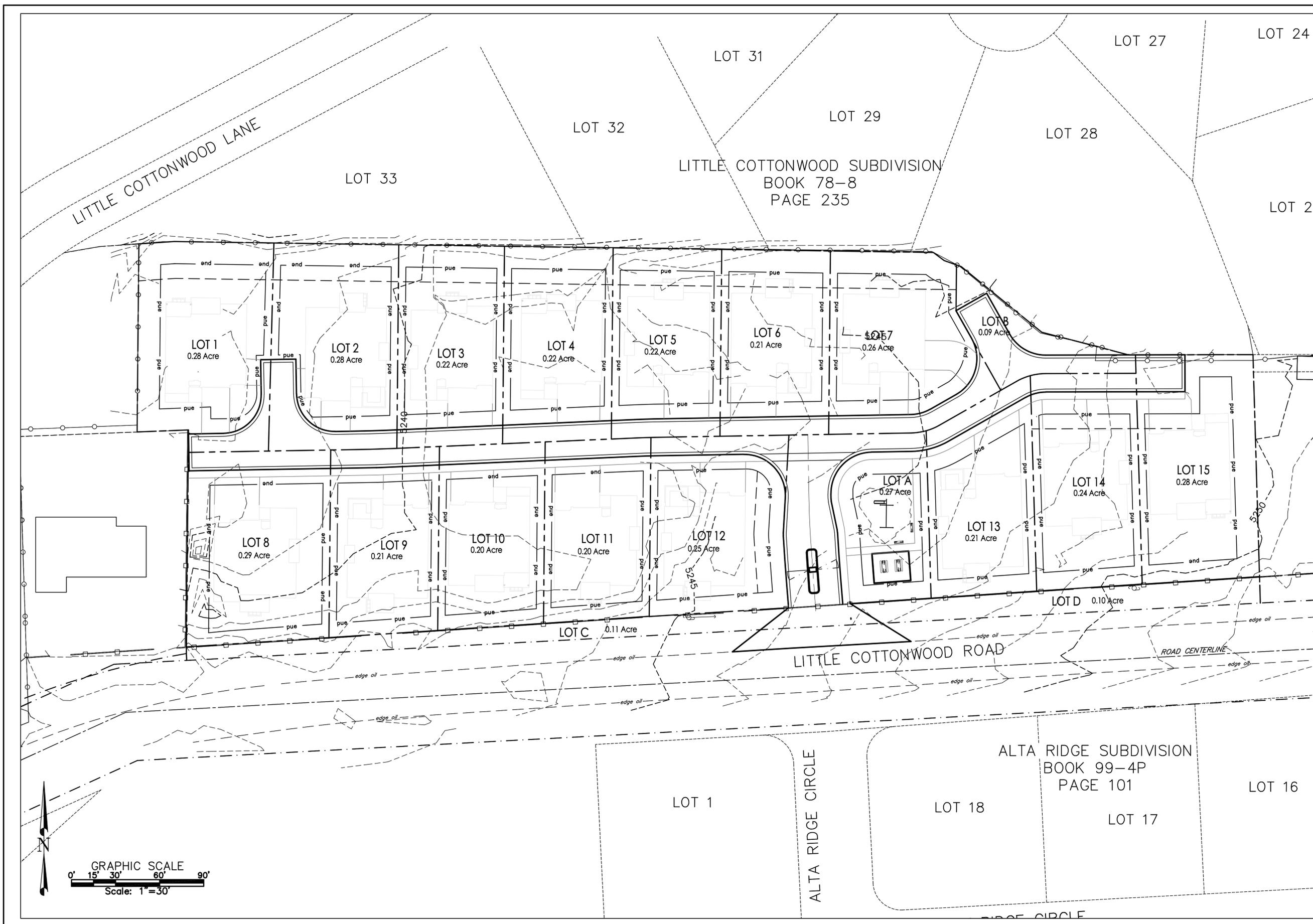
Parcel
ID 10: 2812152021
ID 14: 28121520210000
Address: 3611 LITTLE COTTONWOOD RD
Acreage: 1.79
Owner: FIRST NATIONAL BANK OF LAYTON
Owner Address: 1601 N HILL FIELD RD

The bottom window is titled "Enhanced Search" and contains the following data:

Enhanced Search

Parcels Selected: 1
ID 10: 2812152019
ID 14: 28121520190000
Address: 3601 LITTLE COTTONWOOD RD
Acreage: 2.15
Owner: FIRST NATIONAL BANK OF LAYTON
Owner Address: 1601 N HILL FIELD RD

At the bottom left, there is a scale bar for 300 feet and coordinate information: "Latitude: 40.575053 Longitude: -111.700075". The Esri logo is visible in the bottom right corner of the map area.

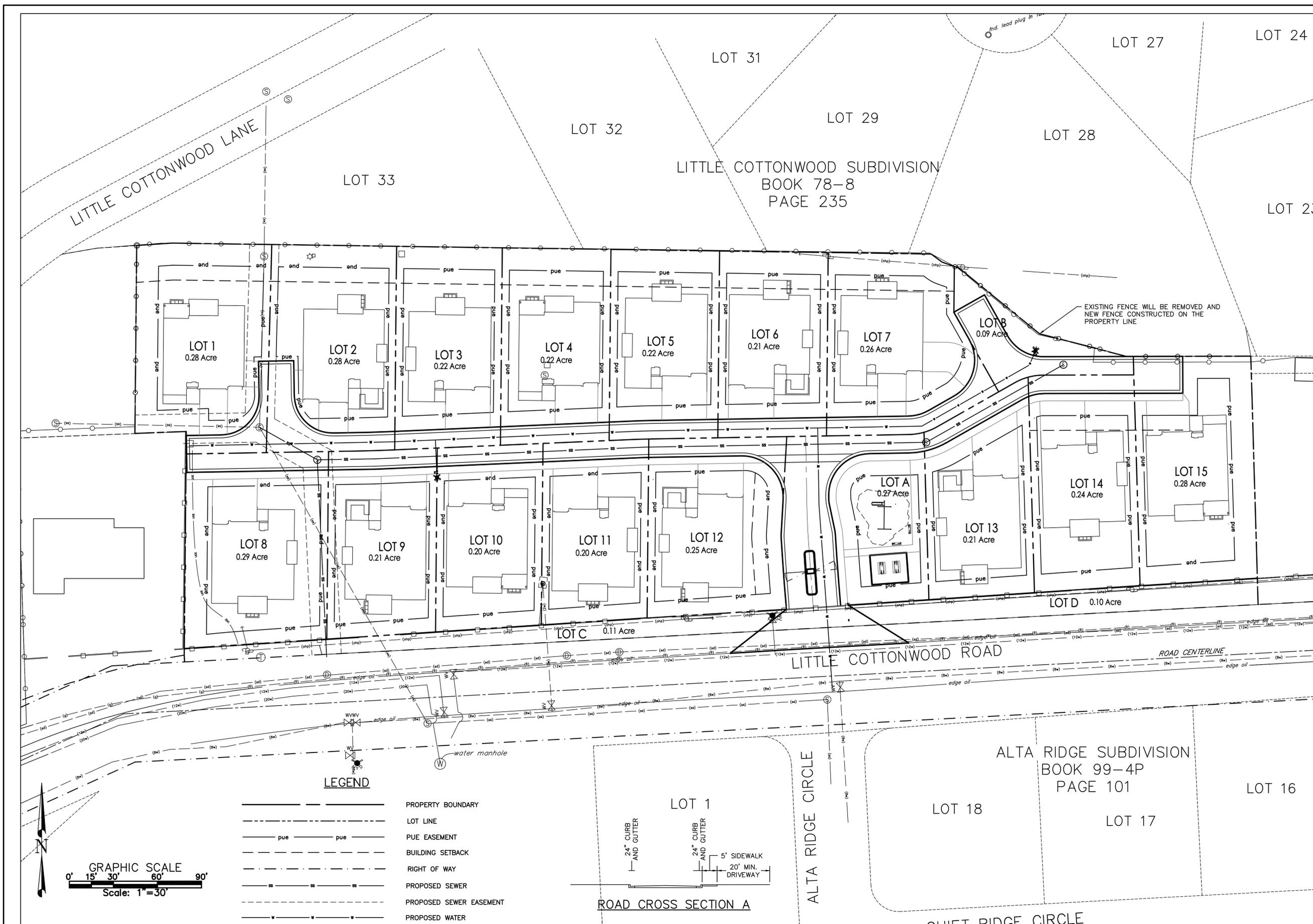


TRESEDER AT LITTLE COTTONWOOD
GRADING AND DRAINAGE PLAN
SANDY, SALT LAKE COUNTY, UTAH

TWIN PEAKS
Engineering & Land Surveying
2264 NORTH 1450 EAST LEHI, UTAH 84043
(801) 450-3511, (801) 439-0700 FAX

DWG DATE: MARCH 2014
PLOT DATE: 01 April 2014

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OF
4



LITTLE COTTONWOOD SUBDIVISION
 BOOK 78-8
 PAGE 235

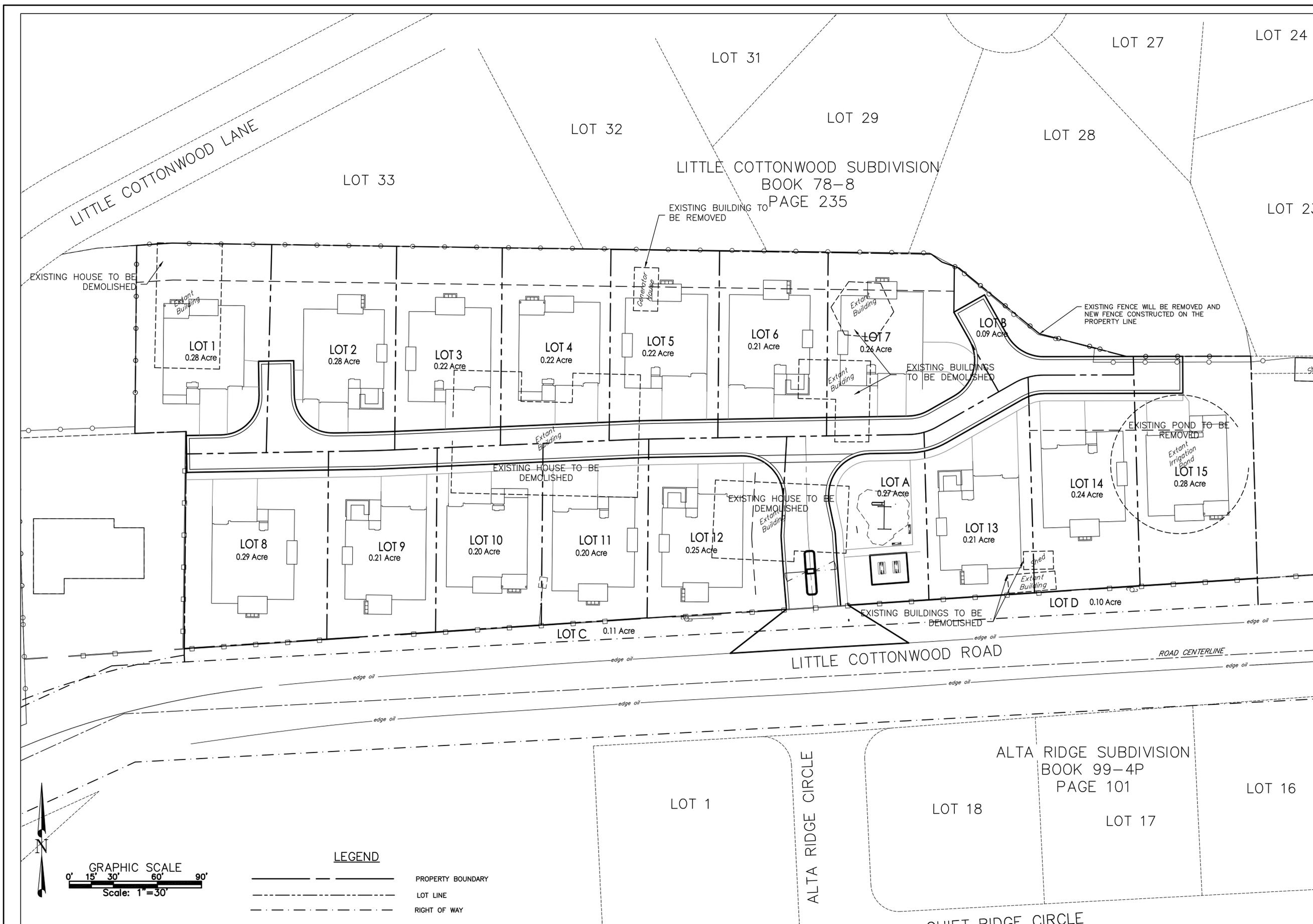
ALTA RIDGE SUBDIVISION
 BOOK 99-4P
 PAGE 101

TRESEDER AT LITTLE COTTONWOOD
 PRELIMINARY UTILITY PLAN
 SALT LAKE COUNTY, UTAH

TWIN PEAKS
 Engineering & Land Surveying
 2264 NORTH 1450 EAST LEHI, UTAH 84043
 (801) 450-3511, (801) 439-0700 FAX

DWG DATE: MARCH 2014
 PLOT DATE: 04 April 2014

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 OF
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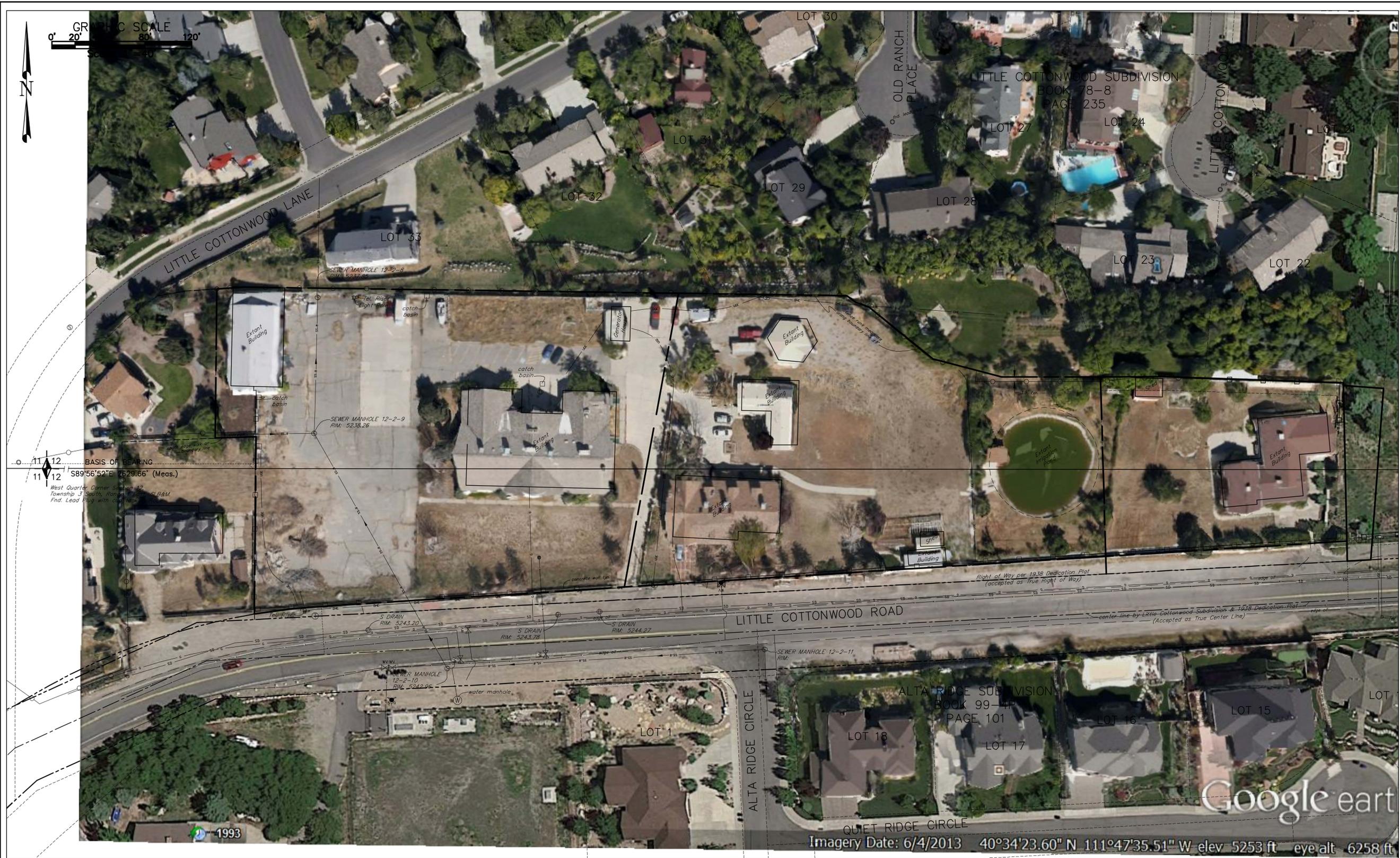


TRESEDER AT LITTLE COTTONWOOD
 PRELIMINARY PLAT
 SALT LAKE COUNTY, UTAH

TWIN PEAKS
 Engineering & Land Surveying
 2264 NORTH 1450 EAST LEHI, UTAH 84043
 (801) 450-3511, (801) 439-0700 FAX

DWG DATE: MARCH 2014
 PLOT DATE: 04 April 2014

SHEET
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 OF 4



NOTE
 1. ALL EXISTING ASPHALT AND CONCRETE AREAS WITHIN THE PROPERTY TO BE REMOVED.
 2. ALL POWER AND LIGHT POLES ARE TO BE REMOVED.

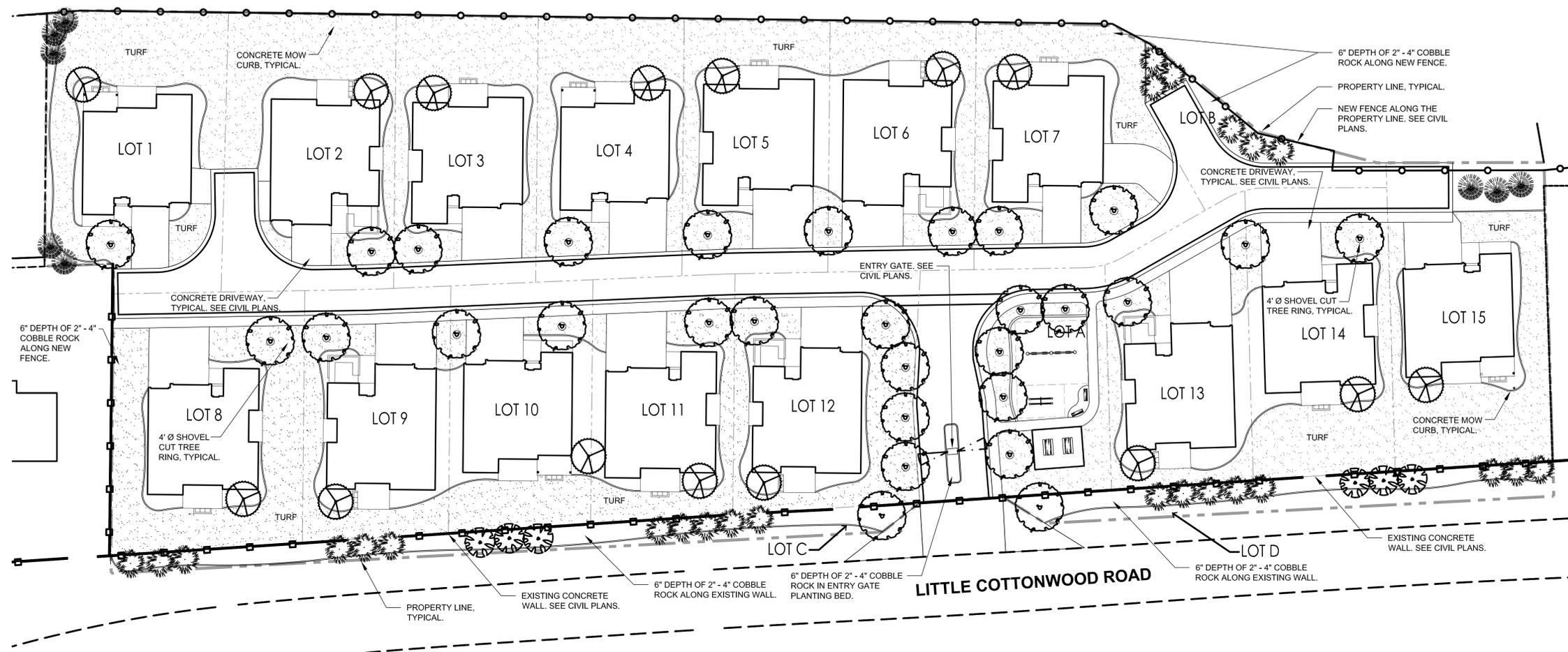
SURVEY CONTROL
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 EASTING : 1558182.25
 ELEVATION : 5179.83
 RAW DESCRIPTION : WEST 1/4 COR SECTION 12

TRESEDER AT LITTLE COTTONWOOD
 EXISTING CONDITIONS AND DEMOLITION PLAN
 SANDY, SALT LAKE COUNTY, UTAH

TWIN PEAKS
 Engineering & Land Surveying
 2264 NORTH 1450 EAST LEHI, UTAH 84043
 (801) 450-3511, (801) 459-0700 FAX

DWG DATE: MARCH 2014
 PLOT DATE: 01 April 2014

SHEET
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 OF 4



LANDSCAPE NOTES

- ALL EXISTING TREES ARE TO BE REMOVED FROM SITE. SEE DEMOLITION PLAN.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING QUANTITIES OF ALL MATERIALS FOR BIDDING AND INSTALLATION PURPOSES. IF DISCREPANCIES EXIST, THE PLAN SHALL DICTATE.
- PLANT MATERIAL TO BE INSTALLED PER PLANT LEGEND. ANY SUBSTITUTIONS TO BE APPROVED BY OWNER AND/OR LANDSCAPE ARCHITECT.
- NEW AUTOMATIC UNDERGROUND IRRIGATION SYSTEM TO BE INSTALLED PER PLANS. SEE IRRIGATION PLANS FOR EXACT LAYOUT.
- NEW TURF AREAS TO BE SODDED WITH 100% KENTUCKY BLUEGRASS. FINE LEVEL ALL AREAS PRIOR TO LAYING SOD.
- SANDY LOAM TOPSOIL TO BE IMPLEMENTED AT THE FOLLOWING DEPTHS: 6" AMENDED TOPSOIL ALL NEW PLANTER AREAS AND 4" IN ALL NEW LAWN AREAS. PLANTER BEDS TO BE EXCAVATED AS NECESSARY IN ORDER TO ACCOMMODATE NEW TOPSOIL AND COBBLE ROCK OR BARK MULCH TO REACH FINISHED GRADE.
- 4"x6" CONCRETE MOW CURB TO BE INSTALLED BETWEEN ALL TURF AND PLANTER AREAS PER PLAN.
- DeWitt 5 OZ. WEED BARRIER FABRIC TO BE INSTALLED IN ALL PLANTER AREAS.
- SHREDDED BARK MULCH TO BE IMPLEMENTED AT THE FOLLOWING DEPTHS: 3" IN ALL TREE, SHRUB AND PERENNIAL PLANTER AREAS. PULL BARK MULCH MIN. 3" AWAY FROM BASE OF ALL PERENNIALS AND SHRUBS AND MIN. 6" AWAY FROM ALL TREES.
- TREES LOCATED IN LAWN AREAS SHALL HAVE A 4" Ø TREE WELL AROUND BASE OF TREE WITH 3" DEPTH OF SHREDDED BARK MULCH.
- ALL TREES TO BE STAKED AT TIME OF PLANTING. SEE DETAILS FOR SPECIFICS. LOOSEN AFTER FIRST GROWING SEASON AND REMOVE STAKING AFTER SECOND GROWING SEASON.
- ALL PLANTERS AROUND EACH BUILDING WILL HAVE A 3" DEPTH OF SHREDDED BARK MULCH, DARK BROWN IN COLOR.

LANDSCAPE AREA:

TOTAL SITE AREA =	180,970 S.F. (4.15 ACRES)
IMPERVIOUS SURFACE AREA =	62,684 S.F. (1.43 ACRES)
BUILDING AREA =	44,470 S.F. (1.02 ACRES) (24.5 %)
TOTAL LANDSCAPE AREA =	73,816 S.F. (1.70 ACRES)
41% LANDSCAPED AREA	

LANDSCAPE INTENT:

THE DESIGN INTENT OF THE TRESEDER AT LITTLE COTTONWOOD DEVELOPMENT IS TO CREATE A COMMUNITY THAT HAS THE FEEL OF A CLOSE KNIT NEIGHBORHOOD. THE LANDSCAPE ELEMENTS WERE CHOSEN TO REFLECT A TRADITIONAL COMMUNITY WITH GREEN GRASS, TREE LINED STREETS, AND SPECIMEN VARIETIES OF ORNAMENTAL TREES WHILE MAINTAINING A WATER CONSERVING PLANTING SCHEME.

DECIDUOUS TREE LEGEND

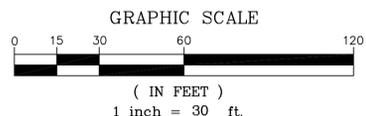
SYMBOL	BOTANICAL NAME/COMMON NAME	QUANTITY (% OF TOTAL)	SIZE
	ACER PLATANOIDES 'CRIMSON KING' CRIMSON KING NORWAY MAPLE	29 (33%)	2" CALIPER
	CERCIS CANADENSIS 'FOREST PANSY' FOREST PANSY REDBUD	6 (8%)	1.5" CALIPER
	PYRUS CALLERYANA 'CLEVELAND SELECT' CLEVELAND SELECT FLOWERING PEAR	15 (19%)	2" CALIPER

EVERGREEN TREE LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QUANTITY (% OF TOTAL)	SIZE
	PINUS FLEXILIS 'VANDERWOLFE' VANDERWOLFE LIMBER PINE	25 (30%)	6' TALL
	ABIES LASIOCARPA CORKBARK FIR	8 (10%)	6' TALL
	PINUS SYLVESTRIS GLAUCA 'WELLS ROYAL SCOT' WELLS ROYAL SCOTCH PINE		

GROUND TREATMENTS LEGEND

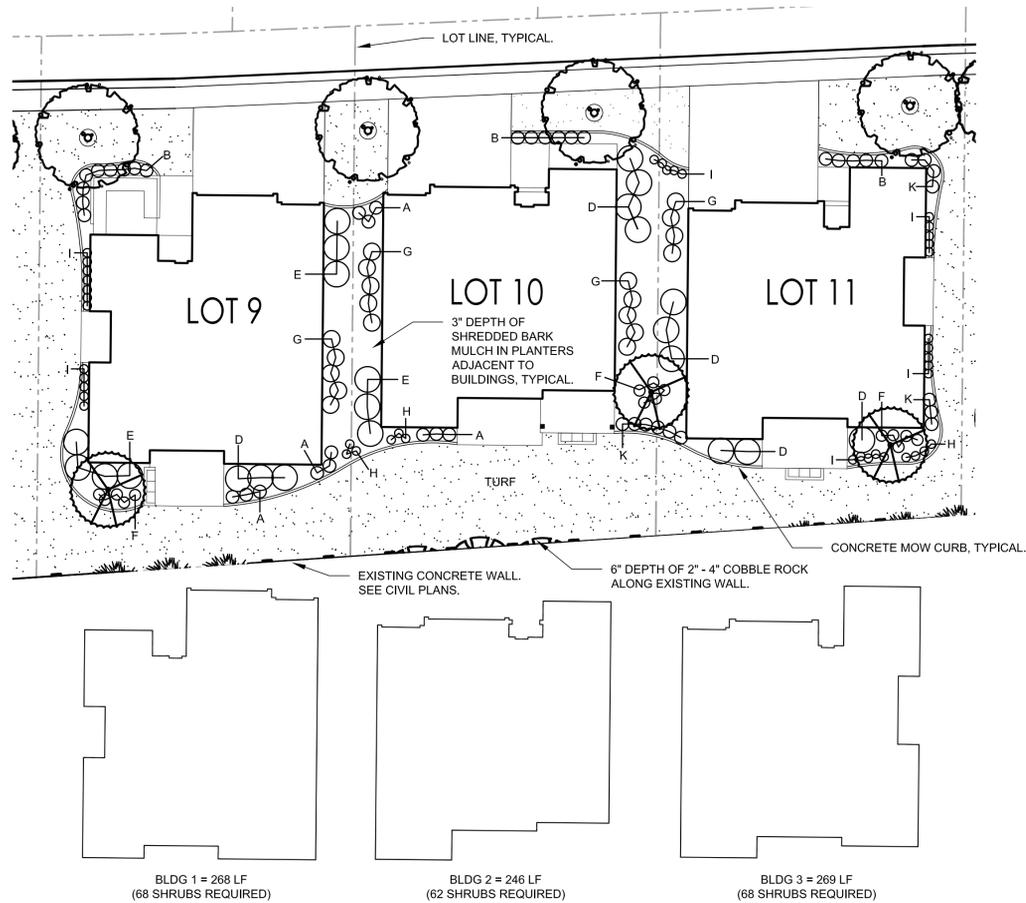
SYMBOL	DISCRIPTION	QUANTITY	APPLICATION
	TURF (100% TALL FESCUE)	58,297 S.F.	SOD
	6" DEPTH OF 2"-4" CALICO COBBLE AVAILABLE THRU STAKER PARSONS	168 C.Y.	
	3" DEPTH OF SHREDDED BARK MULCH, DARK BROWN IN COLOR.	114 C.Y.	



**PRELIMINARY PLAN
 NOT FOR CONSTRUCTION**

Project Number	PM	LDA	Plot Date	Drawn By	Checked By	Date Issued
UT 14-041			04.04.2014	JWN	JWN	04.04.2014

No.	Revisions	By	Date



LANDSCAPE NOTES

1. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING QUANTITIES OF ALL MATERIALS FOR BIDDING AND INSTALLATION PURPOSES. IF DISCREPANCIES EXIST, THE PLAN SHALL DICTATE.
2. PLANT MATERIAL TO BE INSTALLED PER PLANT LEGEND. ANY SUBSTITUTIONS TO BE APPROVED BY OWNER AND/OR LANDSCAPE ARCHITECT.
3. NEW AUTOMATIC UNDERGROUND IRRIGATION SYSTEM TO BE INSTALLED PER PLANS. SEE IRRIGATION PLANS FOR EXACT LAYOUT.
4. NEW TURF AREAS TO BE SODDED WITH 100% TALL FESCUE. FINE LEVEL ALL AREAS PRIOR TO LAYING SOD.
5. SANDY LOAM TOPSOIL TO BE IMPLEMENTED AT THE FOLLOWING DEPTHS: 6" AMENDED TOPSOIL ALL NEW PLANTER AREAS AND 4" IN ALL NEW LAWN AREAS. PLANTER BEDS TO BE EXCAVATED AS NECESSARY IN ORDER TO ACCOMMODATE NEW TOPSOIL AND COBBLE ROCK OR BARK MULCH TO REACH FINISHED GRADE.
6. 4"x6" CONCRETE MOW CURB TO BE INSTALLED BETWEEN ALL TURF AND PLANTER AREAS PER PLAN.
7. DeWitt 5 OZ. WEED BARRIER FABRIC TO BE INSTALLED IN ALL PLANTER AREAS.
8. SHREDDED BARK MULCH TO BE IMPLEMENTED AT THE FOLLOWING DEPTHS: 3" IN ALL TREE, SHRUB AND PERENNIAL PLANTER AREAS. PULL BARK MULCH MIN. 3' AWAY FROM BASE OF ALL PERENNIALS AND SHRUBS AND MIN. 6' AWAY FROM ALL TREES.
9. TREES LOCATED IN LAWN AREAS SHALL HAVE A 4' Ø TREE WELL AROUND BASE OF TREE WITH 3" DEPTH OF SHREDDED BARK MULCH.
10. ALL TREES TO BE STAKED AT TIME OF PLANTING. SEE DETAILS FOR SPECIFICS. LOOSEN AFTER FIRST GROWING SEASON AND REMOVE STAKING AFTER SECOND GROWING SEASON.

**PRELIMINARY PLAN
NOT FOR CONSTRUCTION**

DECIDUOUS TREE LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QUANTITY	SIZE
	ACER PLATANOIDES 'CRIMSON KING' CRIMSON KING NORWAY MAPLE	9	2" CALIPER
	PYRUS CALLERYANA 'CLEVELAND SELECT' CLEVELAND SELECT FLOWERING PEAR	3	2" CALIPER

EVERGREEN TREE LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QUANTITY	SIZE
	PINUS FLEXILIS 'VANDERWOLFE' VANDERWOLFE LIMBER PINE	6	6' TALL

DECIDUOUS SHRUB LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QUANTITY	SIZE
	BERBERIS T. I. 'CRIMSON PYGMY' CRIMSON PYGMY BARBERRY	12	5 GALLON
	CARYOPTERIS CLANDONENSIS 'DARK KNIGHT' DARK KNIGHT BLUE MIST SPIREA	25	5 GALLON
	FORSYTHIA 'LYNWOOD GOLD' LYNWOOD GOLD FORSYTHIA	6	5 GALLON
	LONICERA TATARICA 'ARNOLDS RED' ARNOLDS RED TATARIAN HONEYSUCKLE	13	5 GALLON
	SYRINGA PATULA 'MISS KIM' MISS KIM LILAC	10	5 GALLON

EVERGREEN SHRUB LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QUANTITY	SIZE
	MAHONIA AQUIFOLIUM OREGON GRAPE	48	5 GALLON
	PINUS MUGO 'PUMILIO' SHRUBBY SWISS MOUNTAIN MUGO PINE	19	5 GALLON

PERENNIAL & ORNAMENTAL GRASSES LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME	QUANTITY	SIZE
	COREOPSIS GRANDIFLORA 'POT OF GOLD' POT OF GOLD COREOPSIS	10	1 GALLON
	ECHINACEA PURPUREA PURPLE CONEFLOWER	32	1 GALLON
	MISCANTHUS SINENSIS 'GRACILLIMUS' MAIDENHAIR GRASS	3	1 GALLON
	PENNISETUM ORIENTALLIS 'KARLEY ROSE' KARLEY ROSE FOUNTAIN GRASS	13	1 GALLON

GROUND TREATMENTS LEGEND

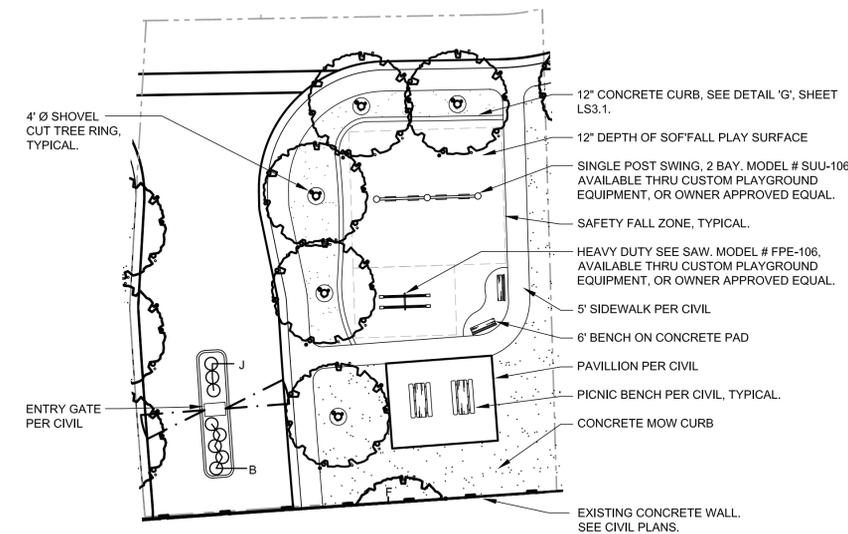
SYMBOL	DISCRIPTION	APPLICATION
	TURF (100% TALL FESCUE)	SOD
	6" DEPTH OF 2"-4" CALICO COBBLE AVAILABLE THRU STAKER PARSONS	
	3" DEPTH OF SHREDDED BARK MULCH, DARK BROWN IN COLOR	

NOTES:

1. BUILDINGS SHOWN AS TYPICALS AS BUILDINGS WILL BE CHOSEN BY THE FUTURE BUYERS.
2. CONTRACTOR IS RESPONSIBLE FOR ADHERING TO SALT LAKE COUNTY LANDSCAPE STANDARDS AS SHOWN AND THESE DOCUMENTS.
3. CONTRACTOR WILL ADJUST PLANTINGS AS NECESSARY.

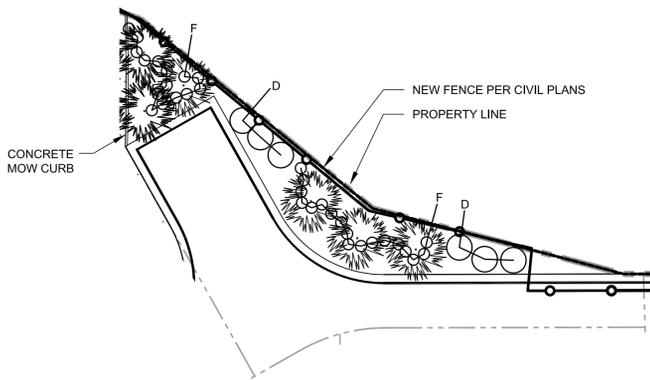
A TYPICAL BUILDING PLANTING PLANS

SCALE: 1" = 20'-0"



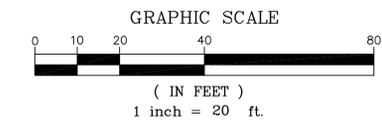
B LOT A PLANTING

SCALE: 1" = 20'-0"



C LOT B PLANTING

SCALE: 1" = 20'-0"



EPPEC
 PROJECT ENGINEERING CONSULTANTS
 886 West 9000 South
 West Jordan, Utah 84088
 Tel. 801-495-4240 • Fax 801-495-4244
 jnelson@pec.us.com

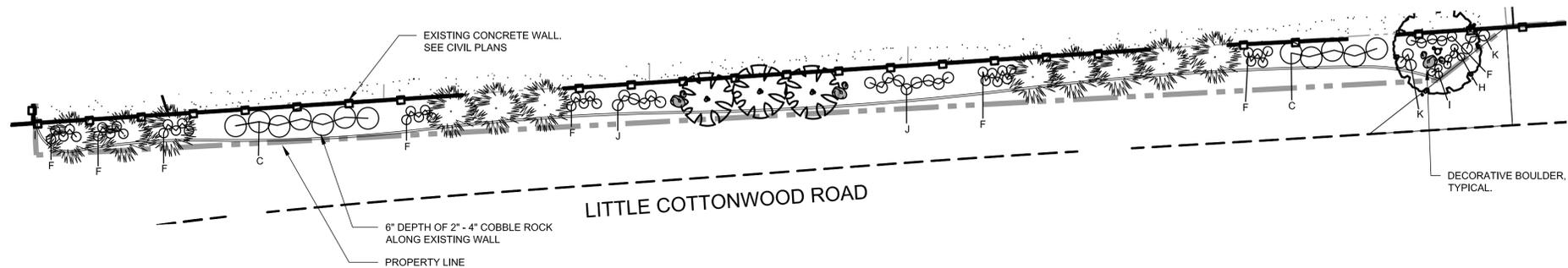
TRESADER AT LITTLE COTTONWOOD
 SANDY, SALT LAKE COUNTY, UTAH
 PLANTING PLAN

Sheet Number
LS1.2

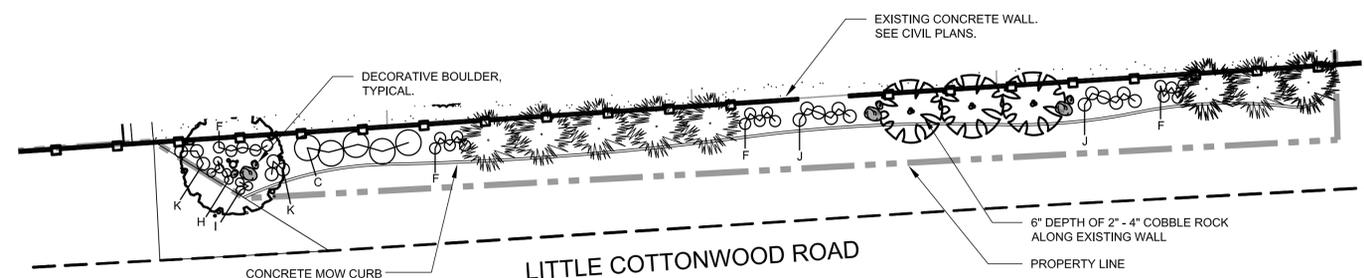
Revisions

Date Issued
04.04.2014

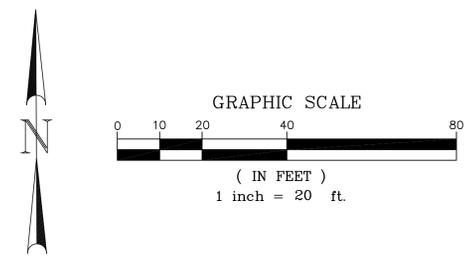




D LOT C PLANTING
SCALE: 1" = 20'-0"



E LOT D PLANTING
SCALE: 1" = 20'-0"



DECIDUOUS TREE LEGEND

SYMBOL	BOTANICAL NAME/Common Name	QUANTITY	SIZE
	ACER PLATANOIDES 'CRIMSON KING' CRIMSON KING NORWAY MAPLE	2	2" CALIPER
	CERCIS CANADENSIS 'FOREST PANSY' FOREST PANSY REDBUD	6	1.5" CALIPER

EVERGREEN TREE LEGEND

SYMBOL	BOTANICAL NAME/Common Name	QUANTITY	SIZE
	PINUS FLEXILIS 'VANDERWOLFE' VANDERWOLFE LIMBER PINE	19	6" TALL

DECIDUOUS SHRUB LEGEND

SYMBOL	BOTANICAL NAME/Common Name	QUANTITY	SIZE
	FORSYTHIA 'LYNWOOD GOLD' LYNWOOD GOLD FORSYTHIA	17	5 GALLON

EVERGREEN SHRUB LEGEND

SYMBOL	BOTANICAL NAME/Common Name	QUANTITY	SIZE
	MAHONIA AQUIFOLIUM OREGON GRAPE	62	5 GALLON

PERENNIAL & ORNAMENTAL GRASSES LEGEND

SYMBOL	BOTANICAL NAME/Common Name	QUANTITY	SIZE
	COREOPSIS GRANDIFLORA 'POT OF GOLD' POT OF GOLD COREOPSIS	10	1 GALLON
	ECHINACEA PURPUREA PURPLE CONEFLOWER	6	1 GALLON
	MISCANTHUS SINENSIS 'GRACILLIMUS' MAIDENHAIR GRASS	27	1 GALLON
	PENNISETUM ORIENTALLIS 'KARLEY ROSE' KARLEY ROSE FOUNTAIN GRASS	12	1 GALLON

GROUND TREATMENTS LEGEND

SYMBOL	DISCRPTION
	6" DEPTH OF 2"-4" CALICO COBBLE AVAILABLE THRU STAKER PARSONS
	DECORATIVE LANDSCAPE BOULDERS COLOR MUST MATCH OR COORDINATE WITH COBBLE ROCK

LANDSCAPE NOTES

- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING QUANTITIES OF ALL MATERIALS FOR BIDDING AND INSTALLATION PURPOSES. IF DISCREPANCIES EXIST, THE PLAN SHALL DICTATE.
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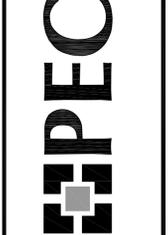
**PRELIMINARY PLAN
NOT FOR CONSTRUCTION**



Project Number	LDA	Plot Date	Designed By	Drawn By	Checked By	Date Issued
UT_14-041		04.04.2014	JWN	JWN	JWN	04.04.2014

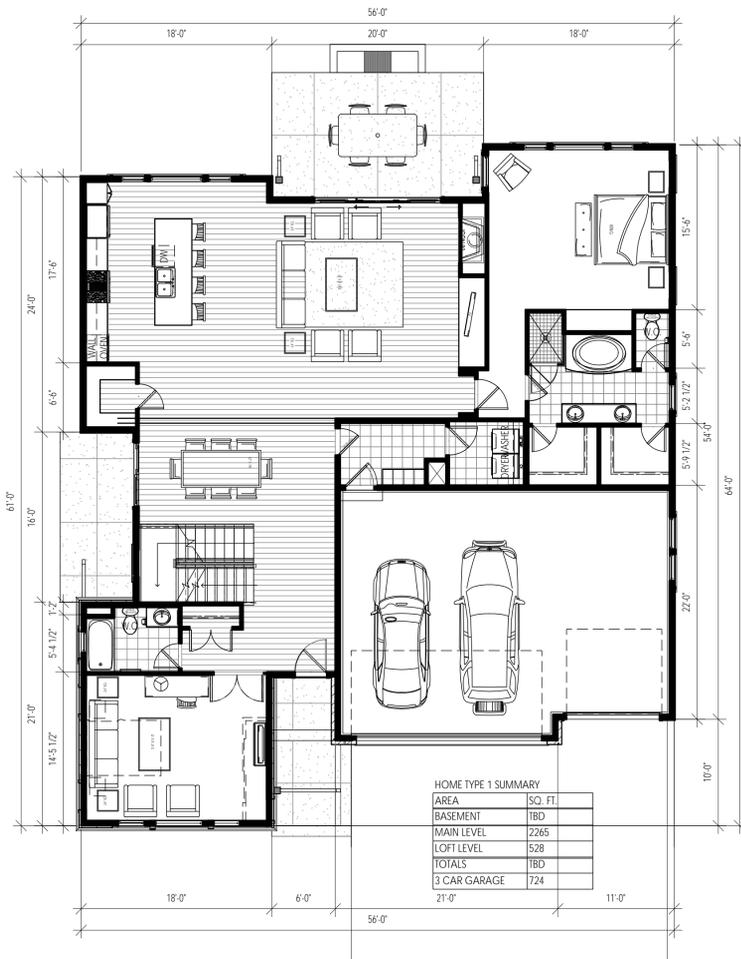


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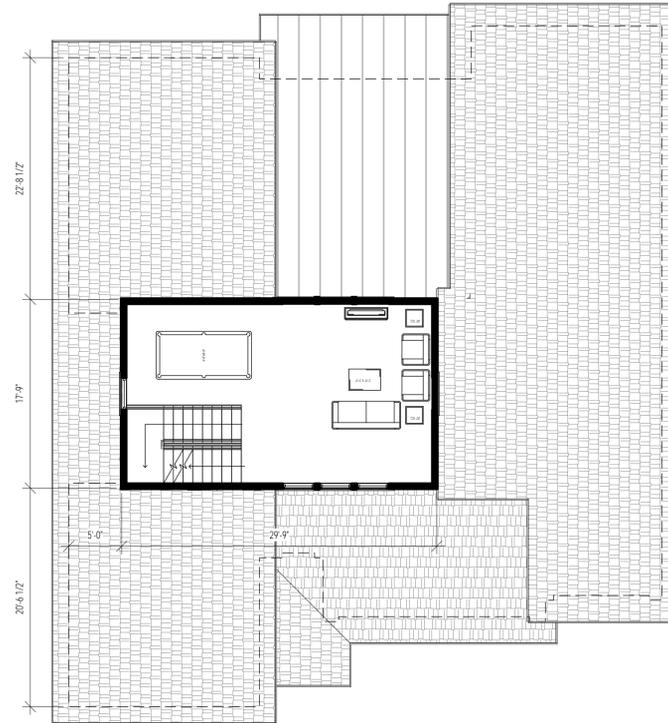
**TRESEDER AT LITTLE COTTONWOOD
SANDY, SALT LAKE COUNTY, UTAH
PLANTING PLAN**

Sheet Number
LS1.3



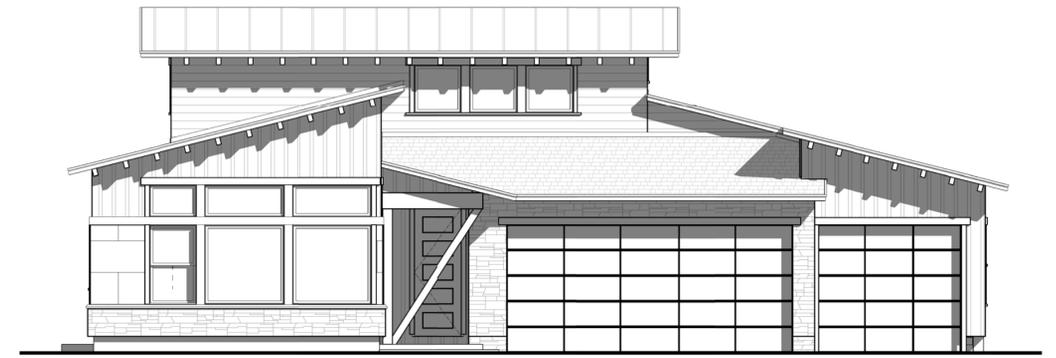
LEVEL 1 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

1
D201



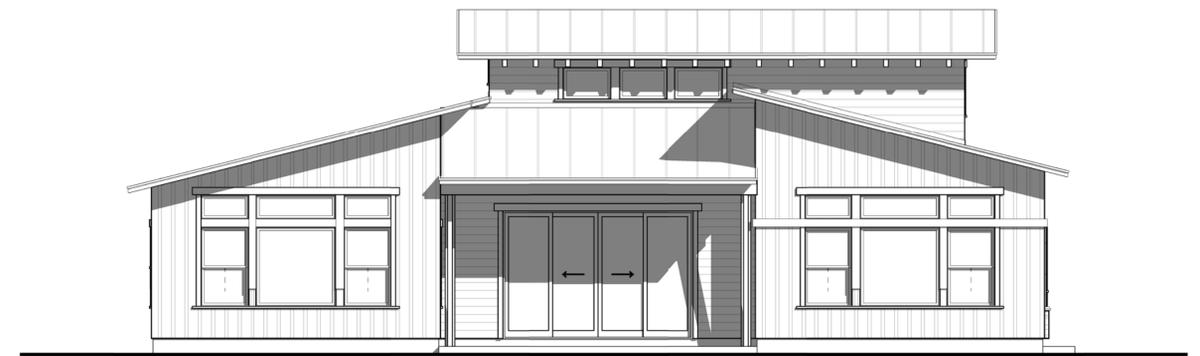
LEVEL 2 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

2
D201



SCHEMATIC FRONT ELEVATION
3/16" = 1'-0"

3
D201



SCHEMATIC REAR ELEVATION
3/16" = 1'-0"

4
D201



SCHEMATIC LEFT ELEVATION
3/16" = 1'-0"

5
D201

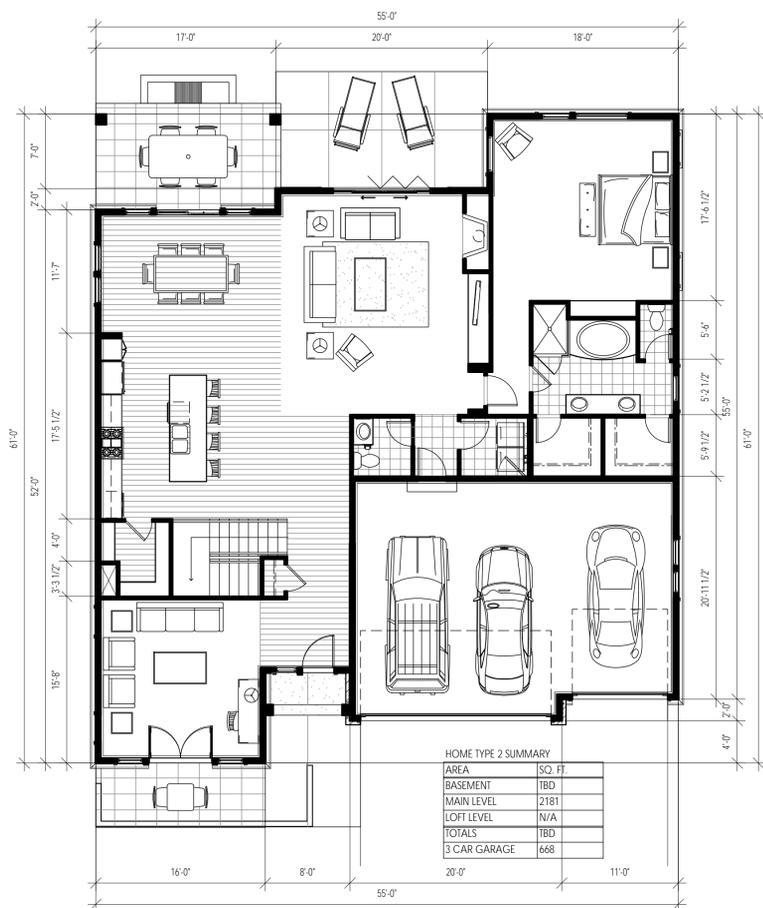


SCHEMATIC RIGHT ELEVATION
3/16" = 1'-0"

6
D201

TRESEDER AT LITTLE COTTONWOOD - RESIDENCE 1

LITTLE COTTONWOOD CANYON ROAD, SANDY UT



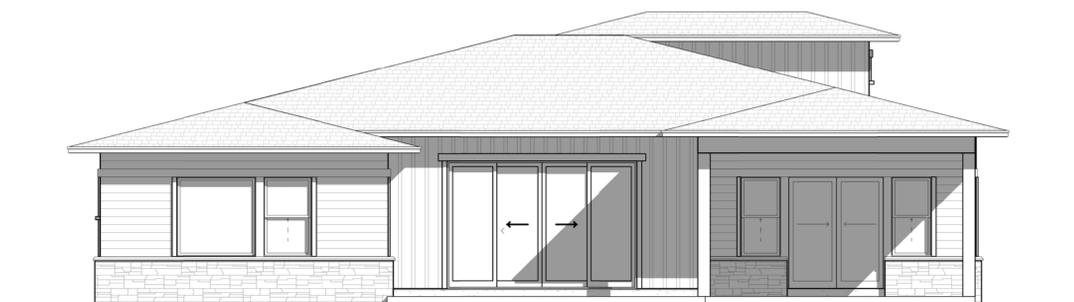
LEVEL 1 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

1
D201



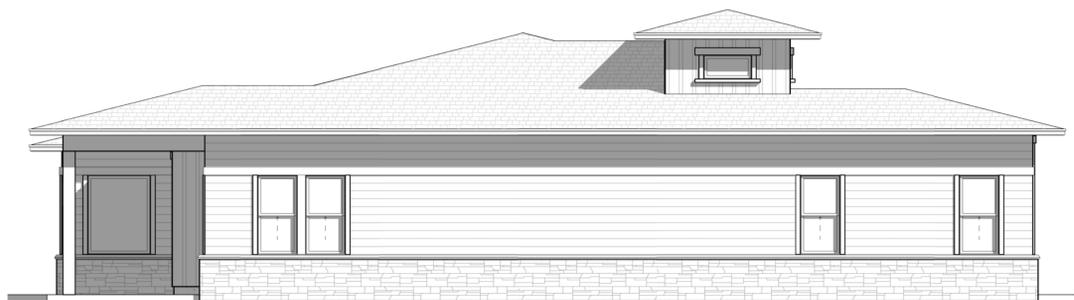
SCHEMATIC FRONT ELEVATION
3/16" = 1'-0"

2
D201



SCHEMATIC REAR ELEVATION
3/16" = 1'-0"

3
D201



SCHEMATIC LEFT ELEVATION
3/16" = 1'-0"

4
D201

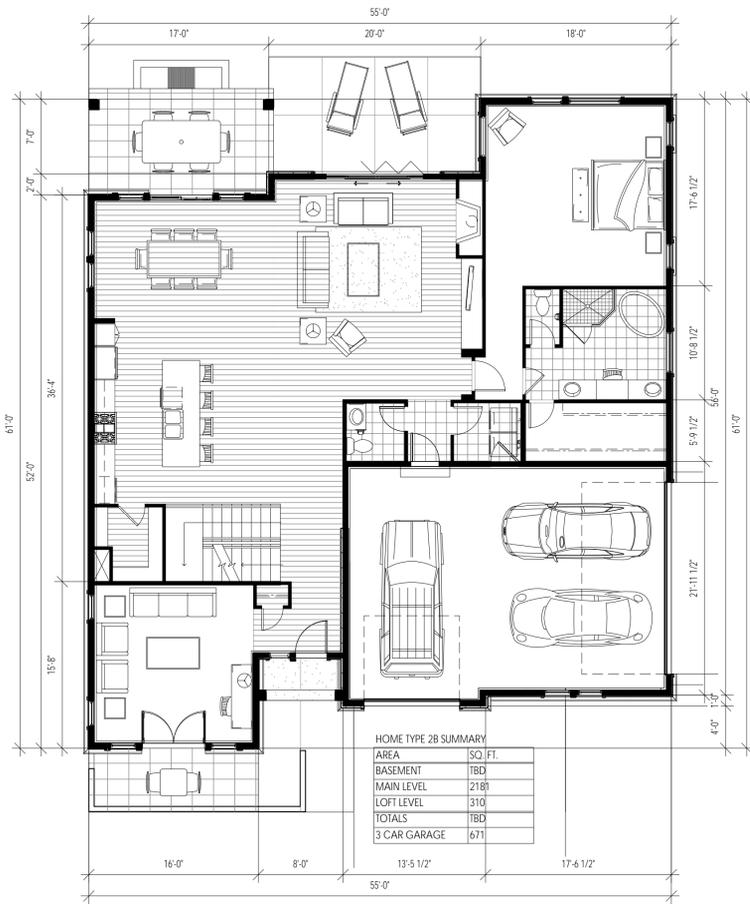


SCHEMATIC RIGHT ELEVATION
3/16" = 1'-0"

5
D201

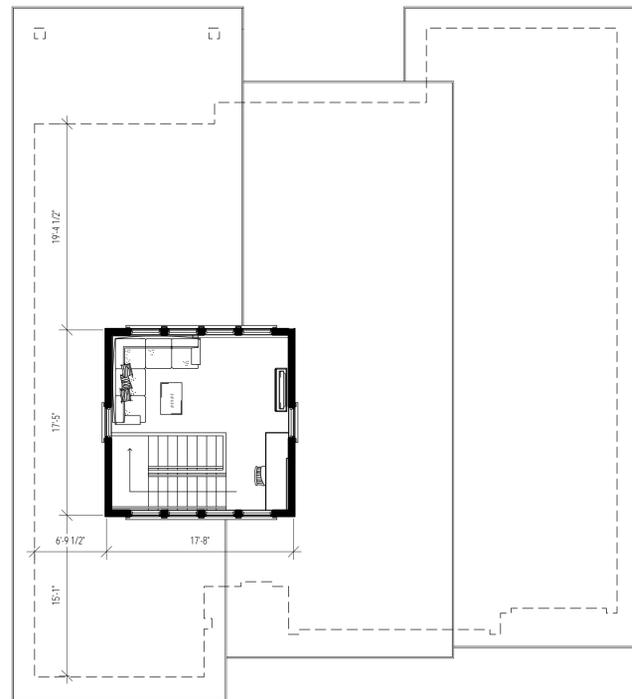
TRESEDER AT LITTLE COTTONWOOD - RESIDENCE 2

LITTLE COTTONWOOD CANYON ROAD, SANDY UT



LEVEL 1 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

1
D201



LEVEL 2 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

2
D201



SCHEMATIC FRONT ELEVATION
3/16" = 1'-0"

3
D201



SCHEMATIC REAR ELEVATION
3/16" = 1'-0"

4
D201



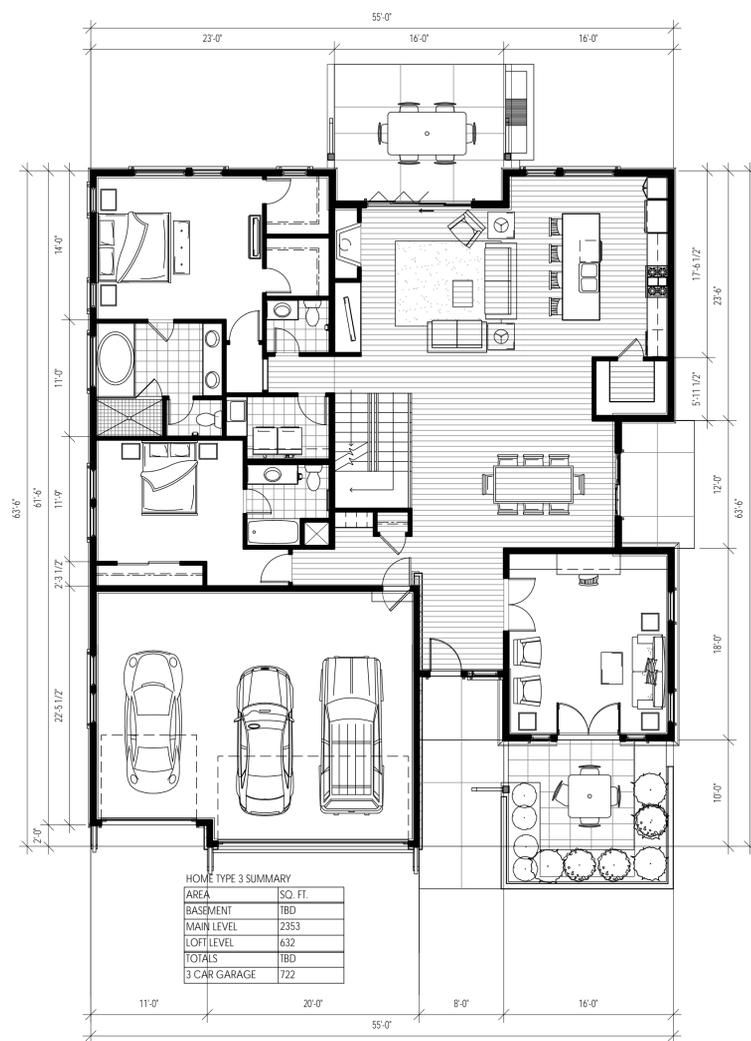
SCHEMATIC LEFT ELEVATION
3/16" = 1'-0"

5
D201



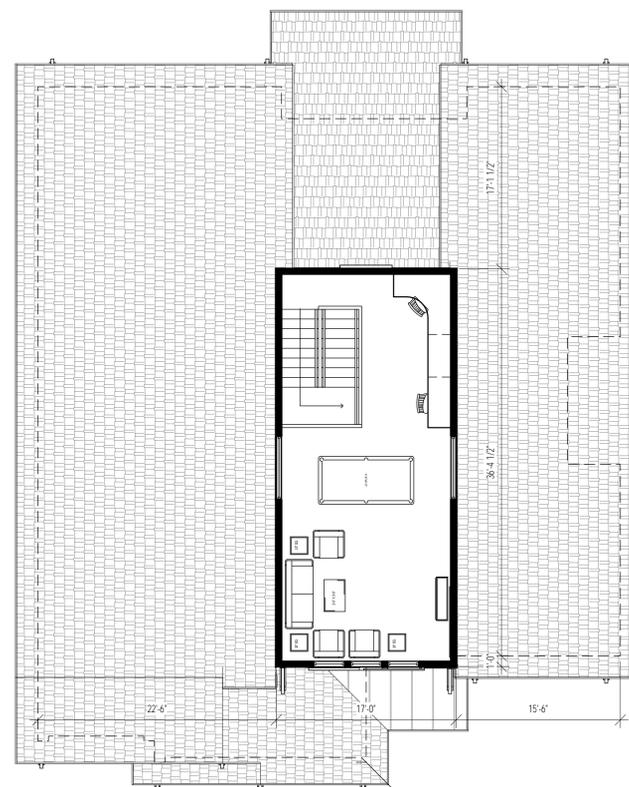
SCHEMATIC RIGHT ELEVATION
3/16" = 1'-0"

6
D201



LEVEL 1 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

1
D201



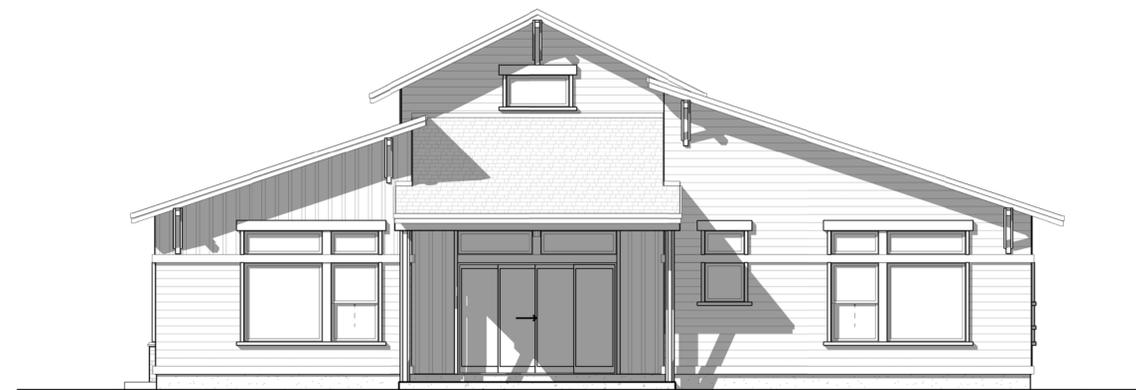
LEVEL 2 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

2
D201



SCHEMATIC FRONT ELEVATION
3/16" = 1'-0"

3
D201



SCHEMATIC REAR ELEVATION
3/16" = 1'-0"

4
D201



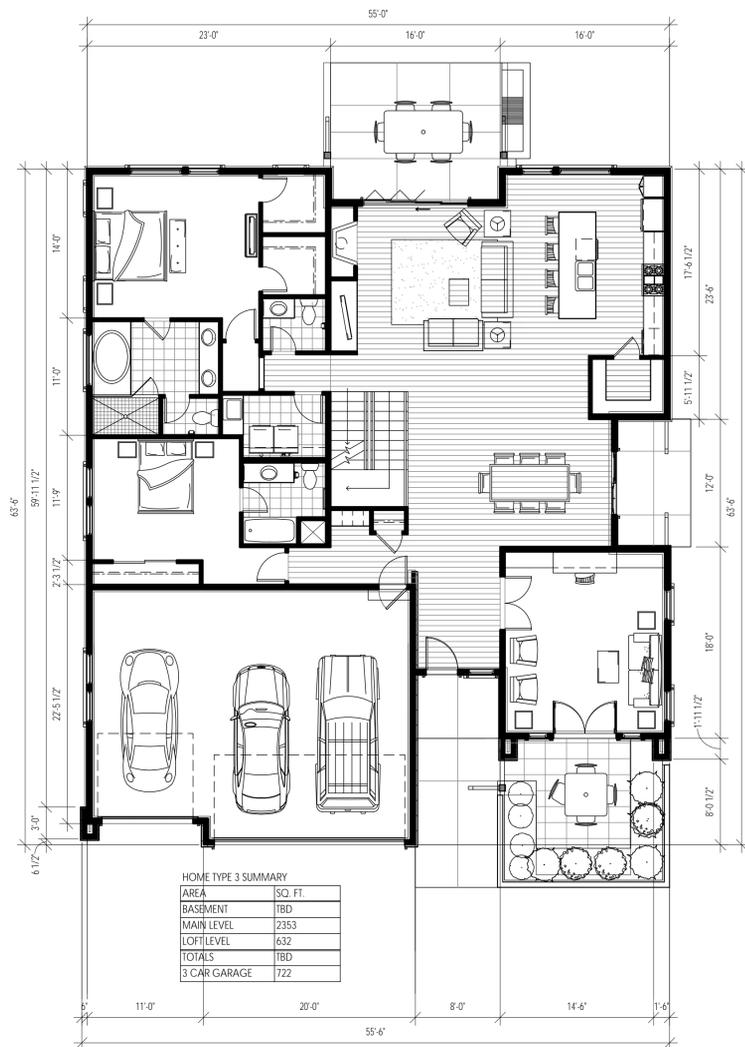
SCHEMATIC LEFT ELEVATION
3/16" = 1'-0"

5
D201



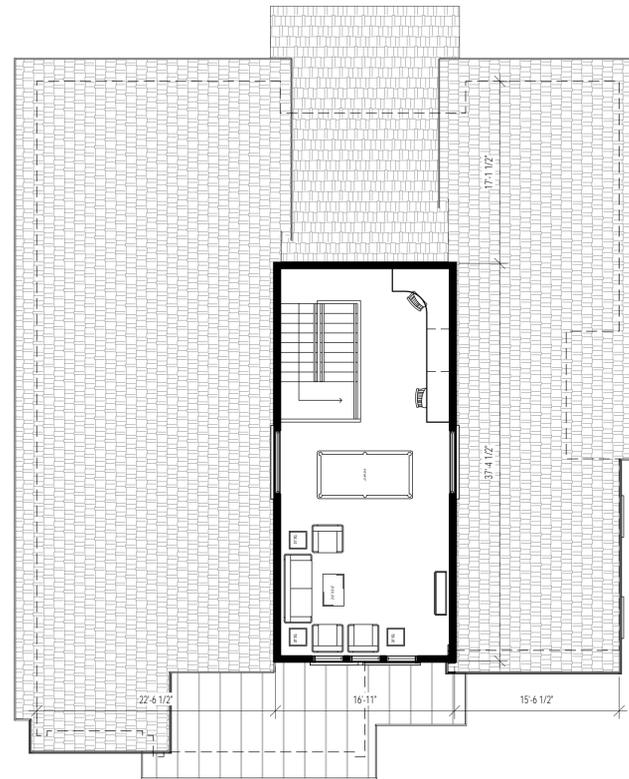
SCHEMATIC RIGHT ELEVATION
3/16" = 1'-0"

6
D201



LEVEL 1 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

1
D201



LEVEL 2 - SCHEMATIC FLOOR PLAN
1/8" = 1'-0"

2
D201



SCHEMATIC FRONT ELEVATION
3/16" = 1'-0"

3
D201



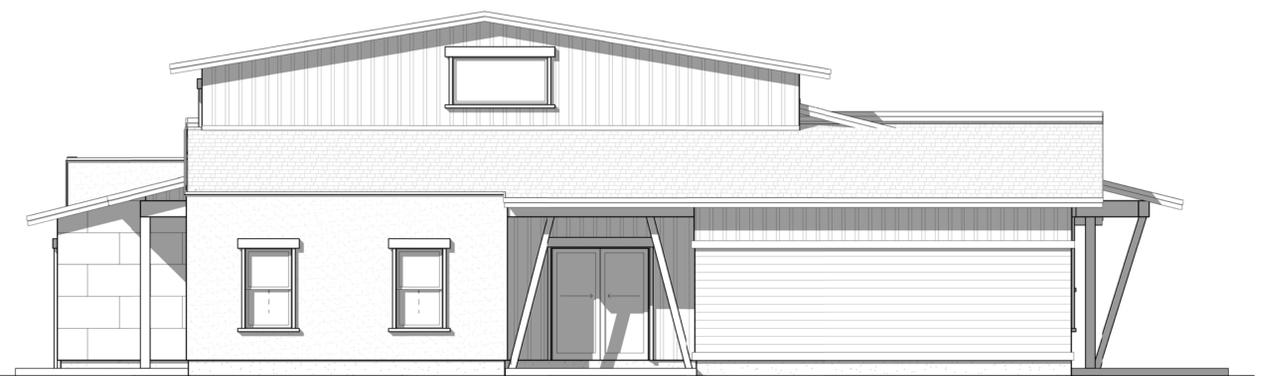
SCHEMATIC REAR ELEVATION
3/16" = 1'-0"

4
D201



SCHEMATIC LEFT ELEVATION
3/16" = 1'-0"

5
D201



SCHEMATIC RIGHT ELEVATION
3/16" = 1'-0"

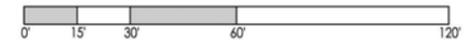
6
D201



DEL
01-002

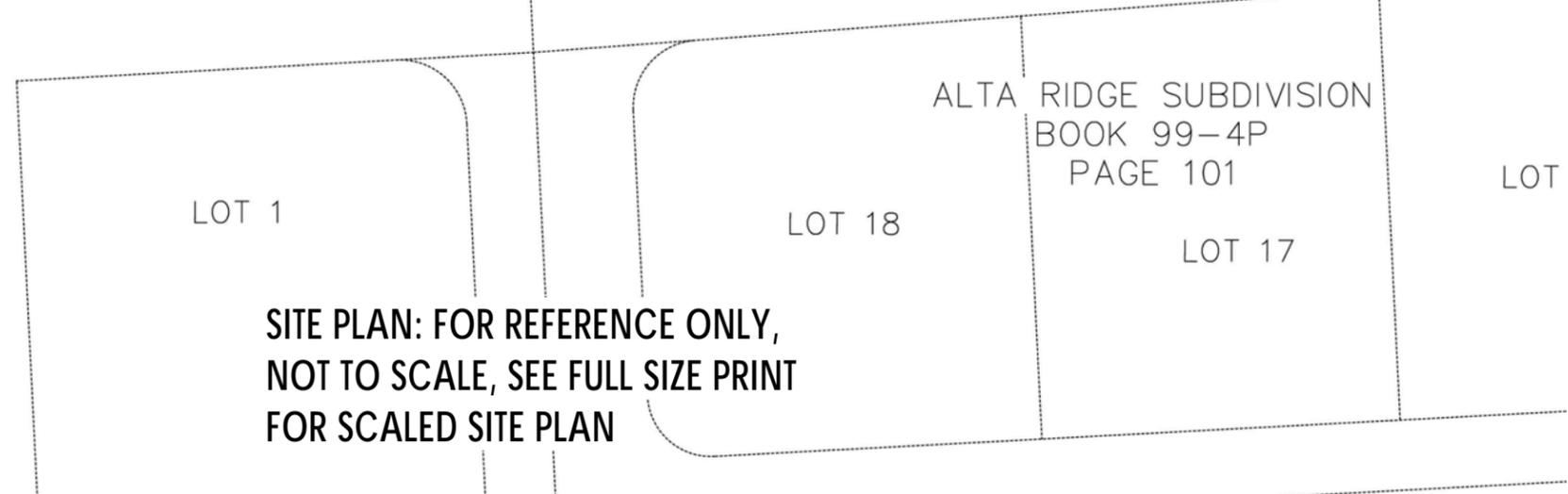
SITE PLAN

SCALE: 1" = 30'-0"



- NOTES:
- 1- EXISTING CONCRETE FENCE. SEE DETAIL DRAWING FOR FENCE UPGRADE TREATMENT
 - 2- EXISTING CONCRETE FENCE. SEE DETAIL DRAWING FOR FENCE UPGRADE TREATMENT
 - 3- SEE CIVIL ENGINEERING DRAWINGS FOR FINAL SITE GRADING & DRAINAGE
 - 4- SEE CIVIL ENGINEERING DRAWINGS FOR ALL SITE UTILITY WORK
 - 5- SEE CIVIL ENGINEERING DRAWINGS FOR PROPERTY PLAT, LOT DESCRIPTIONS AND ADDRESSES
 - 6- SEE CIVIL ENGINEERING DRAWINGS FOR ALL PROPERTY INFRASTRUCTURE IMPROVEMENTS

**SITE PLAN: FOR REFERENCE ONLY,
NOT TO SCALE, SEE FULL SIZE PRINT
FOR SCALED SITE PLAN**



TRESEDER AT LITTLE COTTONWOOD

LITTLE COTTONWOOD CANYON ROAD, SANDY UT



4 April, 2014
032



RESIDENCE TYPE 1



RESIDENCE TYPE 2



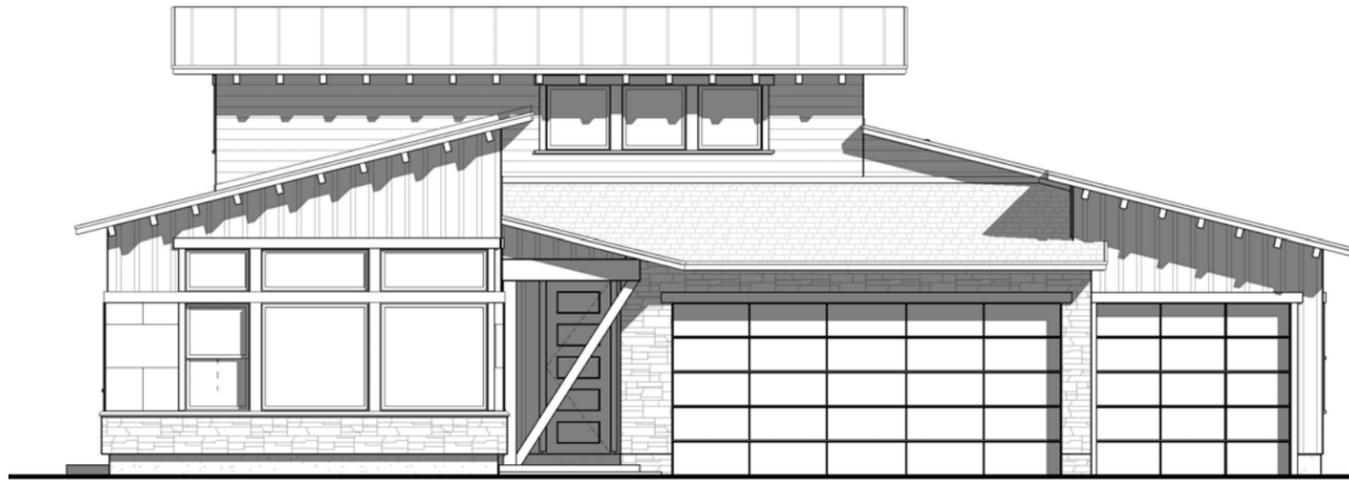
RESIDENCE TYPE 2B



RESIDENCE TYPE 3

COLORS ARE REPRESENTATIONAL ONLY. FINAL COLORS MAY VARY FROM ABOVE REPRESENTATION

HOME TYPE SUMMARY PERSPECTIVE VIEWS



RESIDENCE TYPE 1



RESIDENCE TYPE 2



RESIDENCE TYPE 2B



RESIDENCE TYPE 3

HOME TYPE SUMMARY ELEVATION VIEWS



COLORS ARE REPRESENTATIONAL ONLY. FINAL COLORS MAY VARY FROM ABOVE REPRESENTATION

TRESEDER AT LITTLE COTTONWOOD - RESIDENCE 1

LITTLE COTTONWOOD CANYON ROAD, SANDY UT



COLORS ARE REPRESENTATIONAL ONLY. FINAL COLORS MAY VARY FROM ABOVE REPRESENTATION

TRESEDER AT LITTLE COTTONWOOD - RESIDENCE 2B

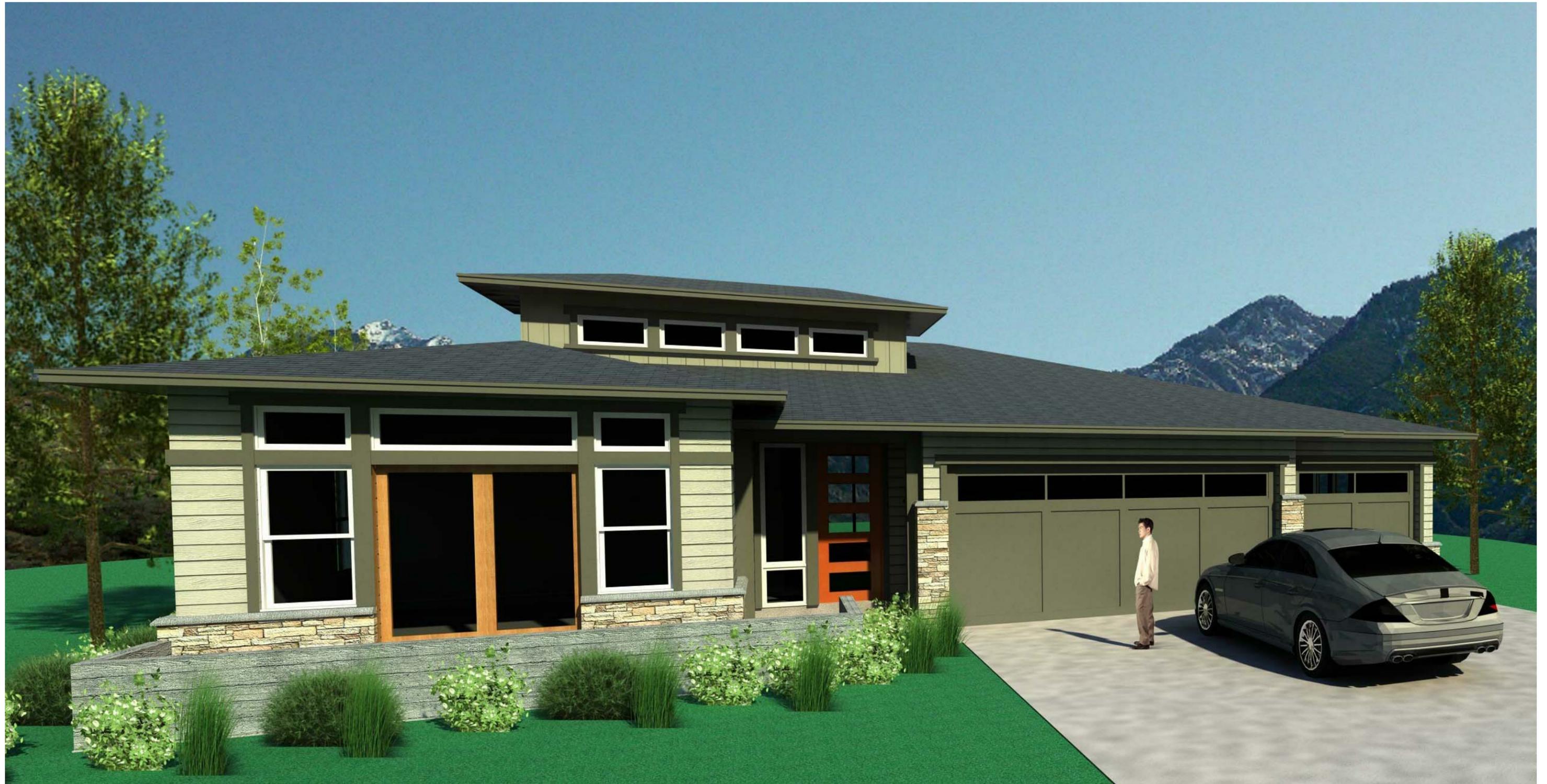
LITTLE COTTONWOOD CANYON ROAD, SANDY UT



COLORS ARE REPRESENTATIONAL ONLY. FINAL COLORS MAY VARY FROM ABOVE REPRESENTATION

TRESEDER AT LITTLE COTTONWOOD - RESIDENCE 2B

LITTLE COTTONWOOD CANYON ROAD, SANDY UT



COLORS ARE REPRESENTATIONAL ONLY. FINAL COLORS MAY VARY FROM ABOVE REPRESENTATION

TRESEDER AT LITTLE COTTONWOOD - RESIDENCE 2

LITTLE COTTONWOOD CANYON ROAD, SANDY UT



COLORS ARE REPRESENTATIONAL ONLY. FINAL COLORS MAY VARY FROM ABOVE REPRESENTATION

TRESEDER AT LITTLE COTTONWOOD - RESIDENCE 3

LITTLE COTTONWOOD CANYON ROAD, SANDY UT







Treseder at Cottonwood
Agreed Conditions

Garbett Homes ("Developer") and certain neighbors ("Neighborhood") near to and surrounding the proposed "Treseder at Cottonwood Project" ("Project") agree that the following conditions ("Conditions") shall apply to the Project and shall be imposed as Conditions to approval and creation of the Project:

- a. The Project shall contain no more than 15 Lots with dwelling units ("Dwellings") of a design mutually agreed to between Developer and a neighborhood committee ("Committee") composed of Dee Young, Craig Zimmerman, Craig Osterloh, Don Halverson, Dave Hart, Jan Peterkin, and Robert Grow. The Dwellings are to be of an architectural design incorporating comments from the Committee, THINK architects, and Garbett Homes and which, among other things, meet market conditions. The Committee and Developer shall seek to reach consensus ASAP, but in no event later than three weeks from the date hereof.

- b. The following minimum setbacks will apply:

Rear setback on north property line	25 feet
Rear setback on south side of Project	16.5 feet from concrete wall
Rear setback on rest of Project	16.5 feet
Front setback from residence to curb	10 feet
Front setback from garage to curb	20 feet
Side setbacks	5 feet
Side corner from curb	10 feet

(Except that the minimum setback on entire Project perimeter shall be 15 feet.)

- c. Richard Beck, or the owner of parcel 28-12-152-006, shall have vehicle access to the rear of his lot from the Project private lane, the details of which shall be mutually agreed to by Becks, the Committee, and Developer. No street lights will be placed on the portion of the street behind the Beck's home without the Beck's permission.
- d. Dwellings shall be "rambler" style with living space on only one above ground level, with the main floor no more than 3 feet above the original grade, with roof pitches no higher than 10x12, and no exterior lights above the soffits of the main floor roof. However, there may be located within the sloped roof of a Dwelling a loft office space (without bathrooms or sleeping accommodations) which meets the requirements of the R-1-10zc zone. The exact application of these restrictions shall be mutually agreed to by Developer and Committee There will be no walkout basements. The Project will be divided from the rest of the neighborhood by a 6-foot, high-quality, solid fence (but not vinyl), except that the concrete wall on the south side will be improved by plastering and adding brick or stone pillars. The exact nature of these improvements will be mutually agreed to by Developer and Committee.

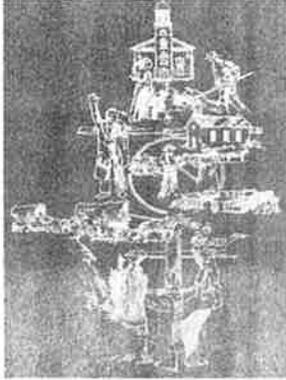
- e. A declaration of covenants, conditions and restrictions ("CC&Rs") will be recorded for the Project which contains the following restrictions: (i) Dwellings may be used solely for single family residential purposes; (ii) no portion of a Dwelling may be rented separately from the entirety of such Dwelling; (iii) no Dwelling may be rented or lent for short-term occupancy (e.g., "ski rental" or "vacation rental") or in any other manner inconsistent with long-term, exclusively, single-family residential use. "Short term" shall mean less than 60 continuous days. The Association shall at all times use its best efforts to enforce these restrictions. The CC&Rs shall authorize any neighbor(s) living within 1000 feet of the Tract to enforce this provision and to recover attorney's fees from any owner of a Dwelling that has been used in violation of these restrictions. Before initiating enforcement litigation, such neighbor(s) shall provide a written request to the owner's association of the Project ("Association") to enforce such restrictions, and provide the Association with a 30-day period to report back to the neighbor(s) concerning the alleged violation, and an additional 60-day period to enforce such restrictions against any offending unit owner. In no event shall Developer or any of its "owned" "member" or "affiliated" companies be liable for a breach of these restrictions or named in any law suit. These restrictions may not be amended out of the CC&Rs.
- f. Following approval of the plat for the Project by the Salt Lake County Planning Commission, Developer shall commence and diligently pursue construction of the Project.

These Agreed Conditions are submitted to the Granite Community Council and Salt Lake County Planning Commission as Conditions included as conditions of approval for the Project.


Garbett Homes

5-7-14
Date

1.



GRANITE COMMUNITY COUNCIL

May 8, 2014

Todd Draper
Planning & Development Services
Salt Lake County
2001 S. State
Salt Lake City, Utah 84190

Re: File #28887

Dear Todd:

The Granite Community Council appreciated the opportunity to review and comment on the Land Use Application, File No. 28887, at our meeting last night. This was an application that most of us on the Council and in the Granite community have looked forward to seeing for many years.

As you are probably aware, the history of the property at 3601 & 3611 E. Little Cottonwood Rd. has been stormy and at times bizarre: its long-term use as a polygamous compound, its even longer problems with lead and arsenic in the soil (from early smelter sites), a more recent proposal to house delinquent teenage boys across a parking lot from pregnant teenage girls, and most recently its use as a location for SWAT exercises by various police departments. All of this has been surrounded by the most beautiful scenery in the valley, lovely homes, and active/involved residents.

Needless to say, the Council was delighted to have a developer propose building homes that would meet the requirements previously approved by the Council, the Planning Commission, and the County Council, namely with an R-1-10 zone with zoning conditions. Garbett Homes is a quality home developer with 30 years of experience in our county and they build extremely energy efficient homes (about 60% more efficient than standard new homes), which we would like to support. However, when first the District 5 (D-5) Council representatives were provided with the Garbett's Planned Unit Development (PUD) package, with elevations and other plans, and these were shared with other residents, some were aghast! The exteriors just didn't fit in this community. Some residents were stressed over the already accepted housing density.

Through a great deal of work by some of the D-5 residents, including their representatives on the Council, several community meetings were conducted with Garbett Homes, whom they found willing to listen to their complaints and suggestions. Out of this has come the "Treseder at Cottonwood Agreed Conditions" ("Conditions"), which are attached. These explicitly define a committee of residents ("Committee") which has worked with Garbett to develop and agree on setback requirements, dwelling

style, other requirements, and proposed covenants, conditions and restrictions (CC&R's). They will continue to meet with Garbett in the next few weeks to reach agreement on dwelling designs. The Conditions very carefully spell out concerns that many of our D-5 residents have expressed for years about ways to preclude these new residences being used as ski rental or vacation rental properties. This is a problem that has plagued our community for many years with existing residences and which the County has had difficulty in regulating or policing.

The Granite Community Council fully supports these Conditions and we particularly support their last condition, which recommends that the "Developer shall commence and diligently pursue construction of the Project." The Council recommends approval of the proposal with the condition that it include the Treseder at Cottonwood Agreed Conditions.

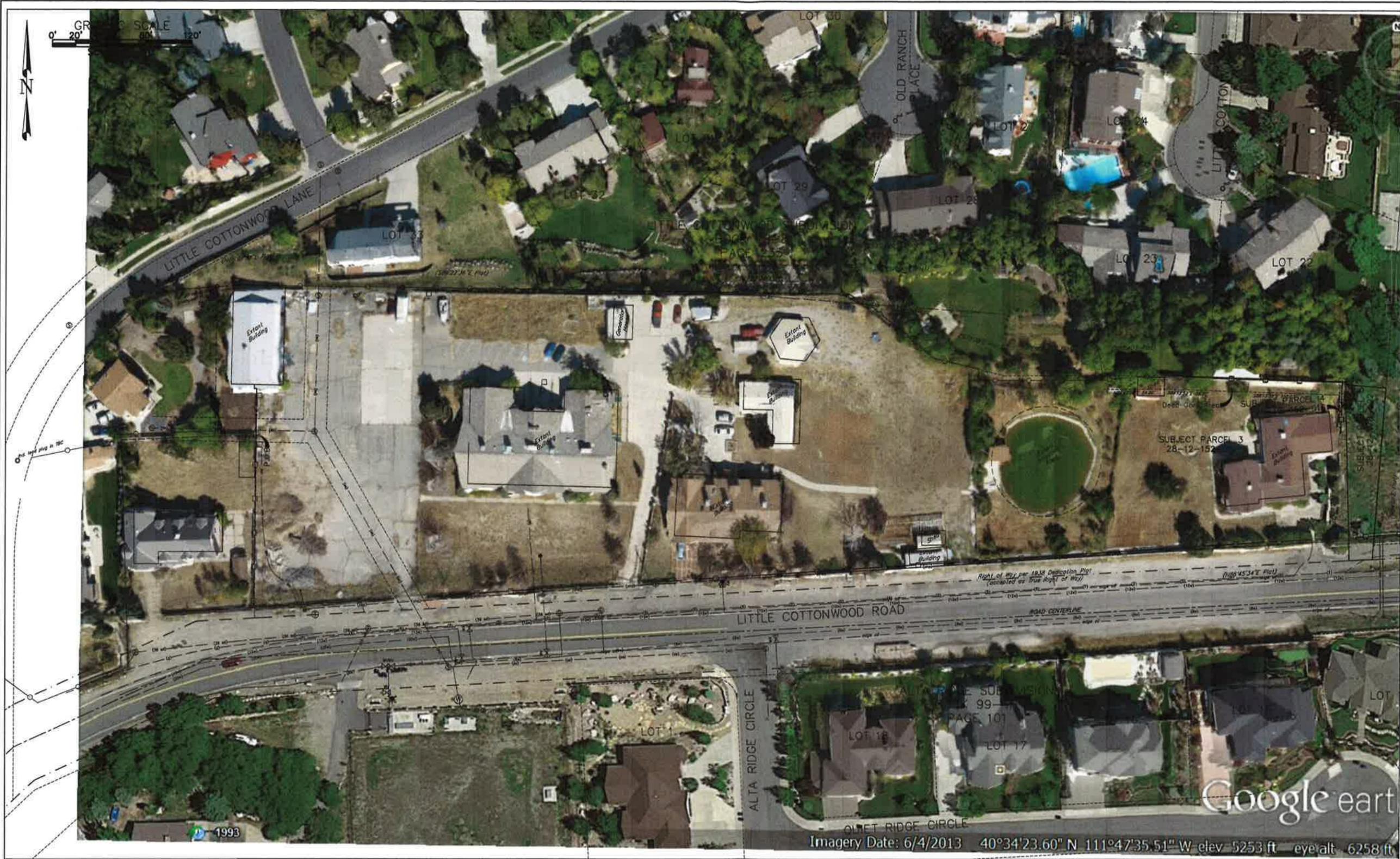
I recognize that there may be some elements of these Conditions which your office may feel a need to modify and trust that this will be accomplished expeditiously and only with the express agreement of the members of the Committee. It is also possible that some minor modifications to the Conditions will be required as Garbett Homes continues to coordinate with the Committee. We trust the Committee to protect the interests of the residents just as we trust them to help achieve dwelling designs that will enhance the community.

The Granite community greatly needs the eyesore of the old polygamous property/SWAT exercise area to be replaced by beautiful new homes that are energy efficient and which the residents can connect to and feel proud of. The Granite Community Council encourages the County Planning Commission to approve this PUD application as well as the soil remediation project (if such approval is necessary), which we understand will be handled by Garbett and the Utah Department of Environmental Quality as a separate project.

Sincerely,

Mary J. Young, Chair
Granite Community Council

Att. Treseder at Cottonwood Agreed Conditions



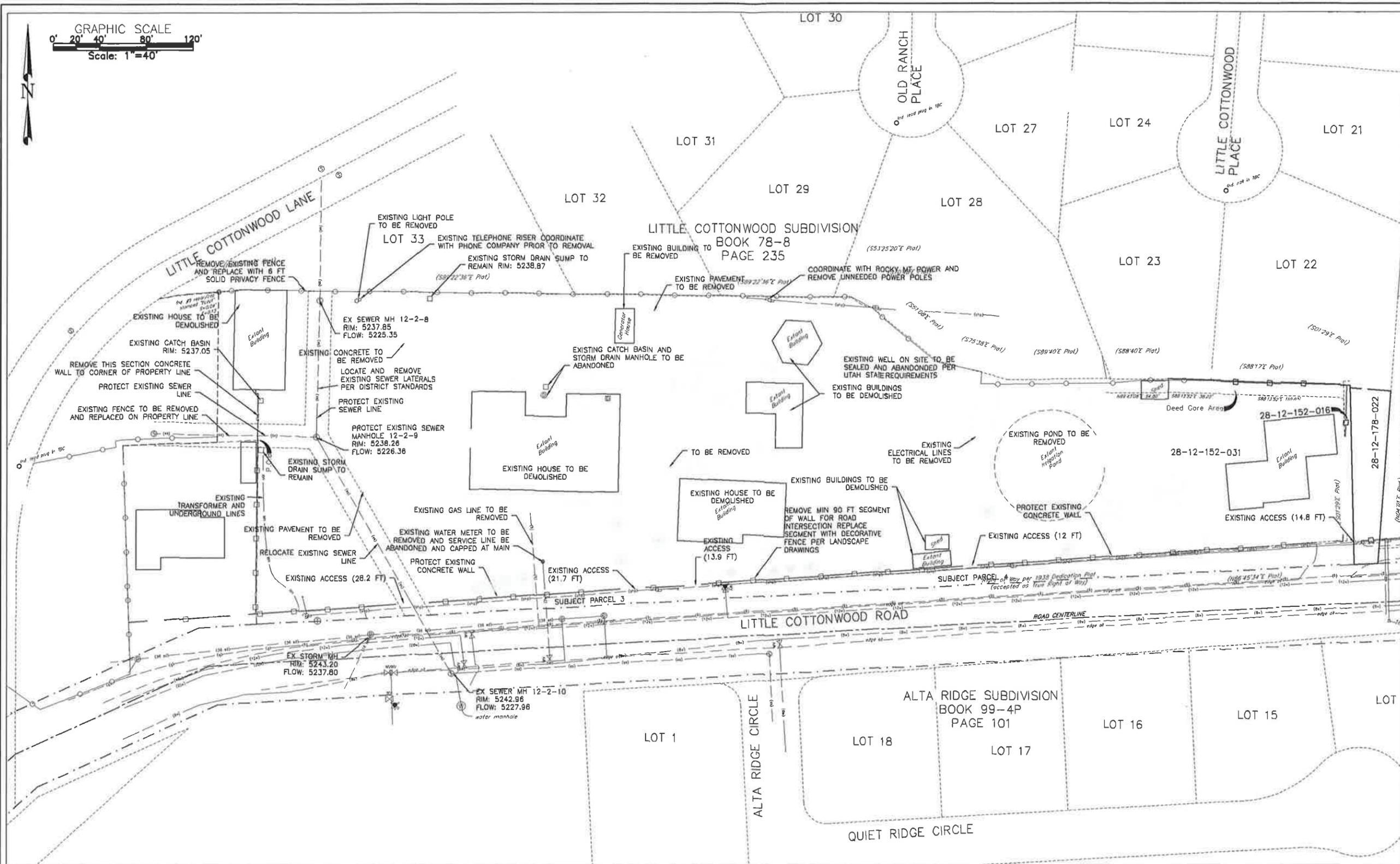
SURVEY CONTROL
 NORTHING : 7377634.26
 EASTING : 1558182.25
 ELEVATION : 5179.83
 RAW DESCRIPTION : WEST 1/4 COR
 SECTION 12

TRESEDER LITTLE COTTONWOOD
 EXISTING CONDITIONS
 SALT LAKE COUNTY, UTAH

TWIN PEAKS
 Engineering & Land Surveying
 2264 NORTH 1450 EAST LEHI, UTAH 84043
 (801) 450-3511, (801) 439-0700 FAX

DWG DATE: MARCH 2014
 PLOT DATE: 13 May 2014

SHEET
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NOTE
 1. ALL EXISTING ASPHALT AND CONCRETE AREAS WITHIN THE PROPERTY TO BE REMOVED.
 2. ALL POWER AND LIGHT POLES ARE TO BE REMOVED.

SURVEY CONTROL
 NORTHING : 7377634.26
 EASTING : 1558182.25
 ELEVATION : 5179.83
 RAW DESCRIPTION : WEST 1/4 COR SECTION 12

**TRESEDER AT LITTLE COTTONWOOD
 EXISTING CONDITIONS AND DEMOLITION PLAN
 SALT LAKE COUNTY, UTAH**

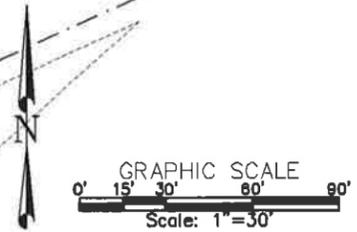
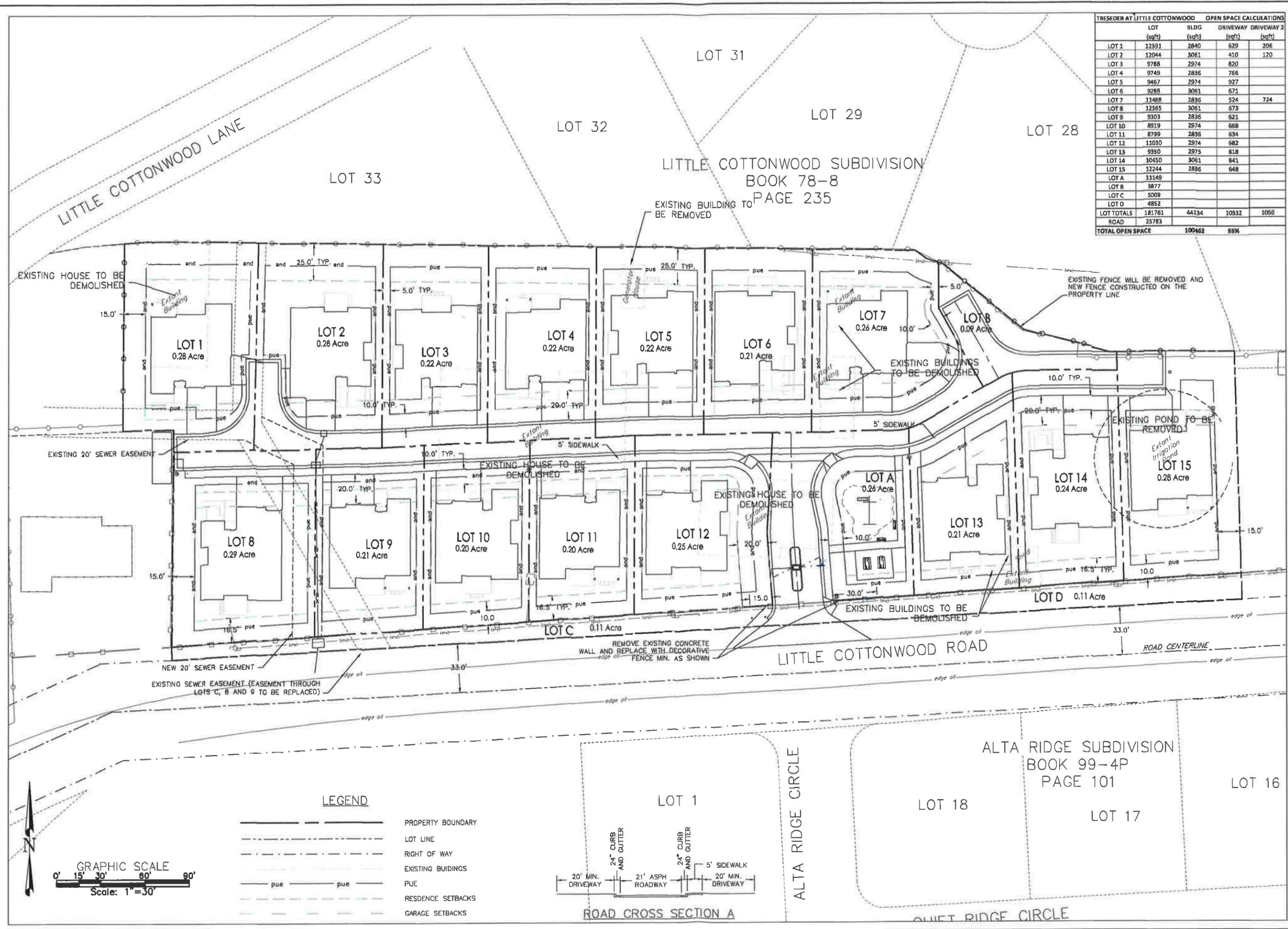
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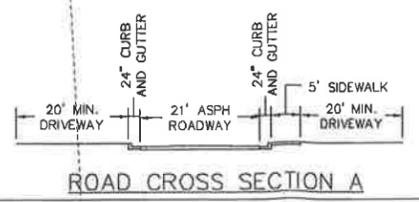
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TRESSEDER AT LITTLE COTTONWOOD		OPEN SPACE CALCULATIONS	
LOT	BLDG	DRIVEWAY	DRIVEWAY 2
(sqft)	(sqft)	(sqft)	(sqft)
LOT 1	12391	2840	629
LOT 2	12044	3061	410
LOT 3	9788	2974	820
LOT 4	9749	2836	766
LOT 5	9467	2974	927
LOT 6	9268	3061	671
LOT 7	11488	2836	524
LOT 8	12565	3061	673
LOT 9	9303	2836	621
LOT 10	8919	2974	668
LOT 11	8799	2836	634
LOT 12	11030	2974	682
LOT 13	9550	2975	818
LOT 14	10450	3061	841
LOT 15	12244	2886	648
LOT A	11149		
LOT B	3877		
LOT C	5009		
LOT D	4852		
LOT TOTALS	181761	44134	10832
ROAD	25783		1050
TOTAL OPEN SPACE		100462	85%



LEGEND

	PROPERTY BOUNDARY
	LOT LINE
	RIGHT OF WAY
	EXISTING BUILDINGS
	PUE
	RESIDENCE SETBACKS
	GARAGE SETBACKS



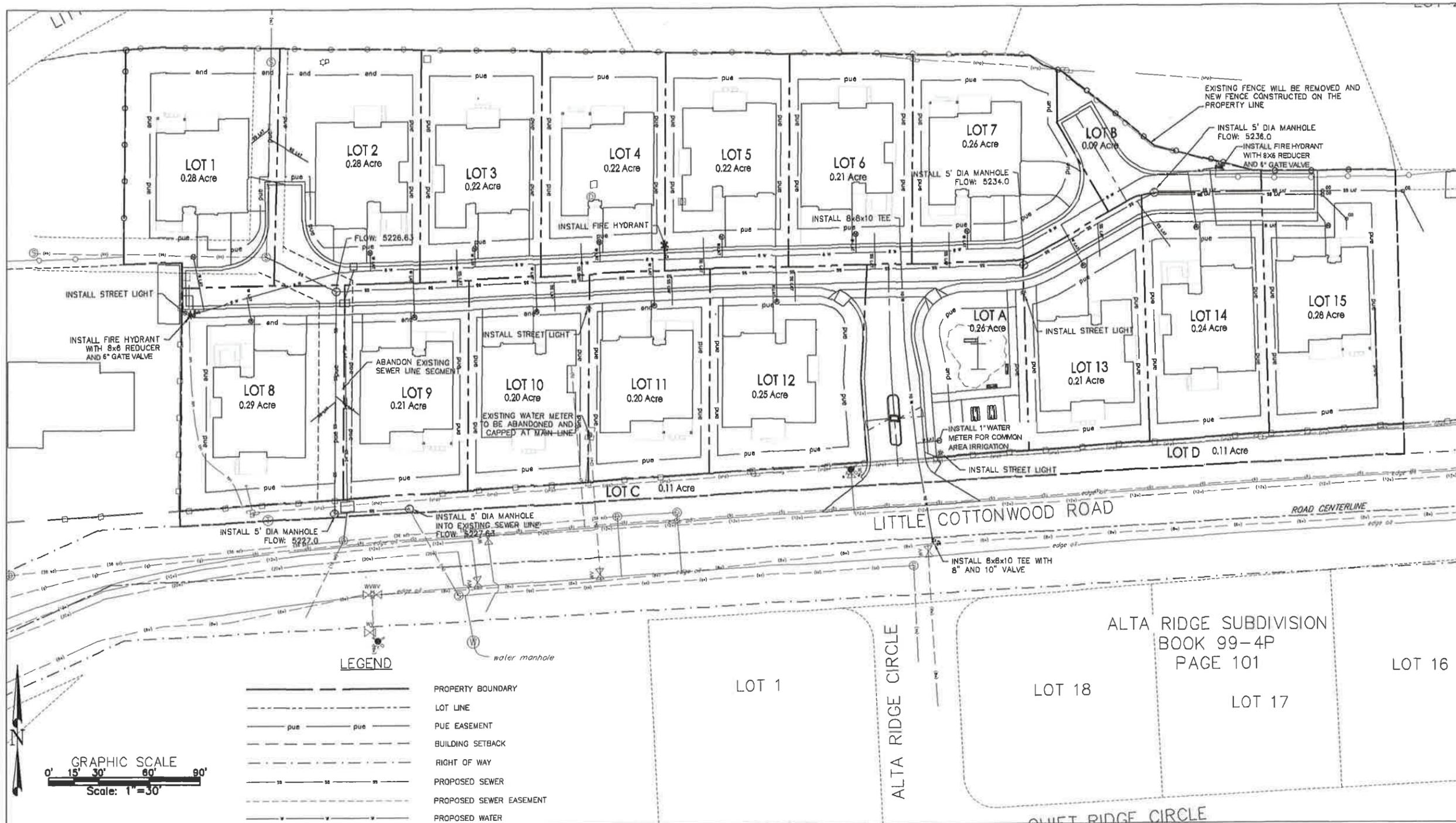
TRESSEDER AT LITTLE COTTONWOOD
 PRELIMINARY PLAT
 SALT LAKE COUNTY, UTAH

TWIN PEAKS
 Engineering & Land Surveying
 2264 NORTH 1450 EAST LEHI, UTAH 84043
 (801) 450-3511, (801) 439-0700 FAX

OWN DATE:	MARCH 2014
PLAT DATE:	13 May 2014
SHEET:	3
OF:	5

WATER NOTES

1. ALL CURRENT SANDY CITY ORDINANCES, POLICIES, AND FEES PERTAINING TO WATER SYSTEM DEVELOPMENT, SERVICE CONNECTIONS, AND INSTALLATION SHALL BE ADHERED TO.
2. ALL WATER MAINS AND SERVICE LATERALS SHALL BE INSTALLED, PRESSURE TESTED AND BACTERIOLOGICAL SAMPLES TAKEN IN ACCORDANCE WITH THE SANDY CITY STANDARD SPECIFICATION AND DETAILS FOR MUNICIPAL CONSTRUCTION
3. NOTIFY SANDY CITY PUBLIC UTILITIES INSPECTOR ROY THACKER OR WILLIS BILBREY, 801-568-7280, AT LEAST TWO WORKING DAYS PRIOR TO BEGINNING ANY CONSTRUCTION.
4. ALL CONSTRUCTION SHALL CONFORM TO THE LATEST REVISION OF THE SANDY CITY STANDARD SPECIFICATIONS AND DETAILS FOR MUNICIPAL CONSTRUCTION AND/OR OTHER REQUIREMENTS AS SET FORTH IN THE FINAL APPROVAL LETTER ESTABLISHED FOR THE DEVELOPMENT. SPECIFICATIONS AND DETAILS CAN BE OBTAINED AT [HTTP://SANDY.UTAH.GOV/GOVERNMENT/PUBLIC-WORKS/STANDARD-SPECIFICATIONS.HTML](http://SANDY.UTAH.GOV/GOVERNMENT/PUBLIC-WORKS/STANDARD-SPECIFICATIONS.HTML) OR FROM SANDY CITY PUBLIC WORKS DEPARTMENT (568-2999)
5. WATER LINE TRENCHES IN PUBLIC AND PRIVATE ROADWAYS AND TRAFFIC AREAS ARE TO BE THOROUGHLY COMPACTED UNTIL 95% OF MAXIMUM DENSITY PER ASTM D1557 IS ACHIEVED. DENSITY CHECKS MAY BE REQUIRED BY THE CITY AT ANY TIME.
6. LOCATE WATER LINE 4' OFF LIP OF GUTTER ON THE NORTH AND EAST SIDE OF THE ROADWAY.
7. A MINIMUM OF 48" OF COVER FROM THE TOP OF THE PIPE TO THE FINISH GRADE IS REQUIRED.
8. USE PRESSURE RATED 350 PSI OR BETTER DUCTILE IRON PIPE.
9. USE 6" COMPRESSION TYPE HYDRANT BY MUELLER CENTURION OR CLOW MEDALLION. EXISTING HYDRANTS REQUIRED FOR FIRE PROTECTION THAT DO NOT MEET CURRENT STANDARDS SHALL BE UPGRADED TO MEET CURRENT SANDY CITY STANDARDS.
10. ALL DEAD ENDS TO BE PLUGGED WITH A 2" WASHOUT OR END WITH A FIRE HYDRANT.
11. ALL WATER LINES SHALL BE POLY-BAGGED IN ACCORDANCE WITH SANDY CITY SPECIFICATIONS AND DETAILS FOR MUNICIPAL CONSTRUCTION.
12. ALL WATERLINES SHALL BE BEDDED IN SAND 6" UNDER, 12" AROUND.
13. FIRE HYDRANTS WILL NOT NEED 2ND VALVE IF STUB IS LESS THAN 6 FT.
14. ALL RESIDENTIAL WATER METERS SHALL BE 3/4" SIZE, WITH FITTINGS AND YOKE PER SANDY CITY REQUIREMENTS.



**TRESEDER AT LITTLE COTTONWOOD
PRELIMINARY UTILITY PLAN
SALT LAKE COUNTY, UTAH**

TWIN PEAKS
Engineering & Land Surveying
2264 NORTH 1450 EAST LEHI, UTAH 84043
(801) 450-3511, (801) 439-0700 FAX

OWN DATE:	MARCH 2014
PLOT DATE:	13 May 2014
SHEET:	4 5



MEETING MINUTE SUMMARY

Salt Lake County Planning Commission Meeting

Wednesday, May 14, 2014 8:30 a.m.

Approximate meeting length: 5 hours 55 minutes
Number of public in attendance: 17
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Young (**Chair**)

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
Tod Young – Chair	x	x		Todd Draper	x	x
Neil A. Cohen	x	x		Wendy Gurr	x	x
Jeff Creveling	x	x		Max Johnson	x	
Ronald Vance – Vice Chair	x	x		Zach Shaw (DA)	x	x
Clare Collard	x	x		Adam Miller (DA)	x	
Todd Sutton	x	x		Tom Christensen (DA)	x	
Bryan O’Meara	x	x				

BUSINESS MEETING

Meeting began at – 8:32 a.m.

- 1) Approval of Minutes from the April 16, 2014 meeting
Motion: to approve the Minutes from the April 16, 2014 meeting, with the correction of a letter inadvertently in bold font.
Motion by: Commissioner Creveling
2nd by: Commissioner O’Meara
Vote: unanimous in favor

2) Other Business Items (as needed)

Todd Draper of Staff updated the Planning Commissioners with information in regards to the Western Planner Conference. He confirmed Friday of the conference week will be devoted to citizen planner and commissioner training, with sessions potentially also on Thursday afternoon. The conference will be held Sept 30-Oct 2.

Todd Draper of Staff reminded all Planning Commissioners to speak clearly into the microphone. When the microphone light is off, the microphone is on.

PUBLIC HEARINGS

Hearings began at – 8:49 a.m.

28884 – Scott Geertsen for Elite Capital Properties, LLC – Requesting approval for a Conditional Use Permit for the construction of a Two-Family Dwelling. **Location:** 945 East 9400 South. **Zone:** A-1 (Agricultural, 10,000 sq. ft. min. lot size). **Community Council:** White City. **Planner:** Todd A. Draper

Todd Draper of Staff provided details from the Staff Report.

Commissioners and Staff had a brief discussion. Commissioner Young asked if it has been decided if there is an access easement, Todd Draper of Staff confirmed there is not an access easement. Commissioner Vance stated he has information there is an irrigation easement. Commissioner Vance asked Todd Draper if he was aware of the second irrigation box on this property. Todd Draper of Staff indicated that easements and irrigation lines will be part of the subdivision review. Commissioner Cohen asked if this is the only twin home in the area. Todd Draper of Staff stated there are two to the West that he has previously worked on, but that the majority are single family homes. Commissioner Cohen asked what BMP stood for. Todd Draper of Staff indicated that it stands for Best Management Practice. Commissioner Creveling asked about planning review of setbacks for bay windows. Todd Draper of Staff stated that bay windows must meet side yard setbacks unless they are 18" off the floor.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Scott Geertsen

Address: 3590 Plymouth Rock Cove, Lehi

Comments: He confirmed the approach is onto 9400 South. He plans to put a turn-around on both sides of the drive, so residents are able to turn around. He stated there is a subdivision called Shadow Oaks nearby that consists of all twin home residential dwelling units. This would be a great improvement for this property. He is aware of necessary easements for the irrigation boxes to the West of the property.

Commissioner Cohen motioned to close, Commissioner Vance seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Todd Draper of Staff had a brief discussion.

Motion: to approve application #28884, subject to Staff recommendations.

Motion by: Commissioner Creveling

2nd by: Commissioner Collard

Vote: unanimous in favor

28885 – Scott Geertsen for Elite Capital Properties, LLC – Requesting preliminary approval of the Preliminary Plat for the 2-lot Elite Capital Properties Subdivision. The purpose of the subdivision is to accommodate the division of a Two-Family Dwelling. **Location:** 945 East 9400 South. **Zone:** A-1 (Agricultural, 10,000 sq. ft. min. lot size). **Planner:** Todd A. Draper

Todd Draper of Staff provided details from the Staff Report.

Commissioners and Todd Draper of Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Scott Geertsen

Address: 3590 Plymouth Rock Cove, Lehi

Comments: He confirmed the irrigation line is mislabeled as SD on the plat.

Commissioner Cohen motioned to close, Commissioner Vance seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Motion: to approve application #28885, subject to Staff recommendations.

Motion by: Commissioner Sutton

2nd by: Commissioner Vance

Vote: unanimous in favor

Commissioner Young asked to reorder the Agenda to hear Application 28887 after Application 28881. Commissioner Vance motioned to reorder, Commissioner Creveling seconded the motion.

28881 – Scott Carlson for AES Investments LLC and MRL Real Estate Development LTD – Requesting Preliminary approval of the Preliminary Plat for the 3-lot Sierra Estates Subdivision. **Location:** 3677 East Little Cottonwood Road. **Zone:** R-1-10 z/c (Residential, 10,000 sq. ft. min. lot size). **Planner:** Todd A. Draper

Todd Draper of Staff provided details from the Staff Report.

Commissioners and Todd Draper of Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Scott Carlson

Address: 2264 North 1550 East, Lehi

Comments: This property has an extensive history of use and misuse for quite a while. Property has gone through a variety of ownerships. Intent is in line with what the general neighborhood had hoped for. The walls were constructed years ago and drainage has occurred for many years and access has occurred as they exist. They have reached an understanding with UDOT and have a tentative agreement and are filing applications for formal access. He described access points. The zoning allows for a 10,000 square foot Lot. The parcels are significantly greater than that and not quite finished up with UDOT to finish the approval process. The smallest lot would be 13,000 – 15,000 square feet. They have a garage on the property to the East and it appears to be on the property line. Lot 1 has a shed and given the amenity, would like to leave it on the lot. They discussed the soil contamination potential from the old mining days, he has a report and intends to comply with the requirements of the report. The public utility easements will be requested for removal and replacement. All of this will be shown on the final plat. Details remain to be worked out. This will be a great subdivision.

Commissioner Young asked Mr. Carlson to identify the edge of pavement. Mr. Carlson pointed out the edge as a dotted line as well as the edge on the South side of the road.

Speaker # 2: Citizen

Name: Robert Grow

Address: 9267 Little Cottonwood Place

Comments: His son-in-law Karl owns the Smart property. 24 pits were dug on all the properties and identified 4 places that need remediation to the West of the property. It has been accepted for a clean-up plan, by DEQ and the federal government. The subdivision plats came from a different point of the beginning. The property plats shifted to the East. The wall was put on the property line before the property lines were shifted 5 feet. They will obtain building permits and would like to not knock down the accessory building.

Commissioners and Todd Draper of Staff had a brief discussion.

Commissioner Sutton motioned to close, Commissioner Cohen seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners had a brief discussion.

Todd Draper of Staff confirmed their motion would be to grant Preliminary approval of the preliminary plat. Commissioners acknowledged this.

Motion: to grant preliminary approval of application #28881, subject to Staff recommendations.

Motion by: Commissioner Cohen

2nd by: Commissioner Collard

Vote: unanimous in favor

28887 – Rich Welch for Garbett Homes – Requesting approval of a proposed 15 lot Planned Unit Development Subdivision known as Treseder at Little Cottonwood PUD. **Location:** 3601 East Little Cottonwood Road. **Zone:** R-1-10 z/c (Residential, 10,000 sq. ft. min. lot size). **Community Council:** Granite. **Planner:** Todd A. Draper

Todd Draper of Staff provided details from the Staff Report.

Commissioners and Todd Draper of Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Civil Engineer

Name: Scott Carlson

Address: 2264 North 1550 East, Lehi

Comments: He is happy to see the history and previous uses cleaned up. He has revised site plans, different from a month ago. They have continued to work with the neighborhood and staff. The new plans have increased setbacks. They have several home plans to choose from. In regards to the acreage, the survey does show sufficient acreage. There are 15 lots in the proposed subdivision, with an amenity lot and green space lots. 41% will be landscape and is not the same as open space. They believe they have 55% open space, well above the 50% requirement. Each home has a 3 car garage and 20 feet of driveway space for parking. Lots 1 and 2 also have side garages without the parking in front of the garage. Not anticipating parking on the street. This will be a gated subdivision.

Commissioner Cohen asked where the neighboring property owner Richard Beck wants to have rear access. He would access across lot B in the common area.

Speaker # 2: Garbett Homes

Name: Jacob Alstead

Address: 10288 South Eagle Cliff Way, Sandy

Comments: Garbett Homes is a local, private held company and are happy to be involved in this location. They have built townhomes and most recently single family homes. This has been a problem area for the community and the county. They have discussed and his involvement is a case study working with surrounding neighbors. They heard some good and some bad. It was clear they needed to make changes. They created a committee and started meeting to provide something to beautify the area. Their key mark is energy efficiency. They have spent 100's of thousands of dollars developing these homes. There is a radon issue here and will install a radon detection system in every home. All homes will have basements. In all the meetings they have had with the neighbors, never has there been an issue with the basements. The potential for short term rentals however has been an issue.

Speaker # 3: Granite Community Council

Name: Mary Young

Address: 3260 East Wasatch Pines Lane, Granite

Comments: The community council has been looking forward to this for decades. She hasn't seen new designs, but believes this will totally fit in with the community. They trust they will take care of the community of Granite and they look forward to this and urge the commission to approve.

Speaker # 4: Citizen

Name: Robert Grow

Address: 9267 Little Cottonwood Place

Comments: He said this has been a long time coming for the community. This is compatible with the size of the surrounding lots. When the prior developer came in and it was zoned under R-1-15, they wanted to reduce the lot size to R-1-10 to make it a PUD. There was a lot of involvement from the community and the community has a written agreement with the developer. That written agreement includes a 25 foot setback. There is a 25 foot high hill at the back of the property and he believes there are setbacks and restrictions on the amount of light coming down the hill. There were three units that were pretty close and the developer agreed to pull those back to about 20 feet of setback. These conditions neighbors agreed to almost a decade ago. He wants to thank the developer, this has moved forward more rapidly than anything they have ever seen. He wants this approved with acknowledgment of the neighbors private conditions. On behalf of the neighborhood, they want the project approved as it will make them happy to have the neighborhood filled in.

Todd Draper of Staff reviewed the revised plans. His main concern was the 25 foot rear setback in the agreement with the neighbors. There needs to be a distinction between ordinance and private agreements. He is concerned looking at some of the patios, as they extend into the proposed setback. He had the same concern regarding the 16.5 foot setback on the South. Some patios are partially covered and some are fully covered. He acknowledged there may be outside conditions that are not enforced by the County. He advised Commissioners to look to staff for recommended setbacks.

Counsel Zach Shaw, Commissioners and Todd Draper of Staff had a discussion.

Speaker # 5: Citizen

Name: Robert Grow

Address: 9267 Little Cottonwood Place

Comments: They think the homes will fit in the area without walk out basements, as the ground is flat.

Commissioner Cohen confirmed this development is right next to Mr. Grow's other development.

Commissioners and Staff had a brief discussion.

Speaker # 6: Garbett Homes

Name: Jacob Alstead

Address: 10288 South Eagle Cliff Way, Sandy

Comments: He is comfortable with the county moving forward with the conditions proposed by Staff. They are going to stay within their commitments to the neighbors. He had a discussion easing the front setbacks from 15 to 10 feet with the agreement from the neighbors. Setbacks discussed with the neighbors did not include the patio. Landscaping will be provided on the South side of the wall. Lot 13 still has a full length drive. He will take up discussions with neighbors regarding the architectural design and colors.

Todd Draper of Staff explained if a building permit application comes to the County and meets or exceeds the setbacks, it will be approved. The county setbacks are for the most part less restrictive than the neighborhood proposal. Staff is comfortable with the 10 foot front yard setback from curb or sidewalk to edge of house. Private agreements are privately enforceable. Commissioner O'Meara asked about lots C and D and if there is a requirement from UDOT. Todd Draper of Staff stated they don't have any buildings proposed, he reiterated that the setback is measured from the property line to the home. Commissioner O'Meara is concerned with lots 11, 12, and 13. If there are problems with setbacks and lot lines, they would have to come back and apply for a plat amendment. Commissioner Creveling confirmed all proposed building lots exceed the minimum setbacks. Todd

Draper of Staff advised per Counsel Zach Shaw, that a copy of the CC&R's will need to be provided for the staff to review to insure there are no ordinance violations.

Commissioners had a brief discussion.

Speaker # 7: Citizen

Name: Joe Sturdy

Address: 3558 (illegible)

Comments: He has concerns with increased traffic around the West corner and asked if it is possible to place a mandatory traffic mirror on the wall as a safety concern.

Commissioner Young stated the traffic mirror request would need to be submitted to the HOA.

Commissioner Creveling motioned to close, Commissioner O'Meara seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Counsel Zach Shaw, Commissioners and Staff had a brief discussion.

Motion: to approve application #28887, subject to the Staff Recommendations 6 points and add condition #7, each building will have to have a radon mitigation system proposed prior to the issuance of a Building Permit. Secondly, item #3 to be replaced with the setbacks from the provided condition sheet that is of the neighborhood, the only change is side setbacks 6 feet as opposed to 5.

Motion by: Commissioner Creveling

2nd by: Commissioner Vance

Vote: unanimous in favor

****Additional clarifications of this motion were discussed at the end of the Public Hearings.****

28889 – Debbie Sanich for Turning Point Properties – Requesting preliminary approval of the Preliminary Plat for the 5-lot Turning Point Subdivision. **Location:** 10658 South Dimple Dell Road. **Zone:** R-1-43 (Residential, 1 acre min. lot size). **Planner:** Todd A. Draper

Todd Draper of Staff provided details from the Staff Report.

Commissioners and Todd Draper of Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Debbie Sanich

Address: 13979 Sage Hollow, Draper

Comments: She bought the property in 2011, didn't know it had been approved to be subdivided. They don't have intentions of selling the property. Wanted to get it filed quickly, as they previously had the Mylar signed by everyone. The intent is to build one additional house on lot 3. Water and sewer are approved and they will have an HOA. The barn was there prior to the last approval. HOA will govern the barn, roadway, and underground utilities. She is just waiting on the slope stability study for Lot 4.

Commissioner Cohen asked what home was on the property. She confirmed a 14,000 square foot substance abuse treatment home. She operates and owns the treatment center and land. She will build another house for the same purpose. They have no intention of selling the other lots. She feels it is important to be on the lane itself. The traffic engineer had asked about some damaged curb, gutter and sidewalk, which they will fix. The engineers that went out and looked at it thinks it's okay to just do repairs and that it will not need to be replaced. Commissioner O'Meara asked about access to the common area and barn area. She said you can access the barn from the private road.

Commissioner O'Meara motioned to close, Commissioner Collard seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Todd Draper of Staff had a brief discussion.

Motion: to approve application #28889, subject to Staff recommendations and the revised Preliminary Plat Plans dated 04/28/2014.

Motion by: Commissioner Creveling

2nd by: Commissioner O'Meara

Vote: unanimous in favor

28891 – Kyle Christensen for SWK Property Management – Requesting approval of a proposed 4 lot Planned Unit Development Subdivision known as Janke Estates PUD. **Location:** 10308 South Dimple Dell Road. **Zone:** R-1-21 (Residential, ½ acre min. lot size). **Community Council:** Granite. **Planner:** Todd A. Draper

Todd Draper of Staff provided details from the Staff Report.

Commissioners and Todd Draper of Staff had a brief discussion.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Kyle Christensen

Address: 5421 South Alpine Drive, Murray

Comments: He stated they have worked closely with staff and the application does exceed the ordinance. They anticipate approval today.

Commissioner Creveling asked what the sizes of the particular rectangles were on the plat, so he can see if the building would fit inside of that. Mr. Christensen stated that the house plans they have are a little bit bigger than the rectangles, a little bit wider and not quite as deep. They do still meet all the setbacks requirements. He went to the neighbors in the Dimple Dell Circle and only 2 neighbors were in favor of annexing into Sandy City. Mr. Zarch (neighbor) doesn't want them to remove an existing wall to put in new fencing. He has vegetation growth on the wall. They will just put their fence on their property. They wish to use wood fence to match the existing wood fencing already there. As far as drainage on Dimple Dell, Mr. Layton installed the swell and it is not part of an irrigation system. Their landscaping plan will include a new swell. The Planning Commissioners reviewed the drawing Mr. Christensen handed out. These will be craftsman style homes. The style will be built as the same foot print, but they may not build the second story on all the homes.

Speaker # 2: Granite Community Council

Name: Mary Young

Address: 3260 East Wasatch Pines Lane, Granite

Comments: They are happy to have the developer come back. The residents and the Community Council were agreeable. They will build fine quality homes. They recommend approval with the changes noted in the letter. They felt that the construction of curb, gutter and sidewalk should not be required, as they want to maintain the existing rural charm.

Commissioner Cohen asked if the developer was at their meeting. Ms. Young confirmed he was there and agreeable.

Commissioner Cohen motioned to close, Commissioner Sutton seconded the motion.

PUBLIC PORTION OF MEETING CLOSED

Commissioners and Todd Draper with Staff had a brief discussion.

Motion: to approve this application based upon Staff recommendations 1) and 2) with three additional conditions:

- 3) Follow the Granite Community Councils recommendation to rotate the footprint on Lot 4 counter clockwise sufficient to mitigate negative views.
- 4) Building materials to be similar and consistent on all four sides of the elevation.
- 5) Recommend use of drought tolerant turf grass in the open space on the West end of the PUD.

Motion by: Commissioner Creveling

2nd by: Commissioner Vance

Vote: unanimous in favor

Motion: to recommend to the Mayor's office that an exception to curb, gutter and sidewalk be granted.

Motion by: Commissioner O'Meara

2nd by: Commissioner Sutton

Vote: unanimous in favor

Commissioner Cohen motioned to close the Public Hearing, Commissioner Collard seconded the motion.

Commissioner Collard excused herself at 1:28 p.m.

Todd Draper with Staff asked to discuss and clarify the minimum setbacks for application. Todd Draper and Commissioner Creveling discussed the minimum setbacks on the private neighborhood agreement compared to Staff Report. Todd Draper clarified the County measurements and definitions and the need to use the common terminology for purposes congruence with the ordinance. The Front setback from garage to curb should state from curb or sidewalk. Todd Draper asked for reasoning behind imposing a greater setback than what the neighborhood was proposing. The rear setbacks requested were measured by the neighborhoods own personal understanding and not by County Ordinance. Todd commented that in looking at the neighborhood agreement, it appeared they were not counting covered decks or anything 18 inches or higher. He needs additional clarification of the reasoning for increasing the setbacks from what's shown to 25 feet, specifically Lots 5, 6, and 7. Counsel Zach Shaw asked the commissioners if it was the intent of the Planning Commission to increase the setback from what the neighbors are okay with or is it to codify what the neighbors were comfortable with. Commissioner Young confirmed it is to codify. Counsel Zach Shaw said if that's the case, the way the County has to measure the setback, the 25 foot rear yard setback has expanded from what the neighbors are comfortable with. Counsel Zach Shaw related that he did speak with Mr. Grow, who is representing the neighbors and Mr. Grow confirmed the neighbors are comfortable with less than a 25 foot setback from the lot line to the edge of the covered patio and are aware the patios will be covered. Commissioner Creveling said the drawing clearly indicates the setback at 25 feet on the North end and the building as drawn encroaches into that setback. The drawing is conflicting with the 25 foot proposed setback. Counsel Zach Shaw suggested to file a clarifying motion or a motion to clarify the prior motion. Max Johnson with Staff believes there is a different understanding that from the County perspective and the community perspective. Todd Draper suggested to make it easier to just clarify the setback for the specific lots that are problematic. Commissioner Creveling said the neighborhood was very specific on the entire north side. Counsel Zach Shaw expressed concern on reopening the public hearing after a motion has already been made and this should be limited to a clarification of the motion. Commissioner Creveling would like to make a proposed motion.

Motion: that as a point of clarification application #28887, that the particular aspect of the condition for changing the setbacks, north and south, east and west to curb, that the dimensions that they use and that the measurement of those will be by County Ordinance.

Commissioners Creveling stated that he personally would like to leave the dimensions the same, but the question is, where they are measured from under the County Ordinance. He is suggesting that the language is understood for this condition so these particular modified setbacks are only nebulous as to back of curb or back of sidewalk. He

claims they are making smaller setbacks for Lots 1, 2, 3, 4, and 7. Commissioner Cohen stated for Lot 6 to comply it would have to be on an on grade patio. Commissioner Creveling agreed. Commissioner Young said all they are saying is they need to make sure all of the structures are within the specified setbacks, 25 feet on the North side and 16.5 everywhere else. Todd Draper wanted to clarify what he is hearing is that, "the Planning Commission is giving to some lots and taking from others." Commissioner Creveling confirmed this and stated they are codifying the neighbor's requests. Counsel Zach Shaw asked the Planning Commission if this was their intention in their motion. Commissioner Creveling asked Commissioner Young if they should ask each member their clarification. Commissioner Sutton was unsure, because he believed they were trying to codify what the neighborhood intended and the expanded setback was not their intention. Commissioner Cohen was sure they wanted to put in what the neighborhood agreed upon. Commissioner Creveling clarified his motion as 25 foot setback is only across the North side and 16.5 foot setback on South, East and West side and when there's a point on the interior road to be from the back of curb or back of sidewalk. Commissioner Vance agreed with Commissioner Cohen's clarification. Commissioner Young thinks the setbacks need to be applied universally throughout the subdivision as the agreement states. Counsel Zach Shaw confirmed it was consensus that the intent of the motion was what the neighbors were comfortable with. He asked Todd Draper if he had a solution to get them there. Todd Draper needs clarification that Commissioner Creveling said 16.5 on the East and West, because that conflicts with the staff report and the earlier motion and the neighborhood agreement and the plans and perimeter from the neighbors that says 15 feet. Commissioner Creveling stated the neighborhood agreement did not use 15 feet anywhere.

Commissioners had a brief discussion. Todd Draper asked for a break to discuss with Counsel.

Todd Draper of Staff recommended to clarify and help codify what was intended by the neighborhood that a motion be made with the following clarifications to the setbacks:

- Front yard to home to the nearest edge of the private street or sidewalk be 10 feet
- Front yard to the garage from the nearest edge of the private street or sidewalk be 20 feet
- Rear yards be left at 15 feet
- Private agreement between the developer and the adjacent home owners be enforced privately.

Todd Draper said the reason they are recommending this is to go back to the fact that we have the original staff report recommendation and to eliminate the discrepancy in how the neighborhood intended the setbacks to be measured or how they interpreted them. Their private interpretation is relative to their private agreement. If this is not acceptable, Staff would recommend for the lots in question, that the 25 foot setback be reduced to the minimum of 15 feet and allow the private agreement to take its own course separate from this body. Staff recommends the minimum 15 feet perimeter setback all the way around. Commissioner Cohen reconfirmed the private agreement exceeds the minimums. Todd Draper advised the 1.5 feet difference on the South is minimal. The lots in question on the north can be reduced to a 15 foot setback, because the rear yard setback was not universal in the minds of the neighborhood for lots 1-4 and lots 5-7. Counsel Zach Shaw advised they could do a clarifying motion. Commissioner Creveling said with respect to the staff, he completely disagrees. The neighbors are asking for an increased setback on the North side and the Planning Commission was given them an increased setback.

Commissioners had a brief discussion. Commissioner Creveling discussed street side yard setback for Lot 12. Todd Draper of Staff confirmed you can specify individual setbacks for individual lots, he pointed out street side yards on lots 1, 2 and 12. This could be made into a condition #8 to say that the street side yard for lot 12 is 20 feet. Commissioner Creveling said both lots 1 and 2 should be the 10 feet back from both curbs. The only other individual setback that needs to be addressed is lot 12. Counsel Tom Christensen stated since Commissioner Creveling made the original motion he should make the clarifications of his motion and vote on it. He should only clarify. Commissioner Creveling asked the Chair if he could clarify a condition of the Motion for #2887 regarding setbacks.

Motion: To clarify conditions that are different than Staff Recommendation of the minimum setbacks required in light of the request of the community who have been so involved in this project and has allowed it to get to this point with their full support. Being the North rear setback as defined by County Ordinance will be 25 feet. The South rear yard setback will be 16.5 feet. The East and West perimeter setback will be 15 feet. The building side

yards will be 6 feet. The street back to curb front setback will be 10 feet. The street back of sidewalk to building front will be 10 feet and the garage to either back of curb or back of sidewalk will be 20 feet.

Motion by: Commissioner Creveling

Commissioner O’Meara asked for an amendment of the motion for lots 5, 6, and 7 that the rear is 15 feet. Commissioner Cohen noted that there is still a recognized agreement between the developer and the community that the North setbacks would be 25 feet. The amendment failed for lack of a second. Commissioner Young called for a second of Commissioner Crevelings motion.

2nd by: Commissioner Vance

Vote: Commissioner O’Meara voted nay, all other commissioners in favor (of commissioners present)

Commissioner Name	For Motion	Against Motion	Not Present
Commissioner Young	x		
Commissioner Vance	x		
Commissioner Cohen	x		
Commissioner Creveling	x		
Commissioner Sutton	x		
Commissioner O’Meara		x	
Commissioner Collard			x

MEETING ADJOURNED

Time Adjourned – 2:27 p.m.